



Welcome to IADL,
International Association of Democratic Lawyers

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INTRODUCTORY MESSAGE FROM THE NEW YORK PERMANENT REPRESENTATIVE

Professor Lennox S. Hinds

As we prepare to participate in the 18th IADL Congress to be held in Brussels, Belgium, under the theme “Lawyering for people’s rights,” the representatives in Geneva, Vienna, and New York extend a warm welcome to all delegates and participants. We encourage you to carefully review the upcoming United Nations events listed at p. 22 of this *Bulletin* and request that you identify those events on which you would like reports or additional information. Our representations in New York, Vienna, and Geneva will make every effort to facilitate obtaining such reports or covering such events if time and resources permit.

We continue to acknowledge the tremendous contributions by Alternate Representative Beth Lyons for her coordination of activities in New York, and Alternate Representatives Claire Gilchrist and Gloria Bletter for preparing and organizing this *United Nations Activities Bulletin*. Looking forward to seeing you all in Brussels from April 15-19.

CHOLERA CASE AND HAITI UPDATE

IADL member the *Bureau des Avocats Internationaux* (BAI) and its U.S.-based affiliate, the Institute for Justice & Democracy in Haiti (IJDH), are continuing the fight for justice on behalf of victims of the United Nations’ catastrophic introduction of cholera to Haiti. In October 2013, BAI and IJDH filed a groundbreaking class action lawsuit in U.S. federal court against the United Nations, the United Nations Stabilization Mission in Haiti (MINUSTAH), Secretary-General Ban Ki-moon, and former Head of MINUSTAH Edmond Mulet. The lawsuit alleges gross negligence and wrongful death in connection with the defendants’ contamination of the Meille tributary with the cholera bacteria, obstruction of preliminary investigations into the source of the outbreak, and failure to provide the necessary resources to control the resulting epidemic. The lawsuit aims to secure the remedies the victims requested in their November 2011 petition to the United Nations claims office, which include 1) clean water and sanitation infrastructure; 2) fair compensation for their losses; and 3) a public acceptance of responsibility for the cholera outbreak. It represents one of the largest efforts to date to counter United Nations impunity.

BAI and IJDH have also continued public advocacy efforts to push for a more just United Nations response. In September 2013, Haitian diaspora activists joined together in a demonstration outside United Nations headquarters in New York, planned to coincide with the Haitian Prime Minister’s address to the General Assembly. As the General Assembly met, activists sang songs and held up

signs demanding action. IADL volunteer Brittany Grierson attended the event, but was unable to understand much of it because it was conducted in Creole.

Relenting to public pressure, Prime Minister Lamothe told the General Assembly that he believes “that the United Nations has a moral responsibility in this epidemic,”¹ marking the first time the Haitian government leadership has officially acknowledged United Nations responsibility in such stark terms. Other United Nations officers have also expressed their support for justice for cholera victims. Speaking at the Martin Ennals Human Rights Awards Ceremony in October 2013, where IADL Board Member Mario Joseph was being honored, United Nations High Commissioner for Human Rights Navi Pillay, said she “stand[s] by the call that...those who suffered as a result of that cholera be provided with compensation.”² In February 2014, the United Nations Independent Expert for Human Rights in Haiti further called on the United Nations to provide remedies to cholera victims.³ Their

statements reflect a growing tide of support within and outside the United Nations for a just response to the epidemic.

In the United States, Congressman John Conyers, Jr. and 64 other members of the House of Representatives sent a letter calling on U.S. Ambassador to the United Nations Samantha Power to assure that the U.S. Mission to the United Nations “intensif[ies] efforts to find a just solution” to the outbreak. The National Haitian American Elected Officials Network sent a similar letter to the U.S. State Department urging it not to defend United Nations immunity in the lawsuit. Despite these efforts, on March 7, 2014, the U.S. government filed a brief in support of United Nations immunity. BAI and IJDH are now preparing a response that will challenge the United Nations’ immunity on the basis that the United Nations has breached its own obligations under the relevant treaties granting immunity. The United Nations has refused to settle victims’ claims out of court or establish a standing claims commission to hear the claims — both key requirements under the United Nations’ immunity treaties.

Threats Against Lawyers

IADL, BAI and IJDH met with representatives from the Inter-American Commission on Human Rights in November 2013, to ask them to denounce an escalating pattern of threats and intimidation against lawyers and judges in Haiti. IADL successfully petitioned the IACHR in October 2012, on behalf of IADL member Mario Joseph. The mobilization

1 “At UN, Haitian leader urges ‘second look’ at island nation, where real progress is taking hold.” United Nations News Centre. 26 September 2013. <<http://www.un.org/apps/news/story.asp?NewsID=46067&Cr=general+debate&Cr1#.Us7ukrSQOSp>>.

2 Daniel, Trenton. “United Nations Official Makes Rare Case For Compensation For Haiti Cholera Victims.” 8 October 2013. <http://www.huffingtonpost.com/2013/10/08/un-haiti-compensation-_n_4066697.html?ncid=edlinkusaolp00000003>.

3 Annis, Roger. “CBC News examines implications of Haiti cholera lawsuit for United Nations operations worldwide, including in the Philippines.” 14 November 2013.

<<http://www.vancouverobserver.com/politics/commentary/cbc-news-examines-implications-haiti-cholera-lawsuit-un-operations-worldwide>>.

played a critical role in securing a subsidence in threats and improved security.

Several other Haitian lawyers have also been under attack by the Haitian government. Among them is attorney Patrice Florvilus, who, as a result of the November meeting, also received precautionary measures from the IACHR in December 2013. Florvilus had received threats and a criminal summons for crimes he did not commit in retaliation for his legal representation of police brutality victims.

Jean-Claude Duvalier Prosecution

In February 2014, a Haitian Appellate Court reinstated political violence crimes against former dictator Jean-Claude “Baby Doc” Duvalier. The court courageously challenged the impunity of the justice system, but also applied international human rights law to protect poor people for the first time in Haiti’s history. Mario Joseph called the court’s decision a “total victory”.

A magistrate judge, newly appointed to the case by President Michel Martelly, upheld the financial criminal charges in January 2012, but dismissed the political violence crimes upon the recommendation of the government prosecutor, another Presidential appointee, on the basis that they were past Haiti’s ten-year statute of limitations. Both sides appealed the split decision.

From December 13, 2012 through May 16, 2013, the Port-au-Prince Court of Appeals held weekly hearings. The three-judge panel listened to testimony from Duvalier and eight of his victims who had been arrested, deported, imprisoned and, in some cases, tortured. Meanwhile, Duvalier traveled around Port-au-Prince a free man and dined in

fancy restaurants. President Martelly presented Duvalier at public events as an elder statesman, and has even renewed his diplomatic passport.

On February 20, 2014, after nine months of virtual silence on the case, the Appellate Court reinstated the political violence charges against Duvalier. The Court held that under international law, to which Haiti is bound, a statute of limitations does not apply to crimes against humanity. One of the three appellate judges that issued the ruling will reopen the investigation and interview relevant witnesses and those accused of the crimes. The judge’s report will be considered by the Court, who will then decide whether Duvalier should stand trial.

According to Mario Joseph, who represents victims in the case, “the Court’s ruling applying crimes against humanity against Duvalier is a significant step towards combating impunity in Haiti’s justice system.” The Haitian Constitution of 1987, section 276.2, gives the court the power to use international law to protect victims of human rights violations. But this is the first time that a Haitian court has invoked international law to protect the poor. Joseph says that he hopes “that judges and lawyers consult this decision to end two centuries of impunity brought by our 1835 penal and criminal procedure codes.”

Much work remains ahead. The Appellate Court’s decision will likely be appealed to the Supreme Court, which has been stacked with President Martelly appointees. Support for justice in this case must be strengthened in and out of Haiti to limit the government’s undue influence on the courts. Visibility will also help keep these brave Appellate Court judges safe.

* * *

IADL ATTENDS THE 12TH ASSEMBLY OF STATES PARTIES TO THE ROME STATUTE

IADL bureau member Richard Harvey and IADL volunteer delegate Ms. Hitomi Takemura, Associate Professor, Aichi Prefectural University attended the 12th Assembly of States Parties to the Rome Statute of the International Criminal Court held from November 20 -28, 2013 in the Hague.

On November 21, Richard Harvey attended the Plenary Special Session requested by the African Union entitled: “Indictment of sitting Heads of State and Government and its consequences on peace and stability and reconciliation.” The segment consisted of a panel discussion followed by an interactive dialogue of States Parties. H.R.H. Prince Zeid Ra'ad Zeid Al-Husseini moderated the panel discussion. The session was linked to proposed amendments to the Rules of Procedure and Evidence (Rule 134*bis*) and Rome Statute Articles 27, 63 and 70. For relevant background to this plenary, see the decision of the African Union on 'Africa's relationship with the International Criminal Court' available at “http://au.int/en/sites/default/files/Ext%20Assembly%20AU%20Dec%20&%20Decl%20_E_0.pdf”.

IADL volunteer Hitomi Takemura attended the Assembly of States Parties from November 26-27. Below is her report on the sessions she attended.

Report of IADL Delegate Ms. Hitomi Takemura

Ms. Hitomi Takemura, Associate Professor, Aichi Prefectural University was honored to attend the 12th annual Assembly of States Parties [ASP] of the International Criminal Court [ICC] held from

November 20 -28, 2013 in the Hague, Netherlands, as a delegate of the IADL. Although Prof. Takemura was able to be there for only two days, November 26-27, she was still able to sit in on plenary meetings and a few side events and feel the heat of argument on some controversial issues.

Throughout this gathering, the focal point of both formal and informal meetings was the amendments of the Rules of Procedure and Evidence and possibility of the amendments of the Rome Statute in order to afford high ranking state officials special benefits. Kenya, whose president, Uhuru Kenyatta, and vice president, William Ruto, are currently in the dock of the ICC, proposed, along with other African States, that amendments to Rule 68 on prior recorded evidence and Rule 100 on the venue of the trial should be adopted for the convenience of high ranking officials. Kenya also successfully introduced new Rules, 134 *bis*, 134 *ter* and 134 *quarter*, on the excusal of parties from trial. While these proposals of the amendments to the Rules of Procedure and Evidence were successfully adopted by the ASP, the States Parties were not prepared to consider another ambitious Kenyan proposal to amend Article 27 of the Rome Statute in order to include a new article, 27(3), stating:

“Notwithstanding paragraphs 1 and 2 above, serving heads of states, their deputies and anybody acting or entitled to act as such may be exempted from prosecution during their current term of office. Such an exemption may be renewed by the court under the same conditions.”

This Kenyan proposal was not made in a timely fashion since Article 121 of the Statute requires that a proposal to amend the Statute be submitted to the Secretary-General of the United Nations at least three months before the ASP. Instead, the Assembly

held a special session on November 21 to discuss the issue of immunities and privileges of Heads of State at the request of the African Union (AU) entitled 'Indictment of sitting Heads of State and Government and its consequences' for peace and stability and reconciliation. There remains the potential for a similar proposal to be submitted in advance of the next ASP gathering.

Although Kenya did not succeed in its attempt to amending the Statute in relation to exemption from prosecution for serving Heads of State, by adopting the new Rules 134 *bis*, *ter*, and *quarter* on the use of video technology, excusal from presence at trial, and excusal from presence at trial due to extraordinary public duties, the States Parties did agree to excuse some high ranking officials from being present at their trial. Needless to say, such amendments of the Rules of Procedure and Evidence run counter to the spirit of Articles 27 and 63 of the Statute.

The amendment of Rule 68 [mentioned above] also raises questions regarding Article 67's right of the accused to be present at proceedings and to confront and examine adverse witnesses.

At the tenth plenary on November 26, States remarked on the Resolution to strengthen the ICC and the ASP (omnibus resolution). It was quite astonishing that the United Kingdom (UK), along with France, held that they have no intention of ratifying the amendments to the Rome Statute in the near future which define the crime of aggression, as adopted at the Kampala Review Conference. These two states would therefore prefer not to use the word '*welcomes*' in the recent ratifications of the amendments in the proposed draft resolution. Some states criticized the position of the UK and reminded the ASP that the Kampala amendments were adopted by consensus. A concession was

made in this twelfth plenary to use the wording '*notes with appreciation*' instead of '*welcomes*' for this particular paragraph of the Kampala amendment (now paragraph 64 of Resolution ICC-ASP/12/Res.8).

Along with the plenary, there were a number of side events. On November 26, a panel discussion was held entitled 'Towards a more effective and efficient International Criminal Court: How best to Expedite the Proceedings' (co-hosted by The Netherlands, Sweden, Switzerland, and the United Kingdom). Here again, the amendments of the Statute and the Rules of Procedure and Evidence were considered to make the ICC more efficient. The representative of one NGO warned of the current tendency to use template amendments in open trials. However, practitioners and Judge Sanji Monageng stressed the unexpected obstacles the ICC had gone through, such as the vast number of victim applications, causing Judges to work until 1 am every night.

On November 27 the side event named 'ICC witness protection' (co-hosted by Colombia, Norway, Switzerland, the International Commission of Jurists [ICJ]-Kenya, and the Open Society Justice Initiative) was held. Some raised the risk of false witnesses if international criminal institutions provide generous legal and practical supports to witnesses and their relocation in developed countries. However, the delegates of developed countries emphasized that relocation of witnesses is an exceptional measure. A Kenyan NGO delegate pointed out that current Kenyan witness protection measures are underfunded and support from developed countries is indispensable.

Finally, this twelfth ASP reminded us that, for better or worse, the Assembly consists of delegates of the States Parties, that is, diplomats. Therefore, it

is expected that the independent oversight mechanism, under Article 112 para. 4, operationalized by Resolution ICC-ASP/12/Res.6 adopted by this ASP, should be independent from any political pressure.

Last but not least, Prof. Takemura thanks Ms. Beth Lyons and Mr. Osamu Niikura for enabling her to travel to the Assembly of States Parties.

* * *

IADL'S UNITED NATIONS ACTIVITIES IN GENEVA

Micòl Savia, IADL's Permanent Representative to the U.N in Geneva, participated in the **25th SESSION OF THE HUMAN RIGHTS COUNCIL** on behalf of IADL from March 3-28, 2014. She made **two oral interventions** during the Session, the texts of which can be found in the Annex to this *Bulletin*. The first intervention was a joint appeal, by IADL and the National Union of Peoples' Lawyers (NUPL), to the Special Rapporteur to investigate the cases of extra judicial killing of children in the Philippines. IADL and NUPL urged the Philippines government to respect the United Nations Convention on the Rights of the Child and to comply with its obligation under international human rights law.

The second intervention called the attention of the Council to the severe and unprecedented attack by the United States Obama Administration on whistleblowers and national security reporters and on the consequent chilling effect on the press coverage of issues of great public interest. IADL called upon the Human Rights Council to urge Member States and in particular the U.S. government to 1) refrain from the excessive and systematic use of secrecy as a means to shield

wrongdoings and illegal activities from the public scrutiny; 2) provide adequate protection to persons disclosing public interest information that is relevant for the promotion and protection of human rights; and 3) ensure full protection to journalists while performing their work and therefore to guarantee the free flow of information and the fundamental right to seek, receive and impart information through any media.

IADL also co-organized a side event during this session, with Richard Falk, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. In light of the United Nations General Assembly declaration of 2014 as the International Year of Solidarity with the Palestinian People, the event aimed to foster discussion on how to ensure that global support for Palestinian Rights be maintained and enhanced during 2014 in the United Nations and among the peoples. Speakers included Special Rapporteur Falk; Issa Amro, Palestinian Human Rights Defender, Chair of Youth Against Settlements in Hebron; Krishna Ahojapatel, Women's International League for Peace and Freedom (WILPF); and Daniela Donges, GICJ. Please see the Annex for the flyer to this event.

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IADL'S UNITED NATIONS ACTIVITIES IN NEW YORK

Judges and Advocates Gather on 40th Anniversary of Chile's Coup D'état to Discuss Universal Jurisdiction

On September 9, 2013, in commemoration of the 40th anniversary of the September 11, 1973 coup

d'état in Chile, individual judges, attorneys, and advocates who brought coup leader Augusto Pinochet to account for crimes against humanity, gathered to discuss the legal doctrines their efforts brought into being, and the worldwide attention brought to the doctrine of Universal Jurisdiction. IADL President Jeanne Mirer and United Nations alternate representatives Beth Lyons and Claire Gilchrist were in attendance at the event, held in New York City and entitled "Tribute to Justice: Creating Accountability for Human Rights Crimes and The Future of Universal Jurisdiction." The event was presented by The Charles Horman Truth Foundation and CUNY School of Law, and co-sponsored by the Center for Constitutional Rights, the Institute for Policy Studies and the North American Congress on Latin America.

The panelists at the event included Judge Balthazar Garzon, Joan Garces, Judge Juan Guzman Tapia, Jennifer Harbury, Reed Brody, and others. Panelist Judge Juan Guzman Tapia, retired Judge of the Appellate Court in Santiago, Chile, has also participated in an International Commission for Labor Rights (ICLR) delegation to Mexico with Jeanne Mirer from May 18-24, 2010.

The event was divided into two panels. The topic of the first panel was "Taking Accountability to the Top for Human Rights Crimes." Panelists highlighted that the indictment against General Augusto Pinochet gave people the courage to speak out against the crimes he had committed. The panel also spoke of the importance of investigating and interviewing the trial judges who rejected 10,000 plus habeas corpus petitions by Chilean citizens during the relevant timeframe. They emphasized the need to document crimes and seize the opportunity to act when political conditions arise for indictment and prosecution.

The message of the panel was that prosecutions led by victims can succeed given 20-30 years. Reed Brody of Human Rights Watch gave the example of the indictment and prosecution of ex-Chadian ruler Hissene Habre after 20 years, stating that changing political conditions in Senegal plus the documented crimes allowed the process to proceed. Mr. Brody did not discuss conflicts between the concepts of universal jurisdiction and national sovereignty.

The second panel was entitled "The Future of Universal Jurisdiction." Panelists discussed anecdotes surrounding the Pinochet extradition case, emphasizing that the extradition was won, and involved the collaboration of 10-15 countries.

Human Rights and Conflict Minerals in the DRC

On October 3, 2013 IADL Alternate Representative Beth Lyons attended "The Cost of Conflict Minerals: Human Rights and Corporate Compliance," co-sponsored by the Association of the Bar of the City of New York's Committee on International Human Rights. Speakers debated the effectiveness of U.S. legislation on human rights in the Democratic Republic of Congo [DRC], and corporate compliance, under a new disclosure rule adopted by the Securities and Exchange Commission [SEC] in the U.S. (*see*, SEC website at "<http://www.sec.gov/divisions/corpfin/guidance/conflictminerals-faq.htm>").

This rule implements 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, which requires companies to submit annual disclosure of any conflict minerals (for example coltan, cassiterite, gold, wolframite, or their derivatives) originating in the DRC or adjoining countries, and used in their products. The companies must report on the source and chain of custody of those

minerals; it does not prohibit use of conflict minerals, but simply requires disclosure of their origin and function. These reports are due on May 31, 2014.

The legality of this SEC rule, and the constitutionality of Section 1502 (on First Amendment grounds) requiring public disclosure, were challenged by the U.S. Chamber of Commerce and National Association of Manufacturers. The court rejected the plaintiffs' arguments.

The event was chaired by Ms. Elizabeth Barad, Esq., of the New York City Bar Association's African Affairs Committee. Speakers included Michael Littenberg, Esq, advisor to corporate clients regarding compliance with Conflict Minerals legislation; Tom Quaadman, Esq., Vice-President of the U.S. Chamber of Commerce, which represents three million businesses in the U.S, and a plaintiff in the litigation to defeat Section 1502 of the Dodd-Frank Act; Julie Murray, Esq., a lawyer for *Public Citizen*, who represented Amnesty International and International USA as interveners in the Section 1502 litigation; and Kambale Musavuli, Student Co-ordinator for Friends of the Congo, an NGO involved in lobbying efforts and campaigns to end exploitation and war in the Congo.

While all the speakers concurred that egregious human rights violations continue in the DRC, their assessments of the disclosure regimen differed. Quadman argued that the SEC rule does not provide real disclosure, and that many smaller companies cannot pay to implement its regulations. Littenberg focused on its technical requirements, and was extremely knowledgeable about business disclosure practices internationally. Murray explained the legal

challenges in detail, and concluded that industry brought the case in order to obstruct the rule-making power of the U.S. Congress.

Musavuli's position was that the goal should be to end the conflict in the Congo, not to reform the disclosure requirements for conflict minerals. He proposed continuing pressure against the aggression from Uganda and from Rwanda, including its support of M23 [a rebel army which takes its name from a March 23, 2009 ceasefire; peace declarations were signed between the DRC Government and M23 rebels on December 12, 2013, after the date of this event]. Musavuli also urged withholding U.S. assistance to countries which destabilize the DRC, pursuant to Section 105 of the DRC Relief, Security and Democracy Promotion Act of 2006.

IADL Alternate Rep. Beth Lyons raised the issue of the prosecution and accountability of U.S. companies for crimes which resulted from their trade in conflict minerals.

NOTE: On November 1, 2013 a criminal complaint was filed with the Swiss Federal Prosecutor against Argo-Heraeus SA, a Swiss precious metals refinery, for allegedly laundering gold pillaged from the DRC. Excellent materials on pillage as a war crime are available from the Open Society Foundation, in French and English: "<http://www.opensocietyfoundations.org/node/50920>" and "<http://www.opensocietyfoundations.org/reports/corporate-war-crimes-prosecuting-pillage-natural-resources>"

The Responsibility to Protect: New Report Aims at a Common Standard

On October 7, 2013 panel members at an event co-hosted by the Global Centre for the Responsibility to Protect and Cardozo Law School in New York City shared their view that the responsibility to protect (“R2P”) could eventually achieve what they termed a consistency necessary for credible implementation. The event was attended by IADL Volunteer Dana Heitz. The discussion commemorated the launch of a Report entitled “A Common Standard for Applying the Responsibility to Protect.” Panelists included Cardozo Law Professor Sheri Rosenberg, who wrote the Report, along with commentators Ambassador Jette Michelsen of the Permanent Mission of Denmark to the United Nations, and Adama Dieng, Special Adviser to the United Nations Secretary-General on the Prevention of Genocide, along with moderator Dr. Simon Adams, Executive Director, Global Centre for the Responsibility to Protect.

The “Common Standard” represents three years of research and is intended to guide the conduct of international/regional organizations, states, NGOs, and media actors. It provides that, “The situation will be considered in the context of R2P, if [upon examination of the situation there is] a real risk that exceptionally grave human rights violations, [such as] genocide, war crimes, crimes against humanity and ethnic cleansing, are occurring or could occur in the future.”

The panel stated that the formulation considers four principles. It addresses a broad range of human rights violations and removes the focus from strict compliance with legal standards, which panelists said may distract from the substance of the

atrocities. It provides for the question of degree, that is, whether the violations at issue rise to a level that triggers R2P. It accounts for a spectrum of R2P measures, considering which is most appropriate for the situation and whether the violations are ongoing. The report states that military intervention should only be a last resort.

Panel members considered that the benefits of a Common Standard include the attention it spreads across the entire R2P spectrum, particularly to the forward-looking obligation to prevent and not simply to react. Under a common standard, resources would be distributed according to their greatest impact. It anticipates consistency in applying R2P and enhancing the framework's legitimacy, while correspondingly centering the discussion on what action is appropriate.

The commentators and audience offered a range of praises and criticisms of the standard. For example, Ms. Michelsen stated that while the standard provides a tool for pressuring state actors to act before military intervention enters the discussion, she noted it does not establish who 'owns' the Standard and the principles that underlie its formulation; it is key that the tools belong to states themselves. Mr. Dieng concurred, noting that a key omission from current understandings of R2P is its failure to be accepted as a “living” framework fully integrated into actions by states and NGOs. Further discussion centered on the standard of proof and politicization of R2P.

The above Report is available by e-mailing <sprosenb@yu.edu>.

EDITOR'S NOTE: Professor of Law and IADL Bureau Member Marjorie Cohn wrote an

article on this issue dated May 15, 2011 (*see* ["http://truth-out.org/opinion/item/1103-the-responsibility-to-protect--the-cases-of-libya-and-ivory-coast"](http://truth-out.org/opinion/item/1103-the-responsibility-to-protect--the-cases-of-libya-and-ivory-coast)). See also IADL position on Syria. IADL's critique holds that R2P doctrine violates the United Nations Charter; it is also not contained in any international treaty, and is not a norm of customary international law. The US, France, and Britain supported their bombing of Libya and Ivory Coast in 2011 under a so-called duty to protect civilians there. This 'doctrine' should be viewed with "extreme caution" and only applied when all peaceful means, including pursuing an immediate ceasefire, have been tried and then only with the consensus of the international community.

NGOs Host Meeting on WHO Mental Health Action Plan

On October 10, 2013 IADL alternate delegate to the United Nations Gloria Bletter attended an NGO Committee on Mental Health meeting in New York City. The topic of the meeting was the World Health Organization (WHO) Global Mental Health Action Plan. Speakers included Carlos Gonzalez, the Ambassador to the United Nations from El Salvador, who has an interest in treatment for mental health sufferers in his country, and sees such services as a necessary component of health care and of human rights. He pointed to the example of treatment needed for visual problems; many poor people have diminished eyesight due to having to work in sewing factories.

He also touched on a "Culture of Peace" plenary, and advocates an 'International Decade for the Promotion of Peace,' to be initiated for 2013-2023, making use of programs already in place such as the Commission on the Status of Women and the Beijing statement regarding equality of rights; related goals of decreasing violence against women;

and the United Nations' post-MDG 2015 agenda. Ambassador Gonzalez stressed that his country is more concerned with human development than with the conflicts which engage the largest governments.

Elizabeth Carll of the International Society for Traumatic Stress Studies and other mental health organizations, spoke of 4 action goals [also the agenda of WHO]: 1) community-based mental health activities integrated into programs promoting overall health; 2) promotion & prevention; 3) information systems and research; and 4) links between mental, physical, and social health.

Werner Obermeyer of the WHO pointed out that by the year 2050 there will be two billion people over 60, and that depression and dementia will be the two main health concerns. These needs are relevant to services to be provided under universal health care coverage, expected by 2015. He distributed a Statement of the WHO Comprehensive Mental Health Action Plan 2013-2020. A copy of this Statement is available to those interested.

Catherine Classen, Professor of Psychiatry and participant in the Trauma Therapy Program at a Toronto Hospital, discussed how childhood trauma can manifest itself in many ways, such as binge eating, and re-traumatization brought on by adult abuse. High rates of childhood abuse or neglect can lead to inability to cope as an adult.

A long term study called ACE, or Adverse Childhood Events, indicates that abuse indicates later higher use of health-care systems by victims. Health professionals need to be educated about the unique needs of these patients, such as the need for feeling safe. Developing mobile phone systems with links to information and help may assist in many rural areas of the world.

Justice Moseneke Speaks on South Africa: Fundamentals of its Constitution in a Global Context

On Monday October 21, 2013, IADL Volunteer Dana Heitz attended a lecture and interactive discussion with Dikgang Moseneke, Deputy Chief Justice of the Republic of South Africa and Chancellor of the University of the Witwatersrand, held at Fordham Law School in New York City, and moderated by Professor of International Law Gay McDougall.

Justice Moseneke had been imprisoned for political activism at the age of 15, and served ten years alongside Nelson Mandela. He later served as a founding member of the Black Lawyers' Association and the National Association of Democratic Lawyers of South Africa. Professor McDougall's introduction noted the tremendous impact the Constitutional Court has had in shaping South Africa's progressive constitution and in realizing its impact for ordinary South African citizens; the Chief Justice elaborated on this theme.

He began by noting that the last twenty years of South African freedom have served as a response to hundreds of years of colonial oppression followed by decades of apartheid, in which defined "innate differences" between citizens not only fostered an environment of oppression, but also justified its continuation along a chain of privileged to less privileged groups. In emerging from this dynamic, Justice Moseneke drew parallels between South Africa and other societies which experienced blatant injustices like those which went through the Arab Spring and post-conflict nations in Eastern Europe.

Justice Moseneke highlighted three features of the South African constitution that exemplify its opposition to the apartheid norm. First, the norms which now uphold the constitution include non-discrimination, transparency, and accountability, such as the truth and reconciliation commissions which gave space to grief and to taking stock before moving forward as a democracy. Another feature is found in the court's interpretation of its duty to uphold equality and dignity and its expansion of that duty to socioeconomic rights. Such rights introduce elements of accountability and social spending which acknowledge and compensate for the legacy of apartheid-based policies. Finally, the Justice addressed the importance of measures which curb the power of the executive and ensure it remains answerable to parliament.

In taking questions afterward, the Chief Justice addressed the mechanics of securing affirmative rights to the population as well as South Africa's role in human rights both regionally and internationally. He remarked that many African societies are currently undergoing transitions and undertaking their own constitutional revisions, which can lead to contradictions within those governments depending on how such transitions are made. His recommendations in response to a specific question on Egypt are appropriate for nascent democracies worldwide: Start from "We the People"; achieve a balance between proportional and constituency representation; and take the time to establish checks and balances between a multiplicity of voices.

Special Rapporteurs on Extreme Poverty and the Right to Food Discuss the Impact of UN Special Procedures

On October 22, 2013 CESR and Columbia Law School's Human Rights Institute hosted a conversation with Dr. Magdalena Sepúlveda, Special Rapporteur on Extreme Poverty and Human Rights, and Professor Olivier de Schutter, Special Rapporteur on the Right to Food. IADL alternate delegate Gloria Bletter was in attendance. Both Rapporteurs were appointed in 2008. New Rapporteurs are to be appointed in March 2014.

The speakers were introduced by Ignacio Saiz, Executive Director, CESR, who gave an overview of Special Procedures of the Human Rights Council, under which Rapporteurs are enabled to make country visits, to investigate and report, and also to note how states are complying with normative standards, often in consultation with NGO's. Of the 27 total Rapporteurs now appointed, 8 are concerned with economic and cultural rights. This may be indicative of the relative lack of priority given to such issues within the United Nations system.

Although these unpaid appointees have come under attack, they have also extended the substantive scope of human rights standards, and have made findings applicable to non-governmental agents.

Olivier de Schutter discussed the right to food, stating that in 2008 there was a world crisis in access to food by poor people. He found that the solution could not be state-based, but had to involve as well major actors in world food security such as Food-Aid and farmers' organizations.

His missions to the World Trade Organization and the Food & Agriculture Organization were 1) for the purpose of assessing whether their policies

accord with international law; and 2) whether their food security programs comply with accessibility to food by all segments of the population. These contacts took time as his goals required developing relationships, or "quiet diplomacy," behind the scenes, and not necessarily relying on written reports.

Magdalena Sepúlveda added, however, that well-researched reports will lend credibility to Rapporteurs' findings. She linked the eradication of extreme poverty with the promotion of human rights. States are, however, still criminalizing poverty by increasing requirements for poor people to obtain benefits. Unpaid work, done mostly by women as caretakers, remains unrecognized under the 2015 MDG's mandate. Women fill the gaps in available services.

Mr. de Schutter stated that international law develops incrementally, and is helped by articulating new obligations among relevant stakeholders. A protect-respect framework makes obligations explicit, such as requiring food reserves, and assessment of the impact of trade policies on access to food.

During the meeting a question arose regarding a human rights perspective on the 2015-post-MDGs. Attendees found that the consensus should be that without the inclusion of human and women's rights, social programs will not succeed. Language should be used to make explicit what may now be implicit. A problem that exists is that there is a global charity model rather than a rights/obligations model. The message was that Rapporteurs' reports have a collective impact; grassroots movements can use them to legitimize their own efforts and push them forward as by identifying entry points and opportunities.

**INTERNATIONAL LAW WEEKEND (ILW),
October 25-26, 2013, Fordham Law School, New
York City**

**“International Criminal Tribunal on Rwanda
(ICTR): Referring International Criminal Cases
to National Jurisdictions--Lessons Learned and
Best Practices for Closing the Impunity Gap.”**

On October 25, 2013 IADL's Alternate Representative Beth Lyons attended this workshop, part of the International Law Weekend (ILW), at Fordham University School of Law. The panelists were James J. Arguin, Chief, Appeals and Legal Advisory Division, ICTR Office of the Prosecutor; and Cheickh Bangoura, Policy Coordinator, ICTR. The Hon. Howard Morrison, a judge at the International Criminal Court (and former ICTR Defense counsel) was scheduled to be a panelist, but was unable to participate.

Representing solely the Prosecution and ICTR itself, a one-sided view of the ICTR referral process, especially to the Rwanda national government, was presented. This process has been criticized by IADL and others for its inability to deliver fair trial guarantees to defendants and their teams and witnesses (*see*, IADL Amicus Brief in *Uwinkindi* case, opposing referral to Rwanda Courts).

Arguin reviewed the history of the ICTR, and Rule 11 *bis*, governing the referral process. Up until 2007, the ICTR's Prosecution referred five cases to Rwanda; the Prosecution's requests were rejected by both the Trial and Appellate Chambers of the ICTR on fair trial grounds. Since then, Prosecution's requests for referrals have been granted. Currently, there are eight referred cases to

be heard by Rwanda's courts; two cases were referred to France. Also, in the last few years, cases of unapprehended suspects have been referred to Rwandan Courts.

Arguin attributed the change in the Chambers' position to many factors, including a) Rwanda's abolishment of the death penalty; b) the establishment of a “monitoring process”; and c) efforts by the Prosecution and ICTR to address capacity-building in Rwanda's judicial system. He was particularly critical of the “undue delay” in the French cases, which have been going on for six years. He failed, however, to note the egregious undue delay in the ICTR's own cases, some of which have exceeded a decade.

The ICTR's proceedings have officially ended under its mandate, as of November 5, 2013. Arguin identified the “transfer of knowledge” between ICTR teams and Rwandan jurists, accomplished by embedding Rwandans in ICTR teams in the Office of the Prosecutor (OTP), Chambers and Registry.

A general fallacy of this presentation is that a) Rwanda can provide a fair trial, and b) the monitoring system in place to “safeguard” fair trial rights can be effective in the political context of Rwandan courts, where the government has been criticized for its human rights violations and attacks on opposition political parties.

IADL Alternate Representative Beth Lyons questioned Arguin about the details of the above-mentioned “monitoring process,” especially as to sources and reliability of information collected. He indicated that there are monthly reports which are public, but did not respond substantively.

A professor at Tufts University's Fletcher School of Diplomacy questioned “victor’s justice” at the ICTR, which contradicts the mandate of SC Resolution 955. A law student from Loyola University challenged an apparent selective prosecution of Africans at the ICC. Bangoura disputed that selective prosecution exists, since numerous African countries had called upon the ICC to investigate situations in their territories.

United States' Jurisdiction over Foreign Corrupt Practices

On October 25, 2013, IADL Volunteer Dana Heitz attended a panel discussion presented by the Extraterritorial Jurisdiction Committee of the American Branch of the International Law Association. The panel was moderated by Professor Bruce Bean and consisted of panelists Professor Mike Koehler of Southern Illinois University, Bruce Marks, Esq., of Marks & Sokolov, and Tom Firestone, Esq., of Baker & McKenzie. For a full summary of this event, please see the report in the *Bulletin's* annex.

“The United Nations Framework Convention on Climate Change: What Can We Expect at COP19 and Beyond”

IADL alternate representative to the United Nations Claire Gilchrist attended this panel on October 26, 2013, which examined some of the key issues facing the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) at the 19th session of the Conference of the Parties to the UNFCCC. The panelists discussed what can be accomplished at the meetings in Warsaw, and the implications for long-term climate policy making at

the international level.

The discussion focused in particular on where monetary resources would be obtained for adaptation funding and mitigation financing. One panelist advocated for an international forum for liability claims by nations of the Global South against the Global North, while others questioned where the money would come from for compensation schemes when claims were successful. Proposals for monetary sources included a tax on currency transactions or maritime transport.

Panelists also raised the issue of private and state geo-engineering initiatives which could cause dangerous anthropogenic interference with the climate. A question that arose for IADL is whether civil society and states can draw from the anti-nuclear weapons frameworks and language and apply them to climate talks, particularly in the context of geo-engineering, which has the potential for immense foreseeable, global, and relatively fast-acting harm (according to one panelist, 2-3 years if a geo-engineering event is attempted then abandoned).

The panelists included Wil Burns, Associate Director, Energy Policy & Climate program, Johns Hopkins University; Committee Chair, International Environmental Law Committee, ABILA ; Nathaniel Keohane, Vice President, International Climate, Environmental Defense Fund, Andrew Strauss Professor of Law & Associate Dean for Faculty and Strategic Initiatives, Widener University School of Law.

Editor’s note: The Warsaw Conference on Climate Change took place in November 2013. For United Nations reports on the conference, please see

https://unfccc.int/meetings/warsaw_nov_2013/meeting/7649.php”

“Disputes & the Regime of Rocks & Islands under the United Nations Convention on the Law of the Sea”

On October 26, 2013 Claire Gilchrist attended the above ILW panel, which discussed the regime of islands and rocks under the United Nations Convention on the Law of the Sea (UNCLOS) Article 121, pulling from current events and disputes including the South China Sea and the Cyprus Issue, as well as other issues faced by island-nations. Panelists included diplomats, State legal advisors, academics, and practitioners.

Article 121.3 of UNCLOS provides that a “rock” which cannot sustain human habitation or an economic life of its own shall have no exclusive economic zone or continental shelf. No panelist discussed the economic and human rights significance of this article for islands which are losing the ability to sustain human habitation due to climate change and global warming, and may thus become characterized as rocks, with ensuing loss of economic sovereignty over remaining territory.

State Military Collection of Evidence in Counter-Terrorism

On October 26, 2013, IADL Volunteer Dana Heitz attended a panel discussion on the state military role in gathering intelligence in counter-terrorism cases. David Scharia of the Counter-Terrorism Committee Executive Directorate at the United Nations Security Council introduced the problems that can arise from the introduction of information collected by the military (such as computers and paper

documents) where terrorism cases are heard in civilian courts, or when such evidence is transmitted across national boundaries. The panelists indicated an effort to support United Nations Member States in prosecuting terrorism cases, while adhering to principles of international law, international humanitarian law, human rights, and rule of law. Specific challenges identified by Adria de Landri (also of the United Nations Security Council's Executive Directorate) included: maintaining the integrity of evidence during collection; accommodating the seizing of witnesses; providing mutual legal assistance between foreign affairs officers in cooperating nations; and accounting for national security concerns.

Bibi van Ginkel, a Senior Research Fellow with the International Centre for Counter-Terrorism in The Hague, cited several factors that play into a determination of which rules apply: timing and jurisdiction (giving examples); practical issues such as pressure on, and security measures available to, witnesses; cultural idiosyncrasies that may play a role in credibility; and chain of custody concerns that arise from the role of NGOs. Recommendations for easier access to shared evidence included a clear mandate, the use of standard training and evidence templates, reliance on specialists including a custodian of evidence and a stand-by team of forensic experts, and sharing of best practices.

Ben Campbell, a partner at Latham & Watkins, situated some of these problems in a US-based context and described the tensions between civilian law enforcement and the classification and confidentiality interests of the military. Also related to US concerns is the relationship of international and humanitarian law to the US military, including the extent to which US-based rules, guidelines, and practices govern the military vis-a-vis the rights of

the accused, with Miranda rights in particular. The panelists hoped that these issues will become increasingly salient due not only to the changing nature of combatants' identities, but also to an international shift from a “war paradigm,” wherein the main objective is to kill or incapacitate the enemy, to a “law paradigm” focused on capture and prosecution in accordance with the rule of law.

* * *

International Corruption Conference with Transparency International

On November 21 and 22, 2013, IADL Volunteer Dana Heitz attended a conference on corruption at the Center for Public Scholarship at The New School in New York. It included discussions by scholars and practitioners of widely-varying facets of corruption. Dr. Peter Eigen, founding director of Transparency International, opened the conference with a keynote speech on the necessity of an organized, engaged civil society in both preventing corruption and fostering a robust capacity for good governance. The three panels convened the following day were moderated by professors or directors of The New School, and offered a broad spectrum of issues in preventing corruption and promoting transparency.

The first panel, “Understanding Corruption—Social and Historical Dimensions,” situated corruption within a historical/philosophical context. The panelists offered insights into the relationship between democracy, control of corruption, and human development indicators. Specifically, while the minimal social trust necessary for combating corruption does not necessarily result from democratization of a society, it can stem from increased perceptions of fairness by government, as measured by indicators such as effective education

and health care. Examples of types of corruption in privatized government services are: inappropriate placement of a monetary value on a good which has an inherent value, e.g. paying for friendship; and institutional corruption, for example, political contributions which distort the purpose of representative democracy. Such practices demonstrate the inadequacy of a one-size-fits-all remedy for varying types of corruption, and highlight the necessity for a nuanced understanding of the phenomenon.

The second panel, “Corrupt Systems – Government, Labor, and Markets,” was moderated by Michael Cohen, the New School's director of the Graduate Program in International Affairs. It included ideas such as acknowledging how naming corruption as mere bribery eliminates such other dimensions as non-financial influences, for instance, nepotism; corruption in civil society organizations; and corruption as “the misuse of publicly entrusted power for private gain by government officials, firms, and individuals.” This broader definition encompasses bribery, fraud, illegal self-dealing and deliberate oversight of conflicts of interest. The final speaker suggested several measures to reform and diminish corruption, such as reducing agents' discretion and improving officials' pay and employment conditions.

The third and final panel, entitled “Possibilities for Reform,” began with a description of the need for an organized approach to the problem of corruption. Speakers recognized that any definition of corruption must account for the governmental context in which the practice arises, that is, whether corruption is the norm or an exception. Both incentives and deterrents can be used to combat institutional corruption, which can be checked when a balance between resources and constraints is

created over time. According to this panel, democratic processes are critical in preventing corruption, which will be the norm until those with a stake in ending corruption can “oppose [it] in ways that can't be ignored.” This strategy depends on citizens acting in their own self-interest through an open legislative process, and it unites a broad range of practical strategies to develop novel but effective political outcomes. The final speaker used the example of campaign contributions in domestic US political campaigns to establish that enforcement mechanisms constitute the missing link between human rights and anti-corruption work.

More information about speakers and scholarship presented at the conference can be found at <http://www.newschool.edu/cps/corruption/>.

“Breaking Down the Silos: Integrated Approaches to Environment Sustainability, Inclusive Growth and Poverty Reduction”

On November 26, 2013, alternate delegate Gloria Bletter attended the above side event at the Fifth Session of the Open Working Group on Sustainable Development Goals in New York. This event, co-sponsored by Costa Rica and France, featured 8 speakers plus a video, and included four experts on the Panel.

Special Adviser to the UNDP, Olav Kjørven, listed seven issues which still need recognition: 1) climate-change threats to stability, coincident with fewer resources; 2) population dynamics like increasingly overcrowded cities and creation of slums; 3) importance of ecosystems; 4) food and water availability; 5) access to resources by the poor; 6) access to information; and 7) gender equality. In other words, the MDG's are “unfinished

business.” Additionally, OXFAM suggested that policy goals be continued for all in the face of increasing inequality.

A method of organizing discussion around these complicated issues is through “silos”--a political construction meant to digest complex problems into manageable units. However, nature does not file itself into separate neat topics, like climate, ecology, habitats; they all overlap. According to Panelist Wael Hmaiden from Climate Action Network-International, tough questions have been avoided, and there is a lack of leadership. For example, the private sector has been asked to assume problems it will not solve, i.e., ensuring that needs of the poor are met.

Thus, poverty is not equivalent to lack of income, but results from multiple deprivations; separating goals does not work. We need to think in terms of 'shared targets,' and integration of goals into nations' planning departments. A common language with goals towards a shared future is necessary. Holistic approaches such as when planning a new maternity hospital, and workable proposals for how poor people will get there are also necessary.

Ivo Havinga of the United Nations Statistics Division in the Department of Economic and Social Affairs (DESA) outlined a statistical framework for keeping track of sustainable development which calls for input of data from many sectors, including the general public, financial agents, and media. A commitment to this monitoring process is needed; implementation is outlined in a handout called “The System of Environmental-Economic Accounts [SEEA].” The handout can be obtained by contacting SEEA at <seea@un.org>

58th COMMISSION ON THE STATUS OF WOMEN (CSW)

The 58th Commission on the Status of Women was held in New York City from March 10-21, 2014. A number of IADL delegates and volunteers attended the Commission, including the permanent and alternate representatives for Vienna Evelyn Dürmayer and Lilian Hoffmeister; alternate representatives for New York Claire Gilchrist and Gloria Bletter; as well as New York-based IADL volunteer Dana Heitz. Report-backs on the Commission hearings will be available in the next *Bulletin*.

IADL Delivers Oral Statement Calling for Inclusion of Women and Girls in Decision-Making on Energy Use

IADL's statement was drafted by the Vienna NGO Committee on the Status of Women with participation by Evelyn Dürmayer, IADL's permanent representative to the United Nations in Vienna. It was delivered by IADL alternate representative in New York Gloria Bletter at the March 20, 2014 hearing during the second week of the CSW. For more details please see the Vienna Activities portion of this *Bulletin*. The full statement is included in the Annex.

Vienna NGO Committee Issues Statements in Preparation for CSW

IADL is a signatory to two statements by the Vienna NGO Committee on the Status of Women presented to the participants of the 58th Commission on the Status of Women in preparation for the Commission. The first statement is on the priority theme of the 58th CSW, "Challenges and achievements in the implementation of the MDGs for women and girls". The statement provides that the targets set by the MDGs can only be met when

Gender Equality as a core principle is respected and integrated in all programs and actions. The second statement is with respect to the Review Theme of the Commission, "Access and participation of women and girls to education, training, science and technology, including for the promotion of women's equal access to full employment and decent work." In the statement, the NGO Committee declares that one of the greatest requirements for achieving sustainable development and eradicating poverty is an educated female population. The full text of each statement can be found in the Annex to the Bulletin.

IADL CSW Dinner Honors IADL President Jeanne Mirer

On the evening of March 14, 2014 IADL members and delegates to the CSW gathered for a celebratory and organizing dinner at Ali Baba's Terrace restaurant in mid-town New York City. The dinner honored IADL President Jeanne Mirer in celebration of International Women's Day. The delegates in attendance applauded Jeanne for her tireless advocacy and leadership. Alternate representative Beth Lyons spoke of Jeanne's leadership in motivating and mobilizing members to organize together to achieve the IADL's mission. The dinner also provided the opportunity for exchange between the New York-based delegates and the delegates from Austria- Evelyn Dürmayer and Lilian Hoffmeister- regarding IADL's presence and participation in the next CSW, in particular proposals for a side event.

* * *

William Easterly Book Launch on Development and the Poor

On March 4, 2014 IADL Volunteer Dana Heitz attended a book launch event for William Easterly's new book, "The Tyranny of Experts: Economists,

Dictators, and the Forgotten Rights of the Poor.” In the book he argues that self-determination by the world's poor is as much an end goal of development as is national economic progress.

During his remarks, Professor Easterly summarized three myths that structure the book's thesis. The first myth is that any technical solution to poverty can be “value-neutral.” This overlooks the reality that every measure undertaken will necessarily either help or hinder poor peoples' individual rights. Second is the myth of the “blank slate”: that development workers and aid organizations ignore the colonialist context that shaped many countries in the developing world, as well as the legacy that individual rights are often overridden by economic development. The third myth is that of authoritarian 'growth miracles,': that where economic growth has occurred it is because of government actions and not despite them.

Professor Easterly did not offer any prescriptive solutions given the early stage of the discussion, but he did suggest that a more productive role for development workers would be to assume combined roles of advocate, educator, and facilitator of rights. Further, it is for local stakeholders to determine their desired outcome, while the only job foreign workers should assume is helping community members achieve their self-determined goals.

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IADL'S UNITED NATIONS ACTIVITIES IN VIENNA

IADL Permanent Representative to the United Nations in Vienna Evelyn Dürmayer provides the following report on her United Nations activities from October 2013 to February 2014. Evelyn's

work centers primarily on two committees: The Vienna NGO Committee on the Status of Women, and the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice. On January 16, 2014 Evelyn was re-elected as Second Vice-President of the Vienna NGO Committee on the Status of Women.

Status of Women Committee Participates in International Day for the Elimination of Violence Against Women

On November 26, 2013 Evelyn attended a human rights conference organized with United Nations Women Austria and United Nations Watch at the Diplomatic Academy in Vienna, featuring three dissidents and fighters for women's rights. The Vienna NGO Committee prepared and submitted two statements on women's rights in connection with the conference, which was part of 16 days of events surrounding International Day for the Elimination of Violence against Women on November 25. Women's activists have marked the date as a day against violence since 1981, date of the assassination in 1960 of the three Mirabal sisters, political activists in the Dominican Republic, on orders of Dominican ruler Rafael Trujillo. The United Nations General Assembly officially recognized the day in 1999.

Status of Women Committee Calls for Inclusion of Women and Girls in Decision-making Around Energy Use and Sustainable Development; IADL Presents Statement at Commission Hearing

The Vienna NGO Committee prepared a statement for the Commission on the Status of Women 2014 drawing attention to the issue of energy. The Committee, with the help of IADL representative Evelyn, drafted a statement highlighting the

paramount need for sustainable development to include women and girls in a participatory process regarding decision-making, planning, construction and monitoring of energy-generating plants and installations, electricity grids, as well as pipelines, and to inform the public about the interdependence of use of energy and Climate Change and Desertification. The statement was delivered orally by IADL alternate representative in New York Gloria Bletter at the March 20, 2014 hearing during the second week of the CSW.

IADL Report Back to Status of Women Committee

Below are excerpts of Evelyn's report on IADL news and activities to the Vienna NGO Committee on the Status of Women at the December 8, 2013 and February 21, 2014 meetings.

December 8, 2013

"The International Association of Democratic Lawyers mourns the death of Nelson Rohihlahla Mandela. He was a great personality, fighting for democracy and human rights. In 1952 together with Oliver Tambo he founded the first office of black lawyers in Johannesburg, "Mandela & Tambo attorneys". In 1996 IADL held its XIVth Congress in Capetown and Nelson Mandela became our President Emeritus.

This year the Association lost another President Emeritus Amar Bentoumi, who was a lawyer and historian struggling for the independence of Algeria and who was responsible for the international activities of the Association.

Last but not least Raji Sourani, director of PCHR (Palestinian Center for Human Rights), a member of the IADL, received in September 2013 in

Stockholm the Alternate Nobel Prize by the Right Livelihood Award Foundation for documenting human rights violations and being a prominent human rights defender. He was recognized together with Denis Mukwege from the DRC, a medical doctor treating victims of sexualised war violence; Paul Walker (USA), a peace activist and fighter against chemical weapons; and Hans Rudolf Herren, an expert on sustainable development."

February 21, 2014

"My association will be participating in CSW events in New York. We are in the process of coordinating our presence. And we are preparing the 18th Congress, the last one took place in Hanoi, Vietnam in 2009. The Congress will be held from April 15-19, 2014 at the Vrije Universiteit Brussel, the Flemish University in Brussels, Belgium. With affiliates in more than 80 countries and new associations joining during the Congress under the title "Lawyering for People's Rights" it will bring together lawyers but also representative from social movements and trade unions, and provide partnership with Green Peace, for example.

The topics at the Congress will range from human rights such as the right to peace to the right to a clean and healthy environment. Commission 10, which I am co-chairing with a Belgian colleague, will deal with "the struggle for equality and against discrimination" where lawyers from various backgrounds and cultures will present their views. It will permit a lively and open discussion."

NGO Committee on Crime Focuses on Cyber Bullying

Evelyn participated in a December 5, 2013 meeting of the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice where members

chose Cyber Bulling as a topic around which to organize a side event for the next Commission on Crime Prevention and Criminal Justice (CPCJ) taking place in Vienna from May 12-16, 2014. United NationsESCO has defined cyber bullying as harassment through e-mail, cell phones, text messages and defamatory websites.

Mexican Ambassador De Alba Hosts NGO Alliance on Crime Prevention Meeting, Calls for Greater Government Support of Civil Society

On February 6, 2014 H.E. Ambassador Luis Alfonso De Alba, Permanent Representative of Mexico to the International Organizations based in Vienna, hosted the meeting of the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice. Evelyn attended the meeting on behalf of the IADL. Ambassador De Alba spoke of his engagement and the role of Mexico, and discussed the upcoming sessions of the United Nations Office on Drugs and Crime, particularly the CPCJ. He expressed his government's support for civil society on all issues, including access to meetings and having civil society representatives as part of official delegations, as Mexico has done, so as to set an example. He stated that the ECOSOC Rules of Participation for civil society are not flexible enough to guarantee meaningful participation by civil society. For a full summary of the February 6 meeting please see the *Annex* to this *Bulletin*.

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OTHER UNITED NATIONS ACTIVITIES

IADL Attends Conference of States Parties to UN Convention against Corruption

IADL Secretary-General Osamu Niikura attended the Fifth Session of the Conference of States Parties to the United Nations Convention against Corruption (UNCAC) from November 25-29, 2013 in Panama City. For a press release on the Conference, please see the Annex. More than 1,500 participants from all over the world attended the event, including 167 State Parties. The agenda for the five-day meeting covered the prevention and criminalization of corruption as well as enforcement, international cooperation, asset recovery and technical assistance. Mr. Osamu reports that unfortunately Japan is not a party to the Convention even though it is the world's third largest economic power.

WATCHING United Nations MEETINGS ON THE WEB

If you are interested in a particular United Nations event but cannot personally attend, you can watch it on WEBTV from the United Nations. You can sign up at webtv.un.org/subscribe to receive daily/nightly schedules of events to be webcast.

The IADL *United Nations Activities Bulletin* is prepared under the direction of the Permanent Representative to the United Nations in New York, Professor Lennox S. Hinds. This issue was edited by Claire Gilchrist, with assistance from Gloria Bletter. Reports were contributed by Gloria Bletter, Evelyn Dürmayer, Claire Gilchrist, Richard Harvey, Dana Heitz, Beatrice Lindstrom, Beth Lyons, Osamu Niikura, Hitomi Takemura, and Micol Savia. This *Bulletin* was produced on April 9, 2014.

Upcoming United Nations Events and Conferences

MAY – OCTOBER 2014

Mtg_Title	Venue	From-To
▼ May 2014		
High-level Committee on South-South Cooperation, Organizational session	New York	1 May
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Advisory Group, Forty-second session	Vienna	2 - 8 May
ECLAC, Thirty-fifth session	Lima	5 - 9 May
General Assembly, Fifth Committee, Second resumed session (Tentative dates, subject to decision of the Bureau)	New York	5 - 30 May
Human Rights Council, Working Group on the issue of human rights and transnational corporations and other business enterprises, Eighth session	Geneva	5 - 9 May
IAEA, Programme and Budget Committee,	Vienna	5 - 9 May
International Law Commission, Sixty-sixth session, first part	Geneva	5 May - 6 June
Investments Committee, 221st meeting	Tokyo	5 May
UNCTAD, Trade and Development Commission, Sixth session	Geneva	5 - 9 May
Working Group on Discrimination Against Women in Law and in Practice, Tenth session	Geneva	5 - 9 May
ITU, Council	Geneva	6 - 15 May
Human Rights Council, Working Group on Enforced and Involuntary Disappearances, 103rd session	Geneva	7 - 16 May
Commission on Crime Prevention and Criminal Justice, Twenty-third session	Vienna	12 - 16 May
Commission on Science and Technology for Development, Seventeenth session	Geneva	12 - 16 May
Conference on Disarmament, Second part	Geneva	12 May - 27 June
Human Rights Council, Open-ended Working Group on the Right to Development, Fifteenth session	Geneva	12 - 16 May
Intergovernmental committee of experts on sustainable development financing, Fourth session	New York	12 - 16 May
Permanent Forum on Indigenous Issues, Thirteenth session	New York	12 - 23 May
ESCWA, Twenty-eighth ministerial session	Beirut	13 - 14 May
Advisory Committee on Administrative and Budgetary Questions, Spring session	New York	19 May - 3 July
Committee on Non-Governmental Organizations, Resumed session	New York	19 - 28 May
ESCAP, Seventieth session	Bangkok	19 - 23 May
High-level Committee on South-South Cooperation, Eighteenth session	New York	19 - 22 May
International Narcotics Control Board, 110th session	Vienna	19 - 30 May
WHO, World Health Assembly, Sixty-seventh session	Geneva	19 - 24 May
Regional seminar to review the situation in Non-Self-Governing Territories under the Third International Decade for the Eradication of Colonialism	Fiji	21 - 23 May
Committee on Economic, Social and Cultural Rights, pre-sessional working	Geneva	26 - 30 May

group, Fifty-third session		
• Committee on the Rights of the Child, Sixty-sixth session	Geneva	26 May - 13 June
• Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Working Group A and informal/expert meetings, Forty-fifth session	Vienna	26 - 28 May
• Economic and Social Council, Substantive session, Integration segment	New York	27 - 29 May
• Open-ended Informal Consultative Process on Oceans and the Law of the Sea, Fifteenth meeting	New York	27 - 30 May
• ILO, General Conference, 103rd session	Geneva	28 May - 12 June
• General meeting of the organizations and agencies of the United Nations system and the Organization of the Islamic Cooperation and its subsidiary organs	Istanbul	May
• WHO, Executive Board, 135th session	Geneva	May
• Committee against Torture, Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Twenty-third session	Geneva	2 - 6 June
• Committee for Programme and Coordination, Fifty-fourth session	New York	2 - 27 June
• Committee on Contributions, Seventy-fourth session	New York	2 - 20 June
• Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group of the United Nations Convention against Corruption, Fifth session	Vienna	2 - 6 June
• Economic and Social Council, Youth forum	New York	2 - 3 June
• IAEA, Board of Governors	Vienna	2 - 6 June
• Meetings of the special rapporteurs, special representatives, independent experts and chairs of the working groups of the Human Rights Council, Twenty-first annual meeting	Geneva	2 - 6 June
• UNICEF, Executive Board, Annual session	New York	3 - 6 June
• WFP, Executive Board, Annual session	Rome	3 - 6 June
• UNFCCC, meetings of subsidiary bodies of the Conference of the Parties to the Convention, Thirty-ninth session	Bonn, Germany	4 - 15 June
• UNWTO, Executive Council, Ninety-eighth session	Santiago de Compostela, Spain	4 - 6 June
• Economic and Social Council, Special meeting of the Economic and Social Council to consider international cooperation in tax matters	New York	5 June
• Committee on Non-Governmental Organizations, Resumed session	New York	6 June
• States parties to the United Nations Convention on the Law of the Sea, Twenty-fourth meeting	New York	9 - 13 June
• Conference of the States Parties to the Convention on the Rights of Persons with Disabilities, Seventh session	New York	10 - 12 June
• Human Rights Council, Twenty-sixth session	Geneva	10 - 27 June
• Committee on the Peaceful Uses of Outer Space, Fifty-seventh session	Vienna	11 - 20 June
• United Nations Joint Staff Pension Board, Committee of Actuaries	New York	11 - 13 June
• Economic and Social Council, Substantive session, Coordination and management meeting	New York	12 - 13 June
• Intergovernmental preparatory committee for the ten-year review conference of the Almaty Programme of Action, First session (To be confirmed)	New York	12 - 13 June

.ILO, Governing Body and its committees, 321st session	Geneva	13 June
.Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction	New York	16 - 19 June
.Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Fifth session	New York	16 - 20 June
.Committee on the Rights of the Child, pre-sessional working group, Sixty-eighth session	Geneva	16 - 20 June
.FAO, Council, 149th session	Rome	16 - 20 June
.IMO, Council, 112th session	London	16 - 20 June
.Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Forty-second session	Vienna	16 - 17 June
.Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, Resumed session	New York	16 - 27 June
.WMO, Executive Council, Sixty-sixth session	Geneva	16 - 27 June
.General meeting on cooperation between the representatives of the secretariats of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations	Geneva	17 - 19 June
.UN-Women, Executive Board, Annual session	New York	17 - 19 June
.UNEP, Committee of Permanent Representatives, 127th meeting	Nairobi	17 June
.UN-Habitat, Committee of Permanent Representatives, Fifty-third meeting	Nairobi	18 June
.Economic and Social Council, Substantive session, Humanitarian affairs segment	New York	23 - 25 June
.Executive Board of UNDP/UNFPA/UNOPS, Annual session	Geneva	23 - 27 June
.Meeting of the Chairs of the human rights treaty bodies, Twenty-sixth session	Geneva	23 - 27 June
.Preparatory Committee for the third International Conference on Small Island Developing State, Second and final meeting	New York	23 - 27 June
.Review Conference of the States parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, Third session	Mozambique	23 - 27 June
.Subcommittee of Experts on the Transport of Dangerous Goods, Forty-fifth session	Geneva	23 June - 2 July
.UNEP, United Nations Environment Assembly, First session	Nairobi	23 - 27 June
.States parties to the International Covenant on Civil and Political Rights, Thirty-fourth meeting	New York	24 June
.Committee on the Elimination of Discrimination against Women, Working Group on Communications under the Optional Protocol to the Convention, Twenty-ninth session	Geneva	25 - 27 June
.States parties to the Convention on the Rights of the Child, Fifteenth meeting	New York	25 June
.UNIDO, Programme and Budget Committee, Thirtieth session	Vienna	25 - 26 June
.States parties to the Convention on the Elimination of All Forms of Discrimination against Women, Eighteenth meeting	New York	26 June
.Committee on the Elimination of Discrimination against Women, Fifty-eighth session	Geneva	30 June - 18 July
.High-level political forum on sustainable development convened under the auspices of ECOSOC, First session	New York	30 June - 9 July
.Human Rights Committee, pre-sessional working group on communications,	Geneva	30 June - 4

111th session		July
.Human Rights Council, Working Group on Situations, Fourteenth session	Geneva	30 June - 4 July
.Human Rights Council, Working Group on the Right to Peace, Second session	Geneva	30 June - 4 July
▼ July 2014		
.United Nations Seminar on Assistance to the Palestinian People	Nairobi	1 - 2 July
.Advisory Board on Disarmament Matters, Sixty-second session	Geneva	2 - 4 July
.Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals, Twenty-seventh session	Geneva	2 - 4 July
.Economic and Social Council, Substantive session, High-level segment	New York	7 - 11 July
.Human Rights Committee, 111th session	Geneva	7 - 25 July
.Human Rights Council, Expert Mechanism on the Rights of Indigenous Peoples, Seventh session	Geneva	7 - 11 July
.International Law Commission, Sixty-sixth session, second part	Geneva	7 July - 8 August
.International Law Seminar, Fiftieth session	Geneva	7 - 25 July
.International Seabed Authority Assembly, Twentieth session	Kingston	7 - 25 July
.Investments Committee, 222nd meeting	Rome	7 July
.UNCITRAL, Forty-seventh session	New York	7 - 25 July
.Organisation for the Prohibition of Chemical Weapons, Executive Council, Seventy-sixth session	The Hague	8 - 11 July
.UNCTAD, Intergovernmental Group of Experts on Competition Law and Policy, Fourteenth session	Geneva	8 - 10 July
.Independent Audit Advisory Committee, Twenty-seventh session	New York	9 - 11 July
.United Nations Joint Staff Pension Board, Sixty-first session	Rome	10 - 18 July
.Economic and Social Council, Substantive session, Coordination and management meeting	New York	14 - 16 July
.Human Rights Council, Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Twenty-second session	New York	14 - 18 July
.Commission on the Limits of the Continental Shelf, Thirty-fifth session*	New York	21 July - 5 September
.Committee on the Elimination of Discrimination against Women, pre-sessional working group, Sixtieth session	Geneva	21 - 25 July
.Economic and Social Council, Organizational session	New York	21 - 22 July
.Group of Governmental Experts on Development in the Field of Information and Telecommunications in the Context of International Security, First session	New York	21 - 25 July
.ICSC, Seventy-ninth session	Rome	21 July - 1 August
.United Nations Scientific Committee on the Effects of Atomic Radiation, Sixty-first session	Vienna	21 - 25 July
.United Nations Board of Auditors, Sixty-eighth regular session	New York	23 - 24 July
.Conference on Disarmament, Third part	Geneva	28 July - 12 September
.United Nations Joint Staff Pension Board, Standing Committee (1 meeting)	Rome	July

▼ August 2014

.Group of Governmental Experts to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction	Geneva	4 - 8 August
.Intergovernmental committee of experts on sustainable development financing, Fifth session	New York	4 - 8 August
.Committee of Experts on Global Geospatial Information Management, Fourth session	New York	6 - 8 August
.Committee on the Elimination of Racial Discrimination, Eighty-fifth session	Geneva	11 - 29 August
.Human Rights Council Advisory Committee, Thirteenth session	Geneva	11 - 15 August
.Human Rights Council, Working Group on Communications, Fifteenth session	Geneva	18 - 22 August
.Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Working Group B, Forty-third session	Vienna	18 - 29 August
.Human Rights Council, Working Group on Arbitrary Detention, Seventieth session	Geneva	25 - 29 August

▼ September 2014

.Committee on the Rights of the Child, Sixty-seventh session	Geneva	1 - 19 September
.Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Advisory Group, Forty-third session	Vienna	1 - 3 September
.Third International Conference on Small Island Developing States	Apia	1 - 4 September
.Advisory Committee on Administrative and Budgetary Questions, Fall session	New York	2 September - 12 December
.Committee on Conferences, Substantive session	New York	2 - 8 September
.States parties to the Convention on Cluster Munitions, Fifth meeting	Costa Rica	2 - 5 September
.Executive Board of UNDP/UNFPA/UNOPS, Second regular session	New York	3 - 8 September
.UNCTAD, Working Party on the Strategic Framework and the Programme Budget, Sixty-eighth session (technical cooperation and evaluation)	Geneva	3 - 5 September
.Conference of the States Parties to the United Nations Convention against Corruption, Open-ended Intergovernmental Working Group on the Prevention of Corruption, Fifth session	Vienna	8 - 10 September
.Human Rights Council, Twenty-seventh session	Geneva	8 - 26 September
.UNICEF, Executive Board, Second regular session	New York	9 - 12 September
.Conference of the States Parties to the United Nations Convention against Corruption, Open-ended Intergovernmental Working Group on Asset Recovery, Eighth intersessional meeting	Vienna	11 - 12 September
.Commission on Narcotic Drugs, Meeting of Heads of National Drug Law Enforcement Agencies, Africa, Twenty-fourth meeting	Nairobi	15 - 19 September
.Committee on Enforced Disappearances, Seventh session	Geneva	15 - 26 September
.Committee on the Rights of Persons with Disabilities, Twelfth session	Geneva	15 September - 3 October
.Human Rights Council, Working Group on Enforced and Involuntary Disappearances, 104th session	Geneva	15 - 19 September
.IAEA, Board of Governors	Vienna	15 - 19 September
.UN-Women, Executive Board, Second regular session**	New York	15 - 16 September
.UNCITRAL, Working Group II (Arbitration and Conciliation), Sixty-first session (To be confirmed)	Vienna	15 - 19 September
.UNCTAD, Trade and Development Board, Sixty-first session	Geneva	15 - 26 September
.General Assembly, Sixty-ninth session	New York	16 September - December

IFAD, Executive Board, 112th session	Rome	17 - 18 September
Preparatory committee for the third United Nations conference on housing and sustainable urban development (Habitat III), First meeting**	New York	17 - 18 September
UN-Habitat, Committee of Permanent Representatives, Fifty-fourth meeting	Nairobi	17 September
Committee on the Rights of the Child, pre-sessional working group, Sixty-ninth session	Geneva	22 - 26 September
General Assembly, High-level plenary meeting of the General Assembly to be known as the World Conference on Indigenous Peoples	New York	22 - 23 September
General Assembly, Special session of the General Assembly on the follow-up to the Programme of Action of the International Conference on Population and Development beyond 2014 (3 meetings)	New York	22 September

IAEA, General Conference, Fifty-eighth session	Vienna	22 - 26 September
Human Rights Committee, pre-sessional Working Group on Communications, 112th session	Geneva	29 September - 3 October
IAEA, Board of Governors	Vienna	29 September
UNEP, Annual Subcommittee of the Committee of Permanent Representatives, Second session	Nairobi	29 September - 3 October
UNEP, Committee of Permanent Representatives, 128th meeting subsumed with the UNEP, Annual Subcommittee of the Committee of Permanent Representatives	Nairobi	29 September - 3 October
UNHCR, Executive Committee, Sixty-fifth session	Geneva	29 September - 3 October
United Nations Voluntary Fund for Victims of Torture, Board of Trustees, Fortieth session	Geneva	29 September - 3 October
UNRWA, Advisory Commission	Place to be determined	September
WIPO, Assemblies of Member States, Fifty-third series of meetings	Geneva	September/October

October 2014

General Assembly, First Committee, Sixty-ninth session	New York	2 October - 5 November
General Assembly, Fourth Committee, Sixty-ninth session	New York	2 October - 13 November
Intergovernmental preparatory committee for the ten-year review conference of the Almaty Programme of Action, Second session**	New York	2 - 3 October
Security Council, Governing Council of the United Nations Compensation Commission established pursuant to Security Council resolution 692 (1991), Seventy-eighth session	Geneva	2 - 3 October
Commission on Narcotic Drugs, Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, Twenty-fourth meeting	Asunción	6 - 10 October
Conference of the Parties to the United Nations Convention against Transnational Organized Crime, Seventh session	Vienna	6 - 10 October
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Working Group A and informal/expert meetings, Forty-sixth session	Vienna	6 - 8 October
Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards in the Field of Racism, Sixth session	Geneva	7 - 17 October

Assembly of States Parties to the Rome Statute of the International Criminal Court, Budget and Finance Committee, 23rd session	The Hague	7 - 17 October
Committee on the Rights of Persons with Disabilities, pre-sessional working group, Second session	Geneva	7 - 10 October
General Assembly, Sixth Committee, Sixty-ninth session	New York	7 October - 14 November
Human Rights Committee, 112th session	Geneva	7 - 31 October
Organisation for the Prohibition of Chemical Weapons, Executive Council, Seventy-seventh session	The Hague	7 - 10 October
Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, Forty-ninth session	New York	8 October
UNESCO, Executive Board, 195th session	Paris	8 - 22 October
Annual meetings of the Boards of Governors of the World Bank Group and IMF, Fall meetings	Washington D.C.	10 - 12 October
Commission on the Limits of the Continental Shelf, Thirty-sixth session***	New York	13 October - 28 November
Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group of the United Nations Convention against Corruption, resumed fifth session	Vienna	13 - 15 October
Working Group on Discrimination Against Women in Law and in Practice, Eleventh session	Geneva	13 - 17 October
Commission on Narcotic Drugs, Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, Thirty-eighth meeting (To be confirmed)	Bangkok	20 - 24 October
Committee on the Elimination of Discrimination against Women, Fifty-ninth session	Geneva	20 October - 7 November
UNCITRAL, Working Group III (Online Dispute Resolution), Thirtieth session (To be confirmed)	Vienna	20 - 24 October
States Parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Fifth meeting	Geneva	23 October
Committee of Experts on International Cooperation in Tax Matters, Tenth session	Geneva	27 - 31 October
Human Rights Council, Working Group on the Universal Periodic Review, Twentieth session	Geneva	27 October - 7 November
UPU, Council of Administration	Berne	27 October - 14 November
International Narcotics Control Board, 111th session	Vienna	28 October - 14 November
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Forty-third session	Vienna	28 - 30 October
UNCTAD, Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting, Thirty-first session	Geneva	28 - 30 October
ILO, Governing Body and its committees, 322nd session	Geneva	30 October - 13 November
ICAO, Committee, 203rd session	Montreal	October
UNWTO, Executive Council, Ninety-ninth session	Place to be determined	October/November



Welcome to IADL,
International Association of Democratic Lawyers

United Nations Activities Bulletin Annexes

INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

In Consultative Status with ECOSOC and Represented at UNESCO and
UNICEF

www.iadllaw.org

September 2013 – March 2014

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GENERAL ASSEMBLY
Human Rights Council
25th Session
Item 3 : General Debate

The International Association of Democratic Lawyers (IADL) and the National Union of Peoples' Lawyers (NUPL) welcome the reports presented by the Special Representative of the Secretary General on Children in armed conflicts and on violence against children.

In the Philippines, under the Aquino administration, 18 children have been victims of extrajudicial killing. The government continues to sow violence and terror through military operations under the counter-insurgency program Oplan Bayanihan, claiming children's lives.

In 2012 alone, a total of 13 children were killed. On February 25, 2012, 7-year old Richard Mancera, 10-year old Michael Mancera and their father were killed by soldiers from the 49th Infantry Battalion of the Philippine Army, who indiscriminately fired at their house in Camarines Norte. The children's sibling "Bebe", 14 years old, survived, but was wounded and under constant fear.

Eight-year old Roque Antivo from Compostela Valley was killed because of indiscriminate firing by elements of the 71st Infantry Battalion of the Philippine Army on April 3, 2013. Sixteen-year old Victor Freay was killed by the 39th Infantry Battalion of the Philippine Army and Task Force KITACO on August 23, 2013. The perpetrators shattered his body with 16 bullets while he was trying to rescue his father Datu Anting Freay, a well-known anti-mining tribal leader. In 2012, two children and their mother were killed by the same military battalion.

In these documented cases, four of the children were living in militarized communities protesting the entry of mining companies, four were killed because of indiscriminate firing of state security forces; two of the victims were tagged as members of the New People's Army. Nine (9) of the victims were inside their homes when they were killed. Not one perpetrator involved in the above cases has been arrested, prosecuted and brought to jail.

The growing number of children victims of extra judicial killings in the Philippines is alarming. We appeal to the Special Rapporteur to investigate these cases of extra judicial killing of children and we urge the Philippines government to respect the United Nations Convention on the Rights of the Child and to comply with its obligation under international human rights law.

Thank you for your attention.

14 March 2014



ASSOCIATION INTERNATIONALE DES JURISTES DEMOCRATES
INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS
ASOCIACION INTERNACIONAL DE JURISTAS DEMOCRATAS
МЕЖДУНАРОДНАЯ АССОЦИАЦИЯ ЮРИСТОВ ДЕМОКРАТОВ

國際民主法律家協會

رابطة الحقوقيين الديمقراطيين العالمیة

GENERAL ASSEMBLY

Human Rights Council

25th Session

Item 4: Human rights situations that require the Council's attention – General Debate

Check against delivery

The International Association of Democratic Lawyers (IADL) calls the attention of the Council on the severe and unprecedented attack by the Obama Administration on whistleblowers and national security reporters and on the consequent chilling effect on the press coverage of issues of great public interest.

Whistleblowers play a fundamental role in promoting human rights and democracy and upholding the rule of law. They represent a crucial source of information on human rights violations, illegalities and wrongdoings especially when committed by intelligence and security agencies. Their disclosures provide an unique opportunity to strengthen legal and political accountability for abuses that otherwise would remain undetected due to the increasing use and abuse of secrecy to cover unlawful government policies.

Since 2009 in the U.S. six government employees, plus two contractors including Edward Snowden, have been prosecuted under the 1917 Espionage Act for leaking classified information to the press. The administration's aggressive pursuit of leaks is seriously affecting the reporting on national security issues, creating a climate of fear for journalists and sources alike. Investigative reporters are intimidated and persecuted in different ways for exposing the scope of the government's secret activities. Reporters' phone and e-mails records have been secretly subpoenaed and seized by the Department of Justice. A prominent journalist was accused of being "an aider, abettor and/or co-conspirator" of an indicted leak defendant and another one was repeatedly ordered to reveal his source and testify against him or go to jail.

National security cannot be used as a justification for preventing disclosures and independent investigations on illegal acts, especially when gross human rights violations or war crimes are at stake. Moreover, as recalled by the U.N. Special Rapporteur on freedom of expression, Frank La Rue, "the protection of national

security secrets must never be used as an excuse to intimidate the press into silence and backing off from its crucial work in the clarification of human rights violations.”

The criminal prosecution and the stigmatization of whistleblowers as “traitors” or “spies” and of those who report on their revelations as their “accomplices” represents a grave breach of international human rights law. Whistle-blowing required courage and determination. Their commitment to public integrity should be encourage and praised rather than condemn.

We call upon the Human Rights Council to urge Member States and in particular the U.S. government:

- to refrain from the excessive and systematic use of secrecy as a means to shield wrongdoings and illegal activities from the public scrutiny;
- to provide adequate protection to persons disclosing public interest information that is relevant for the promotion and protection of human rights;
- to ensure full protection to journalists while performing their work and therefor to guarantee the free flow of information and the fundamental right to seek, receive and impart information through any media.

March 18th 2014

2014 – International Year of Solidarity with the Palestinian People

Human Rights in Palestine

Thursday, March 20, 2014 – 14.00 to 16.00

Palais des Nations, Geneva

Room XXIV

The United Nations General Assembly has declared 2014 as the International Year of Solidarity with the Palestinian People. How do we ensure that global support for Palestinian Rights be maintained and enhanced during 2014 in the UN and among the peoples?

Speakers:

Richard Falk, Special Rapporteur on Human Rights in the occupied palestinian territories

Issa Amro, Palestinian Human Rights Defender, Chair of Youth Against Settlements in Hebron

Krishna Ahoojapatel, Women's International League for Peace and Freedom (WILPF)

Daniela Donges, GICJ

Moderator:

Jan Lönn, ISMUN

Organizers: International Youth and Student Movement for the United Nations (ISMUN), Geneva International Centre for Justice (GICJ), Women's International League for Peace and Freedom (WILPF), International Association of Democratic Lawyers (IADL)

Discussion of United States' Jurisdiction over Foreign Corrupt Practices

On October 25, 2013, IADL Volunteer Dana Heitz attended a panel discussion presented by the Extraterritorial Jurisdiction Committee of the American Branch of the International Law Association at International Law Weekend. The panel was moderated by Professor Bruce Bean and consisted of panelists Professor Mike Koehler of Southern Illinois University, Bruce Marks, Esq., of Marks & Sokolov, and Tom Firestone, Esq., of Baker & McKenzie. For a full summary of this event, please see the report in the *Bulletin's* annex.

The question of extraterritorial jurisdiction is particularly salient in light of such features of the US legal landscape as Morrison v. National Australia Bank (barring federal securities fraud suits in US courts for securities traded on foreign exchanges), Daimler v. Bauman (testing the scope of jurisdiction under the US' Alien Tort Statute (ATS), and 28 USC 1782 (allowing access to US federal discovery rules in foreign litigation). The panel narrowed the breadth of the discussion by limiting itself to jurisdictional issues arising from the Foreign Corrupt Practices Act (FCPA), including the policies underlying its implementation, the basis of jurisdiction and minimum necessary contacts, and a case study on Russian implementation of FCPA-compliant practices.

Unlike the majority of US legislation, the FCPA disclaims a presumed lack of extraterritoriality. Its explicit jurisdictional reach applies prima facie to US actors and foreign actors where a US nexus reaches the threshold of federal jurisdiction. The broad range of conduct and de minimis amount of contact necessary for jurisdiction (for example, e-mails transmitted by US servers), thus result in 9 out of the top 10 largest FCPA enforcement actions being conducted against non-US companies.

While one panelist expressed skepticism as to the effectiveness and acceptance of a US-driven international anti-corruption mechanism, others cited FCPA compliance as representing foreign enthusiasm for "cleaning up" corruption around the world, and indicative of a set of emerging international standards. For example, Mr. Firestone discussed the expansion of Russian Federal Law No. 273, an anti-corruption measure. The recent addition of Article 13.3 represents a shift away from mere "prohibitions" to the imposition of positive obligations, such as designating specific individuals within an organization to be responsible for combating bribery, preventing forgery, and developing procedures to promote and ensure ethical conduct.

The panelists suggested and rejected several incentives for Congress' decision to insert itself into foreign corrupt practices, including an asserted moral obligation, the need to level the playing field so that US businesses can compete in foreign domestic marketplaces, and gaps in other legal regimes, but unsurprisingly ultimately accepted profitability to the US government and US businesses as the most plausible justification.

Oral Statement of INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS (IADL) FOR CSW58 (2014)

Challenges and achievements in the implementation of the MDGs for women and girls

Convinced that sustainable development can only be achieved through global partnership,
we draw attention to an issue that presents great challenges to women and girls, though it has not been chosen for a specific development goal:

ENERGY

and the related issues , including generation, sources, excavation, hazardous waste, loss of arable land, changes in microclimate and water-tables, distribution networks, as well as access and costs.

The daily life of women and girls is improved when they have access to affordable and sustainable forms of energy:

Energy enables women

- 1) to take part in democratic processes in their country and region,
- 2) to communicate with other people, work from home, study at home and have access to the world of media,
- 3) to look after their families in a better and more hygienic way, thus underpinning health care,
- 4) to feel safer in a well-lit environment and thus take part in community life,
- 5) to use appliances to make housework more efficient and enable them to start income-generating activities in their homes
- 6) to receive warnings and information in case of natural disaster via electronic media, e.g. mobile phones or radio,

A great challenge for all people, but in some cases in particular for women, is the generation of energy, concerning sites and waste, respectively dams and water-tables.

It is paramount for sustainable development to include women and girls in a participatory process regarding decision-making, planning, construction and monitoring of energy-generating plants and installations, electricity grids, as well as pipelines, and to inform the public about the interdependence of use of energy and Climate Change and Desertification.

Renewable energy generated from energy plants should not lead to mono-cultures and loss of agricultural land for the needs of people; land for energy production and/or generation must never be acquired illegally, e.g. through land grabbing.

Gender equality and increased participation of women and girls presents an opportunity to underpin in a democratic way the development of sustainable forms of energy, as well as their generation and distribution at fair prices.

We the undersigned international and national non-governmental organisations in consultative status with ECOSOC, members of the Vienna NGO Committee on the Status of Women, present for the information of and consideration by the participants of the 58th session of the United Nations Commission on the Status of Women

the following statement on the Priority Theme:

“Challenges and achievements in the implementation of the MDGs for women and girls”

The targets set by the MDGs can only be met, when Gender Equality as core principle is respected and integrated in all programmes and actions. Gender-based inequalities have a negative impact on the individual and on society as a whole. Women continue to be denied opportunities to participate in decision-making processes that affect their lives, whether deliberately or resulting from long-standing discriminatory social and cultural norms. Discrimination against women has been proven to impair the achievement of all the other development goals.

While we acknowledge that in developing regions the proportion of people living on less than \$1.25 a day fell from 47 per cent in 1990 to 22 per cent in 2010, we have to point out that, although women make up half of the world's population, they still represent 70% of the world's poor.

In every developing region, women hold less secure jobs than men with little or no financial security or social benefits.

In 2012, the employment to population ratio was 60, 3 %, with a gender gap of 24.8%.

While several MDG targets have been met or are within close reach, stronger political backing - namely political will and funding - is necessary for women and children to further reduce the unacceptable maternal and infant mortality ratio. Furthermore, girls are more likely to be out of school than boys among both primary and lower secondary age groups, even girls from wealthier families. Strong political action is needed, since women still represent two thirds of illiterate adults worldwide.

Convinced that sustainable development can only be achieved through global partnership and with the full participation of women, we urge

- that the **post-2015 development agenda** be based on gender equality and partnership in order to achieve the set goals;
- that women's decision-making power at all levels be enhanced;

- that regulations prohibiting child labour be implemented and enforced;
- that a special target be introduced for achieving an end to gender-based violence;
- that implementation and progress be monitored and evaluated annually, based on data disaggregated by sex;
- that every opportunity be taken to remind Member States of the importance of peace and security, because sustainable development cannot be achieved in an environment of conflicts or war;
- that structural and systematic discrimination against women be addressed;
- that a monitoring and accountability framework that is linked to international Human Rights Mechanisms and based on partnership with all relevant stakeholders, including women's organisations, be adopted.

We the undersigned international and national non-governmental organisations in consultative status with ECOSOC, members of the Vienna NGO Committee on the Status of Women, present for the information of and consideration by the participants of the 58th session of the United Nations Commission on the Status of Women

the following statement on the Review Theme

“Access and participation of women and girls to education, training, science and technology, including for the promotion of women’s equal access to full employment and decent work.”

One of the greatest requirements for achieving sustainable development and eradicating poverty is an educated female population. Many studies show that the more educated the mother is, the higher is the health standard of the whole family, and that investment in education of women and girls is directly linked to GDP growth. Education is a prerequisite for real democratic participation, for exercising rights and duties as citizens, as well for mutual respect. It is the cornerstone for peace.

The Agreed Conclusions of the 55th session of CSW, adopted in 2011, list all measures necessary for educating women and girls to enhance their opportunities in science and technology.

While we recognize all the programmes and initiatives and appreciate the progress made in some regions, we remind the UN Member States and International Organisations of the importance of implementation and monitoring in order to achieve established targets.

We urge the UN and the Member States

- to develop programmes promoting education for all women and girls at primary, secondary and tertiary levels;
- to design special programmes for women and girls in scarcely populated areas, areas hit by Climate Change and/or natural disasters, areas of extreme poverty and water scarcity;
- to integrate education for women and girls into all Development Aid programmes;
- to include women and girls living in refugee camps and those suffering from the effects of armed conflict, in education programmes;
- to encourage co-education as a means to contribute to gender equality;
- to train teachers in gender equality and participation in decision making;
- to provide mentoring for immigrant women and girls;
- to encourage life-long learning by offering new opportunities to women who did not have access to education when they were young;

- to promote research in science and technology in fields such as gender medicine and green technologies in order to provide more opportunities for women;
- to integrate science and technology in all curricula, so that women and girls have better education and employment opportunities;
- to give access to adequate resources for women and girls on an equal footing with men.

Summary of the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice Meeting

06 February 2014, 14:30-16:00, C0713 (C-Building, V.I.C.)

On 06 February 2014, H.E. Ambassador Luis Alfonso De Alba, Permanent Representative of Mexico to the International Organizations based in Vienna, hosted the meeting of the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice.

Participants:

H.E. Ambassador Luis Alfonso De Alba of Mexico to Austria and the UN Office at Vienna
Mr. Michael Platzer, Chairperson, Vienna Alliance of NGOs on Crime Prevention and Criminal Justice and the Academic Council on the UN System (ACUNS) Vienna
Mr. Maximilian Edelbacher, Vice-chair, Vienna Alliance of NGOs on Crime Prevention and Criminal Justice and ACUNS Vienna
Mr. Christian Kuhn, International Commission of Catholic Prison and Pastoral Care (ICCPCC)
Ms. Dora Vrdlovec, Soroptimist International
Ms. Martina Gredler, Soroptimist International
Ms. Jolanta Redo, Asia Crime Prevention Foundation (ACPF)
Ms. Emilie Goller, International Federation of Red Cross and Red Crescent Societies (IFRC)
Ms. Christina Unger, Pax Romana
Mr. Leo Gabriel, SUEDWIND-Austria
Ms. Evelyn Duermayer, International Association of Democratic Lawyers (IADL)
Ms. Iona Graenitz, International Federation of University Women (IFUW)
Ms. Gertraud Pichler, Associated Country Women of the World (ACWW)/ International Federation for Home Economics (IFHE)
Mr. Slawomir Redo, ACUNS Vienna, University of Vienna
Ms. Simona Domazetoska, ACUNS Vienna
Ms. Katarzyna Izabela Winiecka, ACUNS Vienna, Refugee Protest Movement Vienna
Ms. Ilaria Borella, ACUNS Vienna
Mr. Rogelio Pastor, Embassy/Permanent Mission of Mexico to the UN Office at Vienna
Ms. Cecilia Villanueva, Permanent Mission of Mexico to the UN Office at Vienna
Ms. Lourdes Zozaya, Permanent Mission of Mexico to the UN Office at Vienna
Mr. Alejandro Mohar, International Narcotics Control Board (INCB)/INCAn – Mexican Institute for Cancer Studies
Mr. Daniel Quittan, Vienna NGO Committee on Drugs (VNGOC)¹

¹ Joined via audio conference.

UNODC:

Ms. Mirella Dummar-Frahi, Civil Affairs Officer, Team Leader, Civil Society Team

Ms. Maria Idomir, Consultant, Civil Society Team

Mr. Michael Leitner, Intern, Civil Society Team

Ms. Jo Dedejne-Amann, Chief, Secretariat to the Governing Bodies

Mr. Sven Pfeiffer, Associate Crime Prevention and Criminal Justice Officer

Apologies:

- Ms. Brunhilde Hoffmann, National Council of German Women's Organizations
- Ms. Karin Rudolph, National Council of German Women's Organizations
- Mr. Franz Berger, International Police Association
- Ms. Marlene Parenzan, International Federation of Business and Professional Women
- Ms. Eleonore Hauer-Rona, International Council of Women
- Ms. Shantu Watt, Women's Federation for World Peace International (WFWPI)

Agenda:

1. Mexico's priorities in UNODC-related mandates
2. Brief introduction of each NGO's priorities and activities
3. Preparations for the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice (in particular coordination of side events)
4. Briefing on regional preparatory meetings for the XIII Crime Congress
5. Upcoming NGO events on drug and crime related issues taking place in Vienna
6. Election of a Vice-president for the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice
7. Other business

Mr. Platzer welcomed H.E. Ambassador Luis Alfonso De Alba and thanked him for agreeing to host the meeting of the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice, after which the NGO participants briefly introduced themselves.

I. Mexico's priorities in UNODC-related mandates

Ambassador De Alba stressed the close partnership between the Mexican Government and NGOs and stated that different civil society groups, such as NGOs, academia, the private sector, and groups of interest (women, indigenous people, youth, etc.) should receive greater attention regarding the work of multilateral organizations. He further expressed this participation should build on the experience gained in New York and Geneva regarding the work with civil society, and mentioned that ECOSOC Rules of Participation for civil society are not flexible enough to guarantee a meaningful participation of civil society.

Ambassador De Alba expressed his government's support for civil society on all issues, including access to meetings and having civil society representatives as part of official delegations, as Mexico has done, so as to set an example.

Based on his experience as a negotiator during the drafting of the Palermo Convention, the Mexican Ambassador stated that NGOs should participate in all Working Groups of the Conference of States Parties, unless decided otherwise by the Conference, on a case by case basis. Regarding the 2014 Commission on Narcotic Drugs (CND) High-Level Review of the 2009 Political Declaration and its Plan of Action, he expressed that Mexico's interest is in promoting an intense debate on the new trends, including an in-depth review of drug policies over the past three decades, with a focus on the huge costs that the drug war generated. All consequences, not just health-related ones, need be analysed and the social dimension of drug policy, as well as the relationship with organized crime, deserve further attention.

The Ambassador underlined that the preparatory process for UNGASS 2016 should be open to substantive inputs from all, involving actors in New York, Geneva, and Vienna. According to Ambassador De Alba, UNODC is perceived in New York as having both technical expertise and the means to leverage the necessary political will. In his view, the CND High-Level Review should be used to discuss substantive, not procedural issues. In this process, identifying the strengths of civil society should be given specific consideration.

II. Commission on Narcotic Drugs High-Level Review

1. Preparations by the Secretariat to the Governing Bodies (SGB)

Ms. Dedejne-Amann informed participants that preparations were underway by the Member States for the CND High-Level Review (to take place on 13-14 March, during the 57th session of the CND, scheduled to be held from 13 to 21 March 2014). In that context, Member States were also discussing the mandate conferred on the CND by the General Assembly at its 68th session.² She informed the meeting that the process was ongoing and that further deliberations would take place among Member States in the coming weeks.

² In its resolution A/RES/68/197, the General Assembly requested “ the Commission on Narcotic Drugs, as the United Nations organ with the prime responsibility for drug control matters, to engage in the preparatory process for the special session, including by presenting proposals from the fifty-seventh and fifty-eighth sessions of the Commission through the Economic and Social Council in support of the preparatory process, including progress made in the implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, to be considered by the General Assembly starting at its sixty-ninth session.”

At its reconvened 56th session the CND agreed on organizational agreements for the High-Level Review. During the general debate a NGO participant will be given the opportunity to make a statement and NGO representatives will be designated by the Chairperson of VNGOC, Mr. Michel Perron, to participate in the three roundtable discussions. Ms. Dedeyne-Amann mentioned that it was expected that there would be a long list of speakers requesting to intervene during the general debate and that all speakers had been requested to limit their interventions to five minutes. She further explained that the Bureau was considering the possibility of having statements posted on the website of the CND High-Level Review.

2. Vienna NGO Committee on Drugs (VNGOC) Written Statement for the CND High-Level Review

Mr. Platzer introduced the VNGOC written statement and encouraged participants to co-sign it, so as to show civil society solidarity on such issues. Those interested in co-signing the statement should write to Mr. David Turner at dturner@vngoc.org (with copy to Mr. Daniel Quittan at dquittan@vngoc.org).

He also mentioned that, in his capacity as Chairperson of the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice he actively liaises with his counterparts in the VNGOC, Transparency International (TI), the Global Alliance Against Trafficking in Women (GAATW), and the New York Alliance of NGOs on Crime Prevention and Criminal Justice, so that civil society may have united stands.

3. Side events at the 57th session of CND

Mr. Platzer informed that ACUNS Vienna is organizing two side events: (1) on sentencing guidelines (together with the International Drug Policy Consortium – IDPC); and (2) on violence against women who use drugs and live with HIV/AIDS (together with the Permanent Mission of Afghanistan, the Permanent Mission of Finland, and the UNODC HIV/AIDS Section).

Ms. Goller announced the intention of the IFRC to organize a luncheon to discuss harm reduction and access of NGOs to prisons.

Ms. Dedeyne-Amann mentioned there had been nearly 50 side event requests submitted to SGB and efforts had been made to accommodate all. She also informed that most side events were either organized or co-sponsored by NGOs. In response to an inquiry as to whether additional side events could be accommodated, she explained that that was unfortunately no longer possible, but suggested to check whether there were already side events scheduled on the same topic and see whether there would be the possibility to join the organizers of these events.

III. 23rd Session of the Commission on Crime Prevention and Criminal Justice (CCPCJ, 12-16 May)

The attached preliminary list of NGO side events was discussed.

Ms. Graenitz (IFUW) expressed an interest in co-sponsoring the side event ACUNS Vienna is organizing on “The abandoned families of trafficked workers, indentured servants, exploited agricultural and construction workers”, since IFUW has organized an event on “petite bonnes”.

Ms. Goller announced the intention of IFRC to organize a side event on the fate of smuggled migrants, with a focus on family connections. The event is expected to be organized together with UNODC and a Permanent Mission.

Ms. Kuhn informed that ICCPPC will organize a joint meeting with the Russian Orthodox Church and the Austrian Ministry of Justice in Austria end of April. The meeting will be an exchange of views and experience on civil society involvement in prison care (e.g. regular visits, in particular to detainees with life-long sentence) and

the re-socialisation of detainees. The outcome of this meeting will serve as a basis for discussion during the side event on “Catholic and Orthodox Pastoral Care”.

Mr. Edelbacher shared information on two side events which will be organized by ACUNS Vienna: (1) “Crime against the elder and links with corruption (ACUNS, UNODC – Dmitri Vlassis, IACA - Martin Kreutner, Verein zur Foerderung der Voelkerverstaendigung - Gebhard Fidler)”, and (2) “The Relationship of the Informal Economy to Corruption, Fraud and Organised Crime (ACUNS, Permanent Mission of Austria, Maribor University – Slovenia, Kragujevac University – Serbia, Sapienza University – Italy, Vienna University of Economics)”.

Mr. Redo announced that ACUNS Vienna will also organize the side event “Protection of Women and Children in War Torn Societies (ACUNS)”, having Syria as a case in point. Emphasis will be placed on the importance of continuing education in times of war, as included in the paper “Education above all”, produced by the Government of Qatar. The drafters of the report will be invited to speak at the side event, which will contribute to the preparations for the XIII Crime Congress, where ACUNS Vienna will seek to draw attention to the unique needs of women and children.

Mr. Platzer mentioned that two additional side events will be organized on: (1) modern slavery, and (2) “Safer Cities and Protection of Women” (in cooperation with UN HABITAT in Nairobi).

Also on behalf of ACUNS Vienna, Ms. Domazetoska informed that a second femicide publication is in the process of being published, including, among others, the proceedings of the symposium on forced marriages and violence against migrant women organized by ACUNS Vienna on 25 November 2013, on the occasion of the International Day for the Elimination of Violence against Women.

As representative of Mexico in the Extended Bureau of the Crime Commission, Ambassador De Alba committed himself to looking into ways to increase NGO participation. Instead of organizing side events, he encouraged NGOs to submit proposals on substantive matters for the consideration of Member States. In his view, intergovernmental processes should not be state-driven processes. He expressed his wish that in the future the UN be more open. Even if eventually participation of all stakeholders will not be equal, an exchange of views without distinction should be facilitated.

Ambassador De Alba mentioned the Palermo Convention (UN Convention on Transnational Organized Crime and the Protocols Thereto) and its Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts and Components and Ammunition. He highlighted the importance of these legal instruments and the need to revive them by adding monitoring mechanisms and amending the Firearms Protocol to add marking of weapons, as this has been agreed in the Arms Trade Treaty (ATT).

He also encouraged civil society to bring up new topics to the attention of Member States, such as cybercrime and electronic surveillance and their human rights implications (i.e. right to privacy).

IV. Open-ended intergovernmental expert group meeting on gender-related killings of women and girls (11-13 November 2014, Bangkok)

Mr. Pfeiffer (Justice Section/UNODC) informed the participants of this meeting and the preparations being made for it in close cooperation with UN Women, the Office of the High Commission for Human Rights (OHCHR), and the Special rapporteur on violence against women, its causes and consequences. The Justice Section is currently preparing the outline of a background document, including practical recommendations for the discussion. Mr. Pfeiffer encouraged NGOs and academia to share any relevant information (best practices and recommendations) on the investigation, prosecution, and punishment of gender-related killings of women and

girls. So far, 26 Member States and 7 NGOs have responded to this call for submissions. He congratulated ACUNS Vienna for its femicide publication, as an excellent resource. Although the deadline set for receiving these contributions was 15 February 2014, NGOs and academia are encouraged to submit their contributions afterwards as well, bearing in mind that some time will be needed to include their contributions in the background document before the meeting in November. All contributions should be sent to Mr. Sven Pfeiffer at sven.pfeiffer@unodc.org.

V. XIII Crime Congress and post-2015 development agenda

Ms. Dedeyne-Amann informed that by the time of the 23rd session of the Crime Commission all regional preparatory meetings for the XIII Crime Congress would have taken place. There had been NGO participation at the Asia and Pacific Regional Preparatory Meeting (Bangkok, Thailand, 22-24 January 2014) and it was expected that this would be the case for the other three regional preparatory meetings as well. The reports of these preparatory meetings would be made available to the 23rd session of the Crime Commission. Negotiations by Member States on the outcome document of the XIII Crime Congress would commence later in the year, under the leadership of the host country (Qatar), as per established practice.

In terms of priorities, Ambassador De Alba committed his efforts to placing the Crime Commission and its recommendations at the forefront of the post-2015 development agenda. Whereas the three pillars currently discussed (economic, social, environment) are highly relevant, human rights, the rule of law, and good governance need be given due consideration as well.

In Ambassador De Alba's view, the UN needs to modify the architecture through which it deals with issues. The Economic and Social Council (ECOSOC) is a case in point and here the Ambassador made reference to the new working relationship between ECOSOC and the GA, refashioned so as to avoid duplication of work. Instead of regular ministerial meetings and statements, together with the GA, a high political forum is to be created, where Member States, intergovernmental organizations, and NGOs can participate.

With regard to the post-2015 agenda, Ambassador De Alba mentioned that the new global objectives might be renamed, since "sustainable" development goals are often understood only in connection with environmental issues. In his opinion, UNODC and the Crime Commission in particular should engage more in the process of UN institutional change and setting the post-2015 agenda, including in the preparations for the XIII Crime Congress.

Mr. Platzer mentioned that the 6th ACUNS Vienna Annual Conference (January 2015) will focus on how the UN Vienna-based agencies have engaged in the preparations for the post-2015 development agenda and what their concrete plans of action will be. Mr. Platzer informed that ACUNS Vienna has already students working on this topic.

VI. NGO participation

Ms. Dedeyne-Amann mentioned that the Extended Bureau of the 23rd session of the CCPCJ had been informed that the Working Group on the Standard Minimum Rules for the Treatment of Prisoners, originally scheduled to be held in Brazil in late January, had been postponed and that another Working Group on Violence against Children was scheduled to take place in February, hosted by the Government of Thailand. Both Intergovernmental Working Groups were serviced by the Justice Section of UNODC.

Ambassador De Alba mentioned that he recently chaired a working group on trafficking in cultural property. The Ambassador said, he would have granted NGOs access to the meeting, had he received a request in this regard. Mr. Platzer noted that this meeting, like the working groups on trafficking in persons and smuggling of migrants

last year, was also a closed meeting. Ambassador De Alba replied that such meetings should be declared open, unless otherwise decided, and not vice versa.

Ms. Dedeayne-Amann clarified that for the UN Convention on Corruption (UNCAC) and the UN Convention against Transnational Organized Crime (UNTOC) related matters specific rules of procedure had been adopted by the Conference of the State Parties (CoSP) to UNCAC and the Conference of Parties (COP) to UNTOC. She explained that these rules of procedure were different from the rules of procedure of the functional commissions of the ECOSOC, which are the ones applied during the CND and Crime Commission sessions.

Ms. Dummar Frahi noted that the rules of procedure for CoSP and COP can, in certain aspects, be considered more open than the ECOSOC Rules of Procedure in that they also provide NGOs not in consultative status with ECOSOC (the so-called “relevant NGOs”) the possibility to participate in the conference.

VII. Juvenile justice, violence against women, and migrant smuggling events

Mr. Platzer informed of a series of events organized by ACUNS Vienna: (1) roundtable on juvenile justice in Austria; (2) “Female parliamentarians’ perspectives on the situation of women in Afghanistan”; and (3) a series of events on the human rights of irregular migrants.

Ms. Winiicka informed participants of the refugee protest movement in Vienna and the importance of civil society involvement in protecting the rights of irregular migrants. She stressed that current deportation policies leave no possibility for obtaining asylum in Europe. She mentioned that ACUNS Vienna is undertaking a research project on how smuggling has been perceived starting with the Nazi time – a necessary evil to help refugees get asylum.

Ambassador De Alba stated that in international law there is a very clear distinction between migration and refugees and that the two issues should not be mixed. Two very different sets of rules apply to these categories.

VIII. Election of the Vice-chair of the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice

After sounding out several individuals, Mr. Platzer proposed Mr. Maximilian Edelbacher to serve as Vice-chair of the Alliance starting with 06 February 2014. His nomination was agreed.

Mr. Graenitz raised the question of a Constitution for the Alliance and an election process for further officers. Mr. Platzer emphasized that the Alliance was an Alliance of NGOs, not a “Verein”, more in the nature of a facilitator for NGOs and interested individuals that wish to engage with UNODC. No decisions are made, except for the dates of the meetings. The Alliance is open to all and no fees are collected, in order to ensure that NGO participation in the Alliance is as broad as possible, including academics and practitioners. This has been the tradition of the Alliance for decades and it has worked well.

[Press release from UN News Centre]

CORRUPTION HOBBOLES DEVELOPMENT, GENERATES OTHER CRIMES - TOP UN OFFICIAL

New York, Nov 25 2013 2:00PM

The world's largest biennial gathering of delegates in the global fight against corruption opened in Panama today with the United Nations top crime fighter warning that the scourge not only hobbles sustainable development but generates other crimes.

"Corruption is the thief of economic and social development; stealing the opportunities of ordinary people to progress and to prosper," UN Office on Drug and Crime (UNODC) Executive Director Yury Fedotov (["http://www.unis.unvienna.org/unis/en/pressrels/2013/uniscp727.html"](http://www.unis.unvienna.org/unis/en/pressrels/2013/uniscp727.html)) told the opening meeting in Panama City of the Fifth Session of the Conference of States Parties to the UN Convention against Corruption (UNCAC).

"Without corruption and bribery, millions of women, children and men cannot be trafficked as slaves; thousands of small arms cannot reach their violent destinations; and tons of illicit drugs cannot reach their consumers."

Adopted 10 years ago, UNCAC is the only legally binding universal anti-corruption instrument, now has 168 States Parties, and has gone further than any other UN Convention through its unique review mechanism that, after four years, has trained more than 1,400 anti-corruption experts and provided assistance to 35 States to amend their legislation. More than 1,500 participants are attending the five-day meeting.

Corruption has a devastating impact across the world. The World Bank estimates that every year between \$20 billion to \$40 billion are lost from developing countries due to corruption and bribery.

The environment also suffers. Water infrastructure costs, for example, are increased by as much as 40 per cent through corruption, which equates to an additional \$12 billion a year needed to provide worldwide safe drinking water and sanitation.

Mr. Fedotov stressed that it would take everyone's voice raised against corruption to bring true success. "We need a robust and strong coalition of Governments, business community, civil society, academia and media to resist corruption, and build a culture of prevention and integrity," he said.

Participants at the meeting include representatives of Member States, civil society, private sector academia and the media, who will discuss best practices and successes in the fight against corruption under the umbrella of the Convention.

An entire chapter of the treaty is dedicated to preventing corruption with measures directed at both the public and private sectors, including model preventive policies, such as the establishment of anti-corruption bodies and enhanced transparency in the financing of election campaigns and political parties.

States must ensure that their public services are subject to safeguards that

promote efficient, transparent recruitment based on merit. Public servants once recruited should be subject to codes of conduct, requirements for financial and other disclosures and appropriate disciplinary measures.

UNCAC requires countries to establish criminal and other offences to cover a wide range of acts of corruption, if these are not already crimes under domestic law. Countries are bound to render specific forms of mutual legal assistance in gathering and transferring evidence for use in court, and to extradite offenders.

Asset recovery is a fundamental principle of UNCAC, a particularly important issue for developing countries where high-level corruption has plundered national wealth and where resources are badly needed for reconstruction and the rehabilitation of societies. In the case of the embezzlement of public funds, the confiscated property would be returned to the State requesting it.