

U.N. ACTIVITIES BULLETIN

INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

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***IADL, FOUNDED IN 1946,
CELEBRATES 70 YEARS
OF STRUGGLE***

The International Association of Democratic Lawyers (IADL) was founded on 24 October 1946 in Paris at an international gathering of lawyers who had fought and survived the war against fascism and had participated in the Nuremberg trials. It was organized to promote the exchange of ideas and skills among lawyers and jurists throughout the world, dedicated to the principles of the U.N. Charter, the defense of peace and the establishment of a democratic world order.

In celebration and preservation of IADL’s 70 years of struggle, we are starting a conversation about IADL’s history in this issue of the *Bulletin* –

between one of our older members, Me. Roland Weyl, IADL’s First Vice President (France) and one of our younger members, Luis Roberto Zamora Bolaños , IADL Bureau Member (Costa Rica).

As Roland Weyl explains “... *And, in 1945 with the birth of the U.N. Charter, IADL was to serve the same aims and abide by the same rules. In 1945, UNO [the United Nations] was built to implement the law of the U.N. Charter. The following year, in 1946, IADL was built also to implement the U.N. Charter. I like to say that IADL is a twin sister of UNO.*”

The full conversation is in the **Annex**.

**2016 INTERNATIONAL
CONFERENCE ON THE
50TH ANNIVERSARY OF
THE U.N. COVENANTS ON
HUMAN RIGHTS –
FREEDOM, JUSTICE AND
PEACE, organized by the
Portuguese Association of
Democratic Jurists and the
International Association of
Democratic Lawyers**

(A complete listing of Supporting Organizations and Conference Materials are in the **Annex**)

**INTERNATIONAL
CONFERENCE OF LISBON
THE 50th ANNIVERSARY OF
INTERNATIONAL
COVENANTS
ON HUMAN RIGHTS**

(Submitted by Maria Madalena Marques dos Santos)

An International Conference will be taking place in Lisbon, from 10th to 12th November, in order to mark the 50th Anniversary of the International Covenants on Economic, Social and Cultural Rights and Civil and Political Rights as well, approved by the General Assembly of U.N.O.

The Conference will be held in the academic premises of the Law Faculty of the University of Lisbon; and will function in plenary sessions and commissions, the main purpose being that of a collective reflection on the historical meaning, the political and

juridical views and contingencies of the two above mentioned International Covenants.

We are expecting a big number of communications to be presented on relevant themes such as the historical and juridical insertions of the two Covenants; the actual context of international law on human rights and their indivisibility; the conditioning of their respective practice; the problems of world and regional peace; the rights of the peoples for economic, social and cultural developments and the just use of national resources; the struggle of the peoples and their social organizations for the effective recognition and the conditions to exercise the human rights, and against all forms of exclusion and social distinctions, and so on.

The Conference that is fostered by the International Association of Democratic Jurists and the Portuguese Association of Democratic Jurists, is opened to all those jurists and non-jurists, who are interested on human rights issues, in their real emancipated expression; with assured certainty that the Covenants are two fundamental pointing marks in the international juridical order, expressing the bond of the subscribing countries to a meaningful bunch of duties through which economic, social, cultural, civil and political rights of the citizens therein proclaimed are to be assured (alias, as the extension of the universal principles contained in the U.N.O. Chart and the Universal Declaration of Human Rights dated 10/12/1948).

But the history of the human rights is not only that of their international recognition – but also of their blatant and systematic violation.

One thing is the argumentative rhetoric concerning the human rights (and their proclamation in internal and international law texts; in the political agents' speeches; in the critical thinking of the philosophers and jurists); another, a different one, is the full faced reality with which the peoples are confronted during the last 50 years.

When discussions that lead to the formation and the voting for the two Pacts began, there was a confrontation between the liberal thought that privileged the civil and political rights, and the position of the then socialist countries giving a special relevance to the economic, social and cultural rights. Such a cleavage gave way to the approval of two Pacts (instead of a genuine one dealing with the recognition of the whole range of rights).

And the truth is that, in this troublesome world, due to the impact of more conservative and discriminatory social and political forces, human rights continue being somewhat relinquished everywhere. According to Prof. Juan Antonio Carillo Salcedo, lecturing on Public International law at the University of Seville "*human beings are divided, in a sort of a global apartheid, into two big sectors: one, respecting those for whom human rights are a daily reality, and the one respecting those for whom the human rights are goals to struggle for*"(1); in such terms that International Amnesty has been referring the matter as broken promises, further specifying that "*how far indeed we are from the common ideal proclaimed in 1948*", starting with the marginalization of many rights, as is the case of economic, social and cultural rights, " rhetorically emphasized but never really

and resolutely dealt with by the United Nations" (2)

In the same way, and referring the Universal Declaration, Prof. Joaquin Garcia Morillo highlighted that "*the General Assembly of the United nations had the pretension to proclaim a new international order that, being based on the military victory of the allied forces and on an antifascist impulse, should be founded on liberty and assure a minimum level of rights, more adjustable to a generally shared idea on human dignity*"; however, throughout the world, "*millions of people see the execution of their fundamental rights seriously limited, when not strictly denied, and millions remain marginalized from the circuits that compose a developed society*" (3).

It is obvious that the Lisbon Conference is not set out to discover any miraculous solution for such difficult and complex problems; but surely to speak about them – with due emphasis, shout on their behalf – as a specific contribution for the formation and enlargement of a civic conscience involved with human rights, in their real and truly emancipative and liberating interpretation.

It should be mentioned that the Lisbon Conference, besides being an opportunity for a profound reflection on such relevant issues for our living and the future of the peoples the world over, will also be a meeting corner and provide a feast of confraternization among jurists, academicians, trade-unionists and others alike, coming from different countries but all united by the same ideal of a free human being, freed from fear and misery (as is mentioned in the two Pacts).

You are welcomed and will be received fraternally.

Notes:

1) Juan Antonio Carrillo Salcedo, “*Dignidad frente a barbarie. La Declaración Universal de Derechos Humanos, cincuenta años después*”- *Minima Trotta*, 1999, page- 22.

2) *A. and book quoted, page-33. The reference made concerns the Universal Declaration itself, of which the two Pacts are a subsequent development.*

3) *Quoted by Juan Antonio Carrillo Salcedo, book quoted pages-19 20.*

Signed: Portuguese Association of Democratic Juristes

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**SOUTH CHINA SEA
ARBITRATION CASE: THE
HAGUE RULED IN FAVOR
OF THE PHILIPPINES**

(Report by Ms. Thanh Le, Vietnam Lawyers Association)

On July 12th 2016, the Permanent Court of Arbitration issued its much-anticipated Award on a 2013 claim by the Philippines to maritime entitlements in the South China Sea and it was a decisive victory for the Philippines. The Award stated that the Philippines was seeking a ruling that declares that claims in the South China Sea must comport with the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which would dismiss China’s nine-dash-line; classifies maritime features occupied by China as rocks, low tide elevations, submerged

banks but not islands; the Awards also declared Philippines’ right to operate inside of its EEZ and continental shelf as outlined by UNCLOS without Chinese harassment; the Tribunal also denounced China for failing to protect and preserve the South China Sea marine environment.

The Philippines had filed an arbitration case against China in January 2013 following the tense standoff at Scarborough Shoal where Chinese maritime enforcement vessels blocked Philippine authorities. China then issued a Note Verbale stating that “it does not accept the arbitration initiated by the Philippines” and therefore will not participate in the proceedings, which led to the initiation of the arbitration under the dispute settlement procedures of Annex VII to the 1982 United Nations Convention on the Law of the Sea. Afterwards China has reclaimed land in massive dredging operations, turning sandbars into islands equipped with airstrips, ports and other logistical facilities. All these activities of China were condemned by the Tribunal as the reason caused "irreparable harm" to the marine environment.

There are several controversies floating around about this ruling from when it was first conceived. The first controversy was Chinese's rejection of the Tribunal's jurisdiction over the case. China claims that it has ‘indisputable sovereignty’ over the land features and waters involved in the South China Sea. It refuses to be bound by the tribunal’s anticipated decision on the grounds that the decision would deal with issues of territorial and maritime delimitation as well as passing judgment on military activities and that China has never consented to any third party impartial

arbitration of these issues. However, it seems that China has stepped on its own toes. As a signatory party of the UNCLOS, China ratified the Convention and agreed to be bound by any decision that resulted from such a compulsory third party determination, this consent has bound China to respect and comply with decision emerged from the proceedings of the case. Also the Tribunal has clearly stated that its award will not decide those issues but will only concern itself with other important questions, all of which involve the interpretation and application of UNCLOS and are therefore within the tribunal's decision-making authority. China had its rights to present the arguments challenging the Tribunal's authority for the Tribunal's consideration but China decided to decline to participate, despite this the Tribunal has done its best to evaluate China's jurisdictional arguments in the Award.

Another issue was about the enforceability of the Award. China has flat-out claimed that it will not recognize and comply with the arbitral award. China has been relentlessly using state media to speak in defiance of the Tribunal's ruling, this only demonstrates that China worried gravely about the effect of the Award brings on China's "peaceful rise" reputation . China is evidently trying to avoid being branded a violator of international law, superpower like the United States, in a dispute with Nicaragua three decades ago, ignored a decision of the International Court of Justice after the court rejected its claim that the court lacked jurisdiction. That action continues to damage the US's reputation to this day. China's compliance to the Tribunal's award is a tough sell at the moment but China could sooner or later recognize the

benefits of this arbitration and accordingly revise its long-held policy and positions in the South China Sea disputes. In addition it is observable that since the issuance of the Award, China has been very careful not to take extreme and provocative acts on the ground in the South China Sea. The lack of mechanisms to cope with China's non-compliance also brought great concerns to the security and stability in the South China Sea as well as the rule of law in international relations. Such realist view has long been discarded by generations of international lawyers, it has omitted the significance of the UNCLOS in this case, the UNLCOS defines comprehensively the rights and obligations of states in the seas, given the fact that activities at sea impinge upon each other, it is essential for every state to act within the boundaries drawn by UNCLOS. The final Award by the Tribunal has become an objective touchstone that settles almost many disputes in the South China Sea, which is not only technically binding upon China and the Philippines but also has practically *erga omnes* effect that is recognized by virtually all states. No country, even super powers, can undo this fact.

On the eve of this landmark verdict, the International Association of Democratic Lawyers (IADL) issued a statement regarding the Award. IADL believes the Award is a definitive ruling by the body charged with interpreting UNCLOS. The Award is decisive and consistent with IADL's support for peaceful resolution of disputes using international law. IADL is aware that there are more issues to be addressed in order to ensure peace, stability, cooperation and development in the South China Sea and the Asia-

Pacific region, therefore IADL calls upon all concerned parties to have a recourse to international laws (includes the 1982 UNLCOS); to negotiate in good faith for a solution agreed by all parties and to refrain from escalating tension and militarization in the South China Sea.

(Full statement attached in the Annex)

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STATEMENT ON ATTACKS ON LAWYERS IN PAKISTAN

August 09, 2016

LAWYERS UNDER ATTACK

A tragic incident of barbaric attack on lawyers took place in the city of Quetta on 8th August, 2016.

A terrorist firstly shot down the President of Balochistan Bar Association Mr. Bilal Kanshi and when his dead body was taken to Civil Hospital, several Bar Members and leaders gathered there, then a suicide bomber attacked and blasted himself in a crowd of lawyers, resultantly 97 people died and 171 seriously injured. Amongst the dead persons 62 are lawyers which includes senior Bar leaders. The Pakistan Bar Council has declared seven days mourning and three days complete strike.

The Democratic Lawyers Association (Pakistan) has strongly condemned this tragic incident and the terrorist attack by tragic religious extremists as the IF and Jamiat-e-Ahrar a section of Pakistani Taliban have accepted the responsibility. The Democratic Lawyers Association

also strongly criticized the policy of Pakistani Estate Officials for blaming RAW of India immediately on happening of the incident even before any inquiry or investigation, the DLA called upon the political leaders of both the countries India and Pakistan to stop this policy or blame game of each other.

According to the Democratic Lawyers Association mere military or intelligence combing operations are no solution to counter the terrorism unless long term policies are adopted in the internal and external affairs of the country. Against the religious extremism and intolerance radical changes are required to be made in the social sector, particularly in educational system which the Estate has absolutely failed to adopt, despite consistent demands by the progressive and liberal sections of the society.

The Democratic Lawyers Association while showing deep sympathy with the grieved injured families have called upon the legal fraternity to raise their voice not only against this barbaric incident but also against the religious extremism and intolerance, calling upon the Government of Pakistan to root out this menace from the country by changing its internal and foreign policy perceptions and improving good friendly relations with neighboring countries both in economic and political fields.

(AKHTAR HUSSAIN)

Member Pakistan Bar Council and

General Secretary,

Democratic Lawyers Association

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REPORT ON IADL ACTIVITIES AT LESBOS (LESVOS) LEGAL CENTRE

(Report by IADL Bureau Member Carlos Orjeula (UK))

Editor's Note: The Lesbos Legal Centre, started in July 2016 to provide assistance to refugees in the camps on the Greek island, has been endorsed by various associations, including The International Association of Democratic Lawyers; European Lawyers for Democracy and Human Rights; Asociación Americana de Juristas; Alternative Intervention of Athens Lawyers (Greece); Hellenic Union of Progressive Lawyers (Greece); Associazione Dei Giuristi Democratici (Italy); Indian Association of Lawyers (India); Haldane Society of Socialist Lawyers (UK); Juristes Démocrates de Suisse (Switzerland); German Association of Democratic Lawyers (Germany).

The protests that preceded the blazing fire in the Moria refugee camp in mid September 2016 had been well attended boisterous affairs. On Friday 16 September a pro refugee march led by students in Lesbos ended in Sapho Square, Mytiline, the capital of the island. The evening had begun with a film recounting the murder of a Greek anti fascist rapper, which was being shown to mark the 3 year anniversary of his death.

The following Monday, a fascist march went through the city in the morning, ostensibly calling for the refugees to be removed from the Island. Chants heard throughout the demonstration included 'throw them in the sea' and 'Greece is for the Greeks'.

Later in the evening a fire in the 'Reception and Identification Centre' located in Moria, 5 kilometres from Mytiline, began. Moria is a detention centre where all individuals who arrive irregularly to the island are brought. They are kept there as a matter of course for 25 days, though this period of detention can and often is extended.

At the time of writing, it remains unclear who exactly is responsible for the fire. The mixture of refugee uncertainty and desperation, detention in inhuman conditions, extreme delay, discrimination by nationality in the processing of applications, economic austerity and far right resurgence creates a toxic situation where many groups of individuals could be to blame. What is certain is that the fire has served only to worsen what are already terrible living conditions for the inhabitants of the camp.

It is within this context that volunteers from the Haldane Society (UK), Droit Solidarite (France) and the National Lawyers Guild (US) have chosen to open a legal clinic, assisting a Greek lawyer in providing legal information, advice, assistance and representation. We are based in the Mosaik Support Centre, a project in the centre of Mytilini which provides services to refugees, including language, arts and crafts classes.

Since the opening of the Legal Centre we have identified various serious breaches of human rights which are

primarily the result of an unresponsive and intransigent EU asylum system that refuses to place the needs of refugees at the centre of its approach.

Delay

The most endemic issue in the Greek hotspots is the inhumane periods of time people are expected to wait for their asylum procedures to be concluded.

Upon application for asylum, applicants undergo a registration process which is kafkaesque in its operation. Article 6 of the Recast Procedures Directive 2013 states that registration of an application for international protection should take no longer than 3 days, extendible to 10 days in situations where there are large numbers of applications at the same time. Greek law 4375 however, interprets these provisions by introducing a new concept of 'simple' and 'full' registration. In situations such as Lesbos, where there are various individuals applying for asylum at the same time, 'full registration' does not have to meet the time periods contained within the directive. The Greek Asylum Service is simply required to register the individuals '...as soon as is rendered possible'. (Article 36, Greek Law 4375). Thousands of people, men, women, children, disabled, mentally unwell amongst others, have been kept waiting over half a year awaiting to be registered because of the application of this provision.

Without lodging an application, an individual does not have the ability to be considered for family reunification either under Dublin III or the national schemes of other European Member States, cannot be considered for relocation under the two Council Decisions of

September last year and of course cannot have their application for asylum determined by the Greek Asylum Service. Delay, without any foreseeable end, awaits those who arrive here.

Reception Conditions

The severely inadequate standard of reception conditions, coupled with the amount of delay facing all asylum seekers on the island, creates a toxic and often dangerous mix, the effects of which are obvious to volunteers who spend a little time on the island.

The situation in Moria detention centre is illustrative. The camp is surrounded by high fences and barbed wire. Inside, space is scarce, with crowded tents inhabited by whole families, including children. Unaccompanied minors are detained as a matter of course in a separate part of the camp, whose facilities are barely able to cope with the amount of children contained there. Despite being recognised by the Greek Asylum Service as vulnerable, individuals face huge obstacles accessing assistance for medical conditions. Victims of torture struggle to gain access to mental health services, heavily pregnant women are left to lie on the floor in tents for months awaiting receipt of adequate pre natal care, medical attention is severely restricted to a few who are able to exhibit severe symptoms, amongst other issues. Riots are therefore an unfortunately frequent phenomenon.

Once individuals are allowed to leave Moria, they face another form of detention, as the vast majority of asylum seekers are unable to leave the Island. They are either moved to one of the other camps on the Island or are given the 'option' to stay in Moria. Those who

only have access to the latter tend to sleep on the streets of Lesbos rather than remain in such conditions.

The tragic truth is that Europe is well aware of these conditions and does little to ameliorate them. Since the case of *MSS v Belgium* in 2011, it has long been accepted by the European community that reception conditions for refugees in Greece are in humane and degrading for asylum seekers.

The central issue, unsurprisingly, is political. The current 'Common European Asylum System' ('CEAS') and the Dublin III regulation in particular, passes the majority of the responsibility for dealing with the influx of asylum seekers to 'frontier' member states. The principle contained within the Dublin regulation is that an asylum seeker's application for international protection should be processed in the first EU country they enter. This has placed immense pressure on Greece and Italy in particular, where individuals fleeing persecution on the African and Asian continents will seek to gain entry into Europe.

Infuriatingly, the EU has deemed it appropriate for the country least able to allocate resources to the refugee problem by virtue of the Memorandum of Understanding, which is decimating public services in Greece, to be one of the principle Members States to deal with the crisis.

Turkey EU Agreement

Rather than attempt to distribute the responsibility of processing asylum claims to other Member States, the EU Commission has deemed it appropriate to designate Turkey a 'safe third country'

to which Greece can return 'irregular migrants'.

This is particularly worrying considering Turkey's highly controversial hierarchy of protection, which allows Europeans to claim full protection as refugees, but only provides limited and temporary protection to Syrians claiming international protection. This alongside the well reported instances of push back (often violently) of refugees at the Syrian border, refoulement, detention in atrocious conditions and the state's recent decision to suspend the application of the European Convention of Human Rights, leads many to conclude that the EU is simply attempting to outsource its responsibilities under the 1951 Convention and Protocol to a politically volatile country that is actively hostile to refugees.

To the credit of the Greek appeal committees, prior to their reconfiguration by the Greek state, the vast majority of appeals against decisions to return to Turkey were allowed for the very reasons outlined above. Since the changes to the committees however, which increase the state's presence from 1 representative to 2 on a 3 person committee, the appeals have now begun to reject appeals which has led to returns to Turkey.

Legal Aid - The Denial of Access to Justice

As it stands, legal aid is not provided at 'first instance', i.e. for the asylum interview stage. Until recently, no legal aid was available for 'second instance' appeals to the appeals committee for rejections of asylum. Legal aid is also absent for those who wish to dispute

their designation as adults, a crucial decision which greatly impacts the options an asylum seeker has in the procedure. Appeals to the Administrative Court are also not funded, leaving asylum seekers with the burden of paying thousands of euros in court and lawyers' fees if they wish to submit an application.

Considering these restrictions in legal aid, the legal centre has attempted to support asylum seekers by providing vital information, advice, assistance and representation at various stages of the asylum process. This includes assistance with reunification efforts with families across Europe. The intention of the legal centre is to develop litigation strategies and legal campaign work from the information gathered which will attempt to highlight and change the dire situation of asylum seekers on the Island.

How you can help

The Legal Centre needs lawyers and legally-trained graduates to give a month or more of their time to help provide legal information, assist in the preparation of cases, write reports and provide general paralegal support to our Greek lawyers. If you are interested in volunteering with us, please contact legalcentrelesbos@gmail.com

The Legal Centre also requires donations in order to keep the project going. Please visit <https://chuffed.org/project/legalcentrelesbos>

If you are in the UK you can donate using mydonate.bt.com/charities/lesboslegalcentre at <https://mydonate.bt.com/charities/lesboslegalcentre>

If you want to follow our work and show support for our project you can visit our blog on <https://legalcentrelesbos.wordpress.com> and our Facebook page on <https://web.facebook.com/LesvosLegal>

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PEACE TALKS IN THE PHILIPPINES

IADL has been invited to participate in the JustPeacePH initiative related to the resumed peace talks in the Philippines.

The campaign is circulating a call for international solidarity and support of the peace process (please see in **Annex**).

More information can be found at <http://justpeace.ph/ph-peace-talks/> Several Bureau members have been in this process, included Edre Olalia, who serves as a legal advisor to the delegation of the National Democratic Front.

A more detailed report will appear in the next IADL *Bulletin*.

U.N. ACTIVITIES IN VIENNA

(Report by IADL Permanent Representative to U.N., Evelyn Durmayer)

On June 27, 2016 I, together with Lilian Hofmeister (Elected Member of CEDAW Committee and IADL Alternate Representative to U.N.), organized a Legal Salon in the Art Lounge of the Café Korb (see flyer in **Annex**). The topic was the Role of Women's NGOs. Lilian Hofmeister was the moderator of the event, Brigitte Holzner a long time activist in the development field, presented her work in Indonesia and introduced her book full of very sensitive short stories.

Rosa Logar, the Austrian GREVIO member, in her capacity as WAVE executive director of the Domestic Abuse Program in Vienna, related the necessity of the work of her European Organization and the difficulties encountered. She also discussed the need for human and financial support.

WAVE is European organization working mainly on the issue of violence against women in Europe. More information about is available at <https://www.wave-network.org/>.

GREVIO is a group of experts to monitor and implement the Istanbul Convention by the Council of Europe. Rosa Logar is the First Vice-President. It was created after the model of CEDAW and both are presided over by Feride Acar from Turkey.

As distinguished from these two associations I introduced IADL, which is

not a Women's NGO, although we have a woman as President.

In 2014, a Women's Caucus was created at the 18th IADL Congress in Brussels and a very well attended International Conference was held in London November 28/29, 2016.

The lively discussion was centered mostly around negative examples, so I tried to turn to the model of Rojava, where a young Kurdish Austrian lawyer gave more details of the functioning. Rojava is located in the northern part of Syria, a region with more than 2.5 million inhabitants and refugees from Turkey, Iraq especially among them Yazidis. The region gained its autonomy in November 2013, and is a democratic experiment. It is based on principles of direct democracy, gender equality and sustainability. Among its projects are a new health system and the establishment of a university. More information is available at <http://thekurdishproject.org/history-and-culture/kurdish-democracy/rojava-democracy/>

I attended a small encounter with Dubravka Šimonović, the UN Special Rapporteur on Violence against Women, its causes and consequences, on July 22, 2016. She intends to build a femicide statistical register with the help of NGO's, UNODC and OSCE.

On 15 September 2016 the Vienna NGO Committee on the Status of Women held its first fall meeting with the program till the end of the year. The full agenda is in the **Annex**, as well as the CSW 61 Written Statement on Women's Economic Empowerment in the Changing World of Work. As in past

years, IADL is the lead sponsor organization of the Statement.

On 7-9 October 2016, I will participate in a conference, “Building Bridges – shifting and strengthening visions – exploring alternatives,” which will be held in Vienna. The themes include re-visiting and rethinking Marxist-Feminist theory and women’s position within the global economy. The Conference program can be found in the **Annex**.

CSW61

The sixty-first session of the [Commission on the Status of Women](#) will take place at the United Nations Headquarters in New York from 13 to 24 March 2017. The Priority Theme is Women’s economic empowerment in the changing world of work. Among the additional themes are: Challenges and achievements in the implementation of the Millennium Development Goals for women and girls (agreed conclusions of the fifty-eighth session) and the empowerment of indigenous women. More information is available at <http://www.unwomen.org/en/csw/csw61-2017>.

IADL is in the process of planning its participation in CSW61. For more information, please contact President Jeanne Mirer or Permanent Representative to Vienna Evelyn Durmayer.

STATEMENT OF THE UN WORKING GROUP OF EXPERTS ON PEOPLE OF AFRICAN DESCENT CONDEMNING RACIST POLICE KILLINGS IN THE U.S.

(The OHCHR Media Statement is reprinted below)

USA / People of African descent: UN expert group condemns recent killings

GENEVA (8 July 2016) – **Human rights expert Ricardo A. Sunga III, who currently Chairs the United Nations Working Group of Experts on People of African Descent, issued the following statement after this week’s deaths of Philando Castile in Minnesota and Alton Sterling in Louisiana at the hands of the police, and Thursday’s killing of five police officers in downtown Dallas.**

“The Working Group is outraged and strongly condemns the new police killings of two African- American men. These killings which were captured on video cannot be ignored. We call for prompt independent investigations to ensure the perpetrators are prosecuted and punished. We also condemn the attacks on police officers in Dallas and call for the perpetrators to be held accountable.

Excessive use of force by the police against African Americans in the United States is a regular occurrence. African Americans are reportedly shot at more than twice the rate of white people.

The Working Group is monitoring the

situation and has repeatedly expressed its concern to the United States Government about police killings of African Americans and called for justice. The Working Group is convinced that the root of the problem lies in the lack of accountability for perpetrators of such killings despite the evidence.

The killings also demonstrate a high level of structural and institutional racism. The United States is far from recognizing the same rights for all its citizens. Existing measures to address racist crimes motivated by prejudice are insufficient and have failed to stop the killings.

It is time, now, for the US Government to strongly assert that Black lives matter and prevent any further killings as a matter of national priority.”

NOTE TO EDITORS:

The UN Working Group of Experts on People of African Descent carried out an official visit to the US in January 2016. In its preliminary observations* to the US Government, the panel of experts noted with concern **“the alarming levels of police brutality and excessive use of lethal force by law enforcement officials committed with impunity,”** and made a number of specific recommendations, among them:

“Improving reporting of violations involving the excessive use of force and extra-judicial killings by the police, and ensure that reported cases of excessive use of force are independently investigated; that alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions; that investigations are re-opened when new evidence becomes available; and that victims or their families are provided with remedy.”

The Working group will present a comprehensive report containing its findings and recommendations to the UN Human Rights Council in September 2016.

(*) Read the Working Group’s preliminary recommendations to the US Government: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17000&LangID=E>

The Working Group of Experts on People of African Descent was established on 25 April 2002 by the then Commission on Human Rights, following the World Conference against Racism held in Durban in 2001. It is composed of five independent experts: Mr. **Ricardo A. Sunga III** (the Philippines) current Chair-Rapporteur; Ms. **Mireille Fanon Mendes-France** (France), Mr. **Ahmed Reid** (Jamaica); Mr. **Sabelo Gumedze** (South Africa); and Mr. **Michal Balcerzak** (Poland). Learn more, log on to: <http://www.ohchr.org/EN/Issues/Racism/WGAfricanDescent/Pages/WGEPADIndex.aspx>

The Working Group is part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council’s independent fact-finding and monitoring mechanisms. Special Procedures mandate-holders are independent human rights experts appointed by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. They are not UN staff and are independent from any government or organization. They serve in their individual capacity and do not receive a salary for their work. Learn more, log on to: <http://www.ohchr.org/EN/Issues/Racism/>

[WGAfricanDescent/Pages/WGEPADIndex.aspx](http://www.un.org/en/events/africandescendecade/)

The International Decade of People of African Descent:
<http://www.un.org/en/events/africandescendecade/>

*(The Statement, with additional contact information, can be found in the **Annex**)*

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JUSTICE FOR CHOLERA VICTIMS IN HAITI

(Report by Shannon Jonsson, Institute for Justice and Democracy in Haiti [IJDH])

In a breakthrough for victims seeking to hold the United Nations (UN) accountable for causing the cholera epidemic in Haiti, the organization has finally acknowledged its role in introducing the disease to Haiti, and Secretary-General Ban Ki-moon recently announced a new plan to combat the epidemic and provide material assistance to victims and their families. In his September opening statement to the General Assembly, Ban expressed “tremendous regret and sorrow at the profound suffering of Haitians affected by cholera” and called on member states to provide political and financial support for the new package in order to “meet [the UN’s] obligations to the Haitian people.” Ban also appointed Dr. David Nabarro, previously head of the UN’s response to ebola, to lead the new cholera response.. At the end of September, Nabarro announced that the UN is mobilizing \$180 million for cholera response, and “at least an equal

amount” for the victims. The details of the UN plan are to be released at the end of October.

The announcement signals a momentous change in the UN’s approach to calls for accountability, and came as pressure mounted for the organization to provide a just response to cholera victims. Prior to the announcement, Philip Alston, the UN Special Rapporteur on Extreme Poverty and Human Rights, submitted a report highly critical of the response to the epidemic. In the powerful document, Mr. Alston stated: “The UN’s policy [in response to the Haiti cholera epidemic] is morally unconscionable, legally indefensible, and politically self-defeating.” He urged the Secretary-General to issue an apology and take responsibility for the cholera epidemic, as well as create a plan for compensation of the victims.

Members of the United States House of Representatives and Senate also sent bipartisan letters to the UN and US government in favour of UN accountability. In June, 158 members of the U.S. House of Representatives, led by Rep. John Conyers and Rep. Mia Love, wrote to Secretary of State John Kerry to “urge the State Department to immediately and unreservedly exercise its leadership to ensure that the United Nations (UN) take concrete steps to eliminate the cholera epidemic introduced to Haiti in 2010 by waste from a UN peacekeeper camp, and to comply with its legal and moral obligations to provide cholera victims with access to an effective remedy.” In a separate letter, Rep. Maxine Waters wrote to the Secretary-General, noting that the lack of a just response squanders UN credibility and urging him to “ensure

that the UN's response to the cholera epidemic is sufficient to ensure justice for the people of Haiti and maintain the credibility and leadership of the UN."

In July, Senators Ed Markey and Marco Rubio wrote to Secretary of State John Kerry, imploring the United States government to "utilize its leadership position to stress the importance of UN accountability and action to remediate the ongoing impact of cholera in Haiti." More recently, Senators Markey and Rubio were joined by Senators Robert Menendez and Patrick Leahy in a letter to the Secretary-General urging the UN to "fulfill its obligation to help the people of Haiti by eradicating cholera and providing justice to the victims of the disease" and advocating for a "comprehensive and transparent approach" to compensating cholera victims.

The Secretary-General is also facing strong pressure to take action in order to save his legacy on cholera before he leaves office at the end of December. This pressure grew after more than half of the candidates for the post stated publicly that they supported a stronger response on cholera. Thirty-eight civil society groups including IADL-member *Giuristi Democratici*, also called on the candidates to sign a pledge that if elected, they would prioritize accountability and transparency, end the culture of impunity for sexual exploitation and abuse committed by peacekeepers, and ensure that Haitian cholera victims received remedies. As a result of advocacy on this front, Igor Luksic signed the pledge, while Danilo Turk and Srgjan Kerim expressed support for its principles without signing it.

In anticipation of the rollout of the new UN response, advocates have been pushing for the UN to ensure that the new response is robust and translates into justice for the victims. The day before the Secretary-General's remarks at the General Assembly, 40 former UN officials, international law, human rights and public health experts signed a letter calling on the UN to develop a response to include "a public apology, compensation for victims, and full funding for cholera elimination." The experts further advocated for the process to be "inclusive and transparent, and involve participation of Haitians throughout."

The need for robust UN remedies is particularly strong as the Second Circuit Court of Appeals court upheld UN immunity in the lawsuit filed on behalf of cholera victims by IADL-member *Bureau des Avocats Internationaux* (BAI) and the Institute for Justice & Democracy in Haiti in August. Mario Joseph, BAI Managing Attorney and lead advocate for the cholera victims, stated that "[t]his outcome places the onus back on the UN to follow through on its commitments to respond justly to victims out of court if it does not want to be an organization that stands for impunity." The plaintiffs have 90 days to seek a petition for certiorari with the U.S. Supreme Court, and have indicated that they will decide how to proceed based on an assessment of whether the UN's new response meets victims' rights to an effective remedy.

UPDATE ON ELECTIONS IN HAITI THE CONTROVERSIAL ROLE OF OAS AND EU OBSERVERS IN HAITI'S FAILED 2015 ELECTIONS

IJDH update

(Report by Nik Barry-Shaw and Nicole Phillips, IJDH)

IADL members, led by *Bureau des Avocats Internationaux* (BAI) and its U.S.-based affiliate, the Institute for Justice & Democracy in Haiti (IJDH), have been working with Haitian human rights groups to defend the right to vote. Last October, a delegation of election monitors from IADL and the National Lawyers Guild (NLG) spent two weeks in Haiti observing the 2015 electoral process. The elections were to elect the country's next President, two-thirds of the Senate, all 119 members of the House of Deputies, and all local mayors. First-round legislative elections that had taken place on August 9, 2015 were denounced by Haitian observers due to widespread violence, fraud and disruptions at polling places. Despite protest from opposition parties and civil society, the government went ahead with the second round of legislative elections, along with the first round of Presidential and mayoral elections, on October 25, 2015. The IADL/NLG delegation observed the vote at 15 voting centers in the greater Port-au-Prince region.

Echoing the conclusions of Haitian civil society electoral observers, the IADL/NLG delegation [found](#) that the

October 25 elections were more orderly than the August 9 vote but still fell far short of minimum standards for fair elections. The vast majority of registered voters—over 70 percent—did not vote; many expressed fear or lost confidence in the electoral process. Forty percent of ballots were cast using political party and other observer accreditations, which allowed fraudulent, multiple voting outside the rules applicable to regular voters and had a decisive influence on the electoral results. A lack of transparency in the tabulation process also raised significant questions about whether votes were properly counted and verified for fraud. Ordinary voters frequently faced undue influence and violations of privacy at polling places.

IADL/NLG's November 2015 [report](#) documented the violations of Haitians' right to vote and recommended a thorough investigation into fraud allegations by a credible and independent commission to determine the scale of the fraud and restore Haitians' faith in the electoral process. The report also called on the international community to support the Haitian people's demands for fair and democratic elections, while refraining from interfering in ways that threaten Haiti's sovereignty. The report circulated on Capitol Hill in Washington D.C and was cited by several major newspapers. The [Miami Herald](#) covered the report in a feature the day it was released, and report findings were cited by the Associated Press, Haitian-American author Edwidge Danticat in a [New Yorker article](#) and in a [New York Times Editorial](#).

In May 2016, an independent commission established by the Haitian

government confirmed that “massive fraud” had badly distorted the October 25 election’s outcome and recommended that new presidential elections be held on October 9, 2016. Unfortunately, the international powers did not heed the call to respect Haiti’s sovereignty. The United States government, joined by the European Union and Canada, opposed efforts to investigate fraud. The EU and Organization of American States (OAS) electoral observation missions were complicit in this attempt to block the verification of the vote.

The IADL/NLG’s latest [report](#), entitled *Democracy Discouraged: International Observers and Haiti’s 2015 Elections*, shows how the international observers’ positions closely mirrored that of the US and other large donor nations, which used the flawed assessments of the OAS and EU to justify their opposition to verification. The report, released last month in partnership with the NLG and the Haiti Support Group, reveals that the OAS and EU electoral observation missions ignored reports of electoral problems, opposed calls from a broad spectrum of civil society within Haiti for an independent verification, and defended fraud-tainted election results. In response to the annulment of the October 25 presidential vote, the EU observers withdrew in protest and the US pulled electoral funding. The OAS mission has announced it will stay to observe the next round.

The apparent influence wielded by powerful states over Haiti’s electoral assessments raises doubts about the neutrality and independence of international observers. Mario Joseph, Managing Attorney at the *Bureau des Avocats Internationaux*, based in Port-

au-Prince, and a member of IADL’s governing Bureau, asked, “How is it possible that the OAS and EU observers did not see what everyone else did? Their unjustifiable endorsement of the 2015 elections has badly damaged international observers’ credibility in Haiti.”

The report recommends that international observation missions report objectively and honestly on the electoral process, refrain from political interference, and incorporate the views of Haitian civil society observers into their evaluations of the upcoming October 9 vote. An IADL/NLG delegation will be on the ground to observe the October 9 vote and provide accountability for the international community’s influence over Haitians’ right to vote. **

** As of the writing of this article on October 3, Hurricane Matthew is heading towards Haiti. One of the impacts of Haiti's political instability is a lack of emergency response and poverty that makes people vulnerable to natural disasters. The October 9 elections will likely be postponed.

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UN ACCOUNTABILITY PLEDGE

In an effort to raise the profile of UN accountability in the context of the selection process for the next Secretary-General, a joint initiative between IJDH and AIDS-Free World was launched. The goal was to ask candidates for the next Secretary-General to take an Accountability Pledge and commit to taking concrete action on sexual exploitation and abuse by UN

peacekeepers, and on cholera in Haiti. (The Pledge is attached).

The goal of the Accountability Pledge is two-fold: 1) to secure concrete commitments from candidates that they will support stronger UN accountability if selected; and 2) to raise the profile of accountability issues among member states, the media and the general public.

In July, IADL Alternate Representative to the U.N. in New York Beatrice Lindstrom circulated this Pledge. The Italian Democratic Lawyers, IADL's national association in Italy, is among the original signatories.

(Thanks to Beatrice Lindstrom for coordinating these reports on Haiti)

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TRIBUTE TO PROFESSOR LENNOX HINDS AT RUTGERS UNIVERSITY

On 6 October 2016, Professor Lennox Hinds, who is IADL's Permanent Representative to the U.N. in New York, was honored for his 46 years of teaching as a faculty member at Rutgers University, School of Arts and Sciences in New Brunswick, New Jersey. The all day program, "Justice in Action," was hosted by the Paul Robeson Cultural Center, the Program of Criminal Justice and the Department of Africana Studies. In the afternoon, former students talked about what Professor Hinds' teaching has meant to them – in focusing their careers and commitment to serve justice in the law and other areas. In the "standing room only" evening program, Distinguished Professor Emerita Angela

Davis spoke on "Radical Visions of Justice" and Professor Hinds presented "Reflections of a Peoples Lawyer," The event is available at <https://www.youtube.com/watch?v=ilrk5LXUj2Y> . President Jeanne Mirer was recognized by Professor Hinds among the distinguished guests. Professor Carol Fine, a former IADL Alternate Representative to the U.N. in NY was a Co-Chairperson of the event, and one of the former student panelists, Marine Leclinche, is also a former IADL intern. Alternate Representative Beth Lyons also attended the event. Flyers from the events are in the **Annex**.

The 15th Session of the Assembly of States Parties (ASP) will be held at the Hague, 16 -24 November 2016. More information is available at <http://coalitionfortheicc.org/> and the ICC website at www.icc-bpi.org. Professor Hitomi Takemura and IADL Bureau Member Md. Hasan Tarique Chowdhury will represent IADL at this meeting.

The IADL *U.N. Activities Bulletin* is prepared under the direction of the Permanent Representative to the U.N. in New York, Prof. Lennox S. Hinds. This issue was edited and produced by Beth Lyons in early October 2016. Reports and material were contributed by Nik Barry-Shaw, Luis Roberto Zamora Bolaños, Evelyn Durmayer, Claire Gilchrist, Akhtar Hussain, Shannon Jonsson, Thanh Le, Beatrice Lindstrom, Carlos Orjuela, Nicole Phillips, Maria Madalena Marques dos Santos, and Roland Weyl.

UNITED NATIONS COMMISSION FOR SOCIAL DEVELOPMENT, 55th Session, will be held in New York at U.N. Headquarters, from 1 to 10 February 2017. Its priority theme is: "Strategies for the eradication of poverty to achieve sustainable development for all." More information is available at <https://www.un.org/development/desa/civil-society/csocd55.html>

U.N. SPECIAL RAPPORTEUR SINGLES OUT PERNICIOUS RACISM IN U.S.

(The News Release reprinted below is from OHCHR; the full release is in the Annex)

GENEVA / WASHINGTON, DC (28 July 2016) – The United States of America is struggling to live up to its ideals in the area of racial, social and economic inequality, which is having a negative impact upon the exercise of the rights to freedom of peaceful assembly and of association, United Nations human rights expert Maina Kiai said at the end of his first official fact-finding mission to the country*.

The UN Special Rapporteur on the rights to freedom of peaceful assembly and of

association singled out race as a particularly pernicious issue. He emphasised that while his mandate does not cover racial discrimination, it was impossible carry out his mission “without issues of racism pervading the discussions.”

“Racism and the exclusion, persecution and marginalization that come with it, affect the enabling environment for the exercise of association and assembly rights,” Mr. Kiai said, noting that understanding its context means looking back at 400 years of slavery and post-Civil War Jim Crow laws which “enforced segregation and marginalized the African-American community to a life of misery, poverty and persecution.”

In more recent times, the Special Rapporteur noted, “old philosophies of exclusion and discrimination were reborn, cloaked in new and euphemistic terms,” such as the so-called “War on Drugs” and “three strikes” sentencing policies. The effects of harsh law-and-order policies often snowball, he added,

with a minor criminal conviction – or even an arrest at a protest without substantiated charges –making it difficult to find a job, secure a student loan or find a place to live.

“There is justifiable and palpable anger in the black community over these injustices. It needs to be expressed,” he stressed. “This is the context that gave birth to the non-violent Black Lives Matter protest movement and the context in which it must be understood.”

The independent expert also highlighted a long list of other issues affecting the environment in which association and assembly rights are exercised – including economic inequality, unnecessarily aggressive and militarized policing at some peaceful assemblies, intimidation of activists, lack of accountability for rights violations, permit requirements for protests, disproportionate counter-terrorism measures, increasing corporate power and “a free market fundamentalist culture that actively discourages unionization.”

“The situation of migrant workers throughout the United States is characterized by the precariousness and exploitation of their employment situation, retaliation for drawing attention to adverse working conditions and a fear of taking action to seek improvement of the violations,” he said.

“Migrant workers are routinely subjected to harassment, intimidation, physical, sexual and psychological abuse, with those attempting to form or belonging to unions and organizations such as the Congress of Day Laborers being targeted for reprisals,” the expert noted.

Mr. Kiai also drew attention to the H2B work visa program, which gives employers “immense control over the employee.” He called the arrangement “not dissimilar to the Kafala system of bonded labor practiced in a number of countries in the Gulf region.”

The independent expert further noted the lack of robust labor rights protections as a major hurdle to exercising the right to freedom of association in the workplace.

“I was shocked to see that in states such as Mississippi, the lack of unionization and ability to exploit workers is touted as a great benefit for employers,” he said, citing the situation at a Nissan plant in Canton, MS, as a prime example. “The figure that stands out for me is this: Nissan reportedly operates 44 major plants throughout the world; all of them are unionized, except for two of them in the US south. Why not Mississippi?”

But the Special Rapporteur called the United States a “nation of struggle and resilience,” and had high praise the civil society sector, calling it one of the country’s greatest strengths and it is something that the United States and its people should be thankful for.

He also noted that people continue to protest despite severe restrictions and harsh crackdowns in some areas, and emphasized the role that the rights to freedom of peaceful assembly and association can play in uniting societies and in healing them.

“People have good reason to be angry and frustrated at the moment,” he said. “And it is at times like these when robust promotion of assembly and association rights are needed most. These rights give

24 October - 18 November:

65th Session of the Committee on the Elimination of Discrimination against Women (CEDAW), and Pre-sessional Working Group for the 67th session (21-25 November 2016) Geneva, Palais des Nations, Room XVI, A Building.

The Committee will examine the reports of the following countries during its 65th session: Antigua and Barbuda (in the absence of a report), Argentina, Armenia, Bangladesh, Belarus, Bhutan, Burundi, Canada, Estonia, Honduras, Netherlands, Switzerland.

The pre-sessional working group will convene in closed meeting and prepare lists of issues for the following States parties that are scheduled to be considered at the 67th session: Barbados, Costa Rica, Italy, Montenegro, Niger, Nigeria, Thailand.

In addition, it will prepare a list of issues prior to reporting for Luxembourg under the new simplified reporting.

For more information: http://tbinternet.ohchr.org/_layouts/trackbodyexternal/SessionDetails1.aspx?SessionID=1027&Lang=en

people a peaceful avenue to speak out, engage in dialogue with their fellow citizens and authorities, air their grievances and hopefully settle them.”

During his 17-day visit, Mr. Kiai met numerous officials at the federal, state and local levels and members of civil society. His visit included stops in Washington, New York, Baltimore, Ferguson, MO, Cleveland, Phoenix, New Orleans, Baton Rouge, Jackson, MS, and Philadelphia.

A final report on the visit will be presented to the Human Rights Council in June 2017.

(*) Check the Special Rapporteur’s end-of-mission statement: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20317&LangID=E>

The IADL International Review of Contemporary Law, 70 Years of the U.N. Charter, June 2016, edited by Evelyn Durmayer, is available at

<http://www.iadllaw.org/news/ite/international-review-of-contemporary-law/>

CALENDAR OF UN ACTIVITIES AT U.N. CENTRES

At the time the *Bulletin* was prepared, the 2017 U.N. Calendar of Events was not yet available.

November 2016

• Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifteenth session	The Hague	16 - 24 November
• Commission on Narcotic Drugs, Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East, Fifty-first session	Riyadh	20 - 24 November
• Committee against Torture, Fifty-ninth session	Geneva	7 November - 7 December
• Committee against Torture, Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Thirtieth session	Geneva	14 - 18 November
• Committee on the Elimination of Discrimination against Women, pre-sessional working group, Sixty-seventh session	Geneva	21 - 25 November
• Committee on the Elimination of Racial Discrimination, Ninety-first session	Geneva	21 November - 9 December
• Committee on the Exercise of the Inalienable Rights of the Palestinian People, Special Meeting in Observance of the International Day of Solidarity with the Palestinian People	New York	29 November
• Conference of the States Parties to the Convention on the Prohibition of Chemical Weapons, Twenty-first session	The Hague	28 November - 2 December
• Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group of the United Nations Convention against Corruption, Resumed Seventh session	Vienna	14 - 16 November
• Conference of the States Parties to the United Nations Convention against Corruption, Open-ended Intergovernmental Expert Meetings to enhance International Cooperation, Fifth session	Vienna	17 - 18 November
• Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Eighth Review Conference	Geneva	7 - 25 November
• Group of Governmental Experts on Development in the Field of Information and Telecommunications in the Context of International Security, Second session	Geneva	28 November - 2 December
• Group of Governmental Experts on the Operation and Further Development of the United Nations Standardized Instrument for Reporting on Military Expenditures, First session	Geneva	7 - 11 November
• Human Rights Council, Forum on Business and Human Rights, Fifth session	Geneva	14 - 16 November
• Human Rights Council, Forum on human rights, democracy and the rule of law	Geneva	21 - 22 November
• Human Rights Council, Forum on Minority Issues, Ninth session	Geneva	24 - 25 November

• Human Rights Council, Working Group of Experts on People of African Descent, Nineteenth session	Geneva	28 November - 2 December
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December 2016

• Ad Hoc Committee of the General Assembly for the Announcement of Voluntary Contributions to the Programme of the United Nations High Commissioner for Refugees, Pledging Conference	Geneva	7 December
• Ad Hoc Committee of the General Assembly for the Announcement of Voluntary Contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East*	New York	5 December
• Commission on Crime Prevention and Criminal Justice, Reconvened twenty-fifth session	Vienna	2 December
• Commission on Narcotic Drugs and Commission on Crime Prevention and Criminal Justice, Joint meetings of the Commission on Narcotic Drugs, reconvened fifty-ninth session, and Commission on Crime Prevention and Criminal Justice, reconvened twenty-fifth session	Vienna	1 December
• Commission on Narcotic Drugs, Reconvened fifty-ninth session	Vienna	2 December
• Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals, Eighth session	Geneva	9 December
• Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, Fifth Review Conference of the High Contracting Parties	Geneva	12 - 16 December
• FAO, Council, 155th session	Rome	5 - 9 December
• IFAD, Executive Board, 119th session	Rome	14 - 15 December
• Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies, Fifth session	Geneva	12 - 16 December
• Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals, Thirty-second session	Geneva	7 - 9 December
• UN-Habitat, Committee of Permanent Representatives, Sixty-third session	Nairobi	1 December
• UNCITRAL, Working Group V (Insolvency Law), Fiftieth session	Vienna	12 - 16 December
• UNCITRAL, Working Group VI (Security Interests), Thirtieth session	Vienna	5 - 9 December
• UNCTAD, Trade and Development Board, Sixty-third session	Geneva	5 - 9 December

ANNEX

Conversation between Me. Roland Weyl and Luis Roberto Zamora Bolaños - 5 pages

2016 International Conference on 50th Anniversary of the U.N. Covenants on Human R - Rights – 7 pages

Declaration of the Portuguese Association of Democratic Lawyers (APJD) on the Situation in Turkey, 29 July 2016 – 1 page

Statement of IADL on the UN Arbitral Tribunal’s Ruling in Philippines v. China, 2 August 2016 – 1 page

Call for International Support for Philippine Peace Process – 1 page

Statement for CSW 61 from Vienna NGO Committee on the Status of Women – 3 pages

NGO Committee on the Status of Women, Vienna – Agenda, 15 September 2016 – 1 page

IADL and AWJA Juristicher Salon, 27 June 2016 – 1 page

Conference Program for “Building Bridges – shifting and strengthening visions – exploring alternatives,” 7 -9 October 2016, Vienna – 1 page

Statement from U.N. Working Group of Experts on People of African Descent – 3 pages

U.N. Accountability Pledge – 3 pages

Event flyers from “Justice in Action” a day-long Program honoring Professor Lennox Hinds, with a keynote by Professor Angela Davis on “Radical Visions of Justice” – 2 pages

U.N. Rapporteur on Rights to Freedom of Peaceful Assembly and of Association – 3 pages

Movement for Black Lives, Policy Platforms at <https://policy.m4bl.org/> (please download from site)

IADL International Review of Contemporary Law, June 2016 – 70 Years of the UN Charter – 3 pages

Flyer for Discussion with Chair, U.N. Permanent Forum of Indigenous Issues, 13 October 2016 – 1 page (Alternate Representative Claire Gilchrist will report on event in the next *Bulletin*)

Conversation between Me. Roland Weyl, IADL's First Vice President (France) and Luis Roberto Zamora Bolanos, IADL Bureau Member (Costa Rica).

[This is a roughly edited draft by IADL Alternate U.N. Representative Beth Lyons of the correspondence so far. Please note that the text is subject to review and correction by the participants]

Luis Roberto Zamora Bolaños:

Thank you again for giving me the privilege to interview you.

Ok my friend,

Here is the first question.

By 1946, the war was over and Europe had to be rebuilt. What moved you and the other founders to start an organization of jurists? International law was still in its early stages and the League of Nations had proven a disaster for the rule of international law. Why did you opt for a legal oriented organization? What were most of the other organizations focused on?

Roland Weyl:

Indeed, I was not one of the founders of IADL, because I was too young lawyer (25!). I only was attending the Founding Assembly, initiated by the French « Judiciary National Movement » which previously was the French underground movement of resistance during the Nazi occupation. Its Secretary- General Joe Nordmann had the opportunity to be at the Nuremberg Tribunal, and agreed with lawyers from England, USA and USSR, to create this association. This is why the Founding Assembly of IADL was a meeting of the JNM in , but attended by the highest representatives of Judicial branches throughout the world (Presidents of Bars, Prosecutors, Presidents of Courts. A copy of the French Judiciary Gazette will be on display in Lisbon at the exhibition on the 70th anniversary of IADL.

The aim was not in the framework of rebuilding Europe. There was no specific treatment of Europe at this time (which had been a matter of Nazi propaganda!).

Just coming out of WW2, the aim was: « never again ! ». The aim was for peace, peaceful coexistence and relations between different economic and politic systems, and for the abolition of nuclear weapons.

And, in 1945 with the birth of the UN Charter, IADL was to serve the same aims and abide by the same rules. In 1945, UNO [the United Nations] was built to implement the law of the UN Charter. The following year, in 1946, IADL was built also to implement the UN Charter. I like to say that IADL is a twin sister of UNO.

It is why you cannot refer to the disaster of League of Nations. It is an usual mistake to say that UNO is a second shape of the League : While UNO is made by Charter to implement international law, to put an end to the millenium of competition between powers out of any international law, the League was an agreement between powers out of edicting any universal international law based on peoples' sovereignty.

And as war was a product of Nazism, i.e. of fascism, IADL was devoted to peace and civil liberties and human rights, and therefore struggle against surviving fascisms (in Spain and Portugal).

.And it is also why, since its beginning, on the basis of the UN Charter principle of self determination of peoples. IADL fought against colonialism and in support and solidarity of national movements of liberation.

And it is because all that was built on the basic principle of rule of law. IADL proceeded from the specific accountability of lawyers within and outside institutional organs, and on the side of the peoples' struggles.

[As to other organizations], I am unable to answer this: I do not have any list of other organisations and don't remember - that there where so many!

LRZB: So, the Founding Congress of the IADL took place. Were you there at the Assembly? Who were, according your opinion, those participants who impressed you the most? What was the event that made you stand with this IADL flag for 70 years now? Do you have any special memory of the Founding Congress?

RW:

I was one among many to attend, but not the organiser. And as others, I became member as soon as IADL was founded.

The reason was to participate as lawyer to fight on grounds of law for the restoration of democracy, for peace and solidarity against fascism remaining abroad and colonialism (including the French one)..

At the time of its founding, the participants of the Founding Assembly were the most proeinent Presidents of Bars, Prosecutors and judges of Europe and USA.

About specific individuals, I must refer namely to Joe Nordmann, who was the very maker of IADL. He was a lawyer in Paris, 10 years older than I. During the Nazi occupation, he was the main activist and organiser of the French underground movement of resistance in the judiciary As such he was active in corridors of Nuremberg, and there he gathered British, US and Soviet lawyers to form IADL. Its Founding Congress was in Paris, in the very solemn great

room of the Supreme Court (Cour de Cassation), and was organised under the patronage of the French movement of underground which had become official.

I would also refer to the first President of IADL, René Cassin, Judge at the Supreme Administrative Court of France, who became the main drafter of the Universal Declaration of Human Rights.

There were also several members of the French staff of prosecutors of Nuremberg, and also the English second president DN Pritt, an English fighter against English colonialism.

LRZB: You were 25 years old “back in the day.” What was the future looking like for a young lawyer like you? What were the fears and the motivations?

Why didn't you stay home -- instead of taking action? What moved you to go forward - at that young age?

LRZB: Nowadays, you get out of high school at age 18 or 17 and then it takes up to 5 years to get your diploma as a lawyer. So now, you became a lawyer at age 22, or 23.

RW: No, I became a lawyer at 20 years of age; it was 3 years, not 5 years, to get a diploma.

RW: Je suis surpris de la question ::25 ans n'était pas tellement jeune :J'ai actuellement le titre officiel de Doyen du Barreau de Paris, parce que j'ai prêté serment d'avocat à 20 ans, comme beaucoup d'autres, après avoir fini les études secondaires en 1936 et fait mes études de droit de 1936 à 1939. Mais il y eu la guerre et l'occupation nazie, et je n'ai pu commencer à exercer la profession qu'en 1945.

J'y avais été entraîné et préparé par mon père qui était avocat depuis 1908 (son père, donc mon grand-père, était juge et son père, mon arrière-grand-père était huissier. Si bien que quand mon fils Frédéric et ma fille France qui sont avocats depuis environs 40 ans sont la 5è génération judiciaire, dont j'ai été la 4è.

Mais à ça s'ajoutait un engagement politique dès l'âge de 15 ans. Je n'étais pas le seul. C'était en 1934, quand Hitler venait d'arriver au pouvoir, et il y avait des tentatives fascistes en France. Avec d'autres, nous nous battions dans notre établissement scolaires contre les jeunes fascistes, et en 1936 nous avons fêté le Front Populaire.

A cela s'ajoutait encore l'éducation de ma mère qui, d'avoir vécu la première guerre mondiale était obsédée de la paix

L'agression et l'occupation nazies ont fait le reste On a participé à la résistance du mieux possible et la poussée démocratique de la Libération a été une école extraordinaire où voulant m'engager pour participer à un pouvoir citoyen organisé et voyant le comportement des différents partis

politiques, je choisisais le communisme comme étant pour moi la seule option crédible pour une autre société

Mon éducation familiale et l'école de la vie se sont confondues en lutte générale pour la justice pas seulement judiciaire mais sociale. Et là je dois beaucoup à l'apport de mes aînés, notamment les avocats Marcel Willard, qui avait été l'avocat de Dimitroff à Leipzig, avait écrit un livre « la Défense accuse », et Joe Nordmann

J'ai écrit cela dans un livre qui s'appelle « une robe pour un combat » (la robe étant le vêtement de l'avocat quand il plaide)

LRZB: Why do you say that the IADL is a twin sister of the Charter?

RW: I always say that IADL is the twin sister of UNO because both are daughters of the Charter, because both were born in 1946, the charter being from 1945, and both devoted to its implementation.

The support of peoples fighting for their freedom was a tradition in France, a tradition among progressive forces. The Communist Party was fighting against the colonialist war in Morocco already in 1920.

And DN Pritt in England had been the lawyer of Kenyatta (for instance). Don't seek for specific historical reasons, it was a tradition of all progressive forces everywhere since a long time for justice freedom and solidarity, on the basis of the idea that a people oppressing another is not itself a free people.

LRZB: Was the support to colonized countries a reaction to the liberation from oppression within Europe?

RW: Maybe I was wrong to speak about "Europe", not taking care that now "Europe" is understood as a whole. I should speak about colonialist European countries, which were France, Spain and Portugal. Nevertheless, let us not forget the Conference of Berlin at the end of 19th century as an agreement of sharing colonial domination between European countries. But the struggle against colonialism was not a problem for Europe but for colonised countries (Algeria, Vietnam, Mozambique, and so on, which fought for their liberation). And we cannot forget that 1945 was, in the direct following of the lessons of two world wars, the UN Charter, proclaiming the right of peoples to their self determination. While IADL was born as a daughter of the Charter, it was normal that they support this struggle.

LRZB: You say there were three main issues for the recently founded IADL: 1, fight against fascism; 2. restoration of democracy and 3. end of European colonialism.

The first two seem very evident. The WWII has just finished, fascism had to be eliminated and democracy was weak. Now, having Europe with so many problems after the war, why did the end of colonialism become such an important struggle for the IADL? What I want to ask is, Europe was in a bad situation and shape. Other people would think about rebuilding their "home" first, and then, secondly, about rebuilding that "home" of other - but, on the contrary, IADL incorporated the liberation of colonies within its struggle. Why was it so important?

Editor's note: Roland Weyl discusses this in the answers above.

LRZB: Please forgive me if I ask any silly questions. There are so many things I don't know.... and this conversation is getting more and more interesting.

So, the founding congress of IADL took place and then many young lawyers joined. What was the first mission in which you enrolled? What do you remember was your first action as IADL member? (In my case, I attended the Paris conference on the Stockholm appeal).

Did you engage first with the liberation of Algeria? Or was it something else?

Editor's note: These questions will be answered in the next conversations!

2016 International Conference

50th Anniversary UN Covenants on Human Rights



Freedom, Justice and Peace

Take a stand for human rights!

10/11/12 November

Faculty of Law - Lisbon, Portugal

Organization:



Sponsors:



Supports:





INTERNATIONAL CONFERENCE OF LISBON

THE 50th ANNIVERSARY OF INTERNATIONAL COVENANTS

ON HUMAN RIGHTS

An International Conference will be taking place in Lisbon, from 10th to 12th November, in order to mark the 50th Anniversary of the International Covenants on Economic, Social and Cultural Rights and Civil and Political Rights as well, approved by the General Assembly of U.N.O.

The Conference will be held in the academic premises of the Law Faculty of the University of Lisbon; and will function in plenary sessions and commissions, the main purpose being that of a collective reflection on the historical meaning, the political and juridical views and contingencies of the two above mentioned International Covenants.

We're expecting a big number of communications to be presented on relevant themes such as the historical and juridical insertions of the two Covenants; the actual context of international law on human rights and their indivisibility; the conditioning of their respective practice; the problems of world and regional peace; the rights of the peoples for economic, social and cultural developments and the just use of national resources; the struggle of the peoples and their social organizations for the effective recognition and the conditions to exercise the human rights, and against all forms of exclusion and social distinctions, and so on.....

The Conference that is fostered by the International Association of Democratic Jurists and the Portuguese Association of Democratic Jurists, is opened to all those jurists and non-jurists, who are interested on human rights issues, in their real emancipated expression; with assured certainty that the Covenants are two fundamental pointing marks in the international juridical order, expressing the bond of the subscribing countries to a meaningful bunch of duties through which economic, social, cultural, civil and political rights of the citizens therein proclaimed are to be assured (alias, as the extension of the universal principles contained in the U.N.O. Chart and the Universal Declaration of Human Rights dated 10/12/1948).

But the history of the human rights is not only that of their international recognition – but also of their blatant and systematic violation.

One thing is the argumentative rhetoric concerning the human rights (and their proclamation in internal and international law texts; in the political agents' speeches; in the critical thinking of the philosophers and jurists); another, a different one, is the full faced reality with which the peoples are confronted during the last 50 years.

When discussions that lead to the formation and the voting for the two Pacts began, there was a confrontation between the liberal thought that privileged the civil and political rights, and the position of the then socialist countries giving a special relevance to the economic, social and cultural rights. Such a cleavage gave way to the approval of two Pacts (instead of a genuine one dealing with the recognition of the whole range of rights).

And the truth is that, in this troublesome world, due to the impact of more conservative and discriminatory social and political forces, human rights continue being somewhat relinquished everywhere. According to Prof. Juan Antonio Carillo Salcedo, lecturing Public International law at the University of Seville "*human beings are divided, in a sort of a global apartheid, into two big sectors: one, respecting those for whom human rights are a daily reality, and the one respecting those for whom the human rights are goals to struggle for*"(1); in such terms that International Amnesty has been referring the matter as broken promises, further specifying that "*how far indeed we are from the common ideal proclaimed in 1948*", starting with the marginalization of many rights, as is the case of economic, social and cultural rights, " rhetorically emphasized but never really and resolutely dealt with by the United Nations" (2)

In the same way, and referring the Universal Declaration, Prof. Joaquin Garcia Morillo highlighted that "*the General Assembly of the United nations had the pretension to proclaim a new international order that, being based on the military victory of the allied forces and on an antifascist impulse, should be founded on liberty and assure a minimum level of rights, more adjustable to a generally shared idea on human dignity*"; however, throughout the world, "*millions of people see the execution of their fundamental rights seriously limited, when not strictly denied, and millions remain marginalized from the circuits that compose a developed society*" (3).

It is obvious that the Lisbon Conference is not set out to discover any miraculous solution for such difficult and complex problems; but surely to speak about them – with due emphasis, shout on their behalf – as a specific contribution for the formation and enlargement of a civic conscience involved with human rights, in their real and truly emancipative e liberating interpretation.

It should be mentioned that the Lisbon Conference, besides being an opportunity for a profound reflection on such relevant issues for our living and the future of the peoples the world over, will also be a meeting corner and provide a feast of confraternization among jurists, academicians, trade-unionists and others alike, coming from different countries but all united by the same ideal of a free human being, freed from fear and misery (as is mentioned in the two Pacts).

You are welcomed e will be received fraternally.

Notes:

1) Juan Antonio Carrillo Salcedo, "Dignidad frente a barbarie. La Declaración Universal de Derechos Humanos, cincuenta años después"-Minima Trotta, 1999, page-22.

2) A. and book quoted, page-33. The reference made concerns the Universal Declaration itself, of which the two Pacts are a subsequent development.

3) Quoted by Juan Antonio Carrillo Salcedo, book quoted pages-19 20.

Sign: Portuguese Association of Democratic Juristes

2016 International Conference

Take a stand for human rights!
10/11/12 November
Faculty of Law - Lisbon, Portugal



50th Anniversary UN Covenants on Human Rights



Freedom, Justice and Peace

Call for Papers

INTERNATIONAL CONFERENCE ON THE 50TH ANNIVERSARY OF THE ADOPTION BY THE UN OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS (INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS)

"The ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights".

Registration Form

<http://goo.gl/forms/PqalQTLsxjL6whv12>

1. This Conference is jointly convened by the International Association of Democratic Lawyers (IADL) and by the Portuguese Association of Democratic Jurists (PADJ). It will be held in Lisbon on **10th, 11th and 12th. November 2016**. Its aim is to celebrate the 50th anniversary of the adoption by the General Assembly of the United Nations of the International Covenant on Social, Economic and Cultural Rights and of the International Covenant on Civil and Political Rights.

2. The main theme of the Conference will be: "The International Covenants on Human Rights (ICESCR and ICCPR) adopted by the UN on 16 December 1966: historical significance; political and legal impact; and fortunes".

3. The Conference will have both plenary sessions and panel discussions, according to the following rules:

3.1. There will be an opening plenary session on 10 November and a closing plenary session on 12 November (afternoon). The topics for these sessions and their keynote speakers will be announced by the organising committee in due time.

3.2. On 11 November (whole day) and 12 November (morning only) the following three panels will be held:

Panel 1 – The Covenants' historical and legal background:

Suggested topics, inter alia:

- *The Universal Declaration of Human Rights of 10/12/1948 and the International Covenants of 1966: historical significance; political and legal impact;*

- *Human rights and fundamental rights; indivisibility of human rights;*
- *International human rights law.*

Panel 2 – Globalisation and human rights:

Suggested topics, inter alia:

- *Proclamation of rights and constraints to the exercise of rights;*
- *World and regional peace: current issues;*
- *The right of peoples to self-determination (economic, social and cultural development).*

Panel 3 – The struggle(s) for human rights in today's world.

Suggested topics, inter alia:

- *Struggles of peoples and their social organizations for the acknowledgment and exercise of their human rights;*
- *Struggles against all forms of social exclusion or differentiation (the situation of women, children, the elderly, the disabled, etc.);*
- *Systems for protecting human rights.*

4. In their papers, participants may address any subject related to the two International Covenants of 1966 and the rights proclaimed therein (such as the right to work; to an adequate standard of living; to fair remuneration, social security, healthcare, education, to take part in cultural life; the right to form and join trade unions; etc.), discussing them from the perspective of the broad topics indicated for one or the other panels.

5. The Conference will be open to the participation of jurists as well as non-jurists from all over the world. **The deadline for registration (using the attached registration form) is 15 October 2016.**

6. Participants wishing to present papers before the Conference should signal their intent at the time of registration, indicating the subjects of their choice within the broader theme of the Conference. They should also submit a summary (or, if they so wish, the full text) of their papers.

7. Registration is free of charge.

8. Papers should include some findings and/or recommendations to be included in the minutes of the panels and in the Conference's final declaration.

9. The Organizing Committee will allocate participants to the different panels on the basis of the registration forms submitted.

10. The Organizing Committee may establish other 'ad hoc' panels besides the three panels indicated above if the variety of papers submitted justifies such decision.

11. The panels will have one or more coordinators, to be appointed by the Organizing Committee.

12. The coordinators shall decide on the time allocated to each speaker; select the papers to be published; and draft the various panels' findings and recommendations on the basis of the papers presented.

13. The Organizing Committee may invite keynote speakers, whether jurists or not, to make initial addresses to the various panels to introduce the topics to be discussed.

14. The findings of the various panels will be submitted to the plenary session for final adoption.

2016 International Conference

50th Anniversary

UN Covenants on Human Rights

Take a stand for human rights!
10/11/12 November
Faculty of Law - Lisbon, Portugal



Freedom, Justice and Peace

Organizations:



15. Papers may be presented in Portuguese, French and English.

16. To make your travel arrangements and book hotel/accommodation, as well as for information concerning logistics you may contact travel agents Happy Landings: Rua da Saudade, 15 r/c esq. 1100-582 Lisboa Portugal - t +351 217 268 818 f +351 217 268 820 m +351 911 059 952 website: happylandings.travel – email:

ets@happylandings.travel

Registration Form

<http://goo.gl/forms/PqalQTLsxjL6whv12>

Associação Portuguesa de Juristas Democratas
aportuguesajuristasdemocratas@gmail.com
Phone: 00351 217904060
Mobil: 00351 919153795

Subject:

Declaration of the Portuguese Association of Democratic Lawyers (APJD) on the situation in Turkey

The Portuguese Association of Democratic Lawyers (APJD) manifests its deepest concern for the deterioration of civil and political rights in Turkey, after the attempted military coup of July 15th.

For some time APJD and the International Association of Democratic Lawyers (IADL) have demonstrated this concern and vehemently denounced the systematic trampling of fundamental rights of Turkish citizens, namely restrictions upon freedom of expression, assembly and demonstration, arbitrary detentions, permanent mandatory curfews imposed upon populations, the systematic violence against populations, assassination of activists, massacres, disappearances and torture.

On March 15th of this year the IADL and the Europe-Third World Centre (CETIM) had already presented, during the 31st Session of the Human Rights Council of the UN, a declaration on the situation in Turkey appealing to Member States to call for a special session of that Council to debate the serious situation in the country and create an International Commission of Inquiry.

This situation in Turkey, a member country of NATO, worsens the already concerning global situation. Among other aspects, there is a general offensive against political, civil, economic and social rights of citizens, the perpetuation of military conflicts and the creation of new conflicts (Afghanistan, Iraq, Libya, Ukraine, Syria...), the increase in the number of refugees, the increase in security measures in Europe, the grave changes to the emergency state law in France.

The Portuguese Association of Democratic Lawyers condemns the violations of fundamental rights in Turkey and the violent repression exercised over its citizens and institutions, outside State Law and the Human Rights Covenants.

The year when we commemorate the 50th anniversary of the approval by the UN of the International Covenant on Civil and Political Rights and on Economic, Social and Cultural Rights, which APJD and IADL will mark with a Conference (November 10-12th, 2016 in the Law College of Lisbon), we underline the imperative need that all citizens intervene in the defense of the civil, political, economic and social rights, and for freedom and peace in the World.

Lisbon, July 29th, 2016
Leadership of APJD

Statement of IADL on the UN Arbitral Tribunal's ruling in Philippines v China

The International Association of Democratic Lawyers (IADL) is a non-governmental organization with consultative status before the Economic and Social Council of the United Nations (ECOSOC). IADL was established in 1946 to support and uphold international law, and to protect the rights of nations to development, economic equality and access to scientific achievements as well as their own natural resources.

IADL has for many years called for the peaceful resolution of disputes in the South China Sea in accordance with international law. IADL has done this because these disputes pose a threat to regional and international peace and security, stability, co-operation and development. At its 2015 Bureau meeting in December in Paris, IADL passed a resolution, which expresses support for the implementation of the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

IADL is aware of the claim made by the Philippines against China to the permanent Court of Arbitration. IADL believes this claim is consistent with its support for peaceful resolution of disputes using international law.

On July 12, 2016, the UN Arbitral Tribunal decided the territorial dispute over the South China Sea between the Republic of the Philippines and the People's Republic of China, using the UNCLOS as its basis. The Tribunal dismissed China's claims of historic rights over resources in the sea areas falling within the 'nine-dash line', declared the status of features in the Spratly Islands, and denounced China for failing to protect and preserve the marine environment.

IADL believes this to be a definitive ruling by the body charged with interpreting UNCLOS. However, more must be addressed in order to ensure peace, stability, cooperation and development in the South China Sea and the Asia–Pacific region. These issues include the protection of the rights of all nations to development, economic equality access to scientific achievements and control over natural resources, under the basic principles of the UN Charter, self-determination of peoples through their respective states, and equality between small and large nations.

IADL is aware that China has stated it does not recognize the decision of the Permanent Court of Arbitration. IADL reasserts the urgent need for negotiations among the coastal States of the South China Sea in order to reach a peaceful solution of all aspects of the existing dispute. That negotiation must be informed by international law and seek in good faith a solution to be agreed upon by all parties and calls upon all parties to avoid activities which escalate tension and militarization in the South China Sea.

To this end IADL support the conference of experts and lawyers promoted by the Institute of International Legal Studies to be held in Rome on December 2, 2016, with the participation of qualified delegations from all concerned countries and the scientific community.

Despite the GRP's participation in this agreement, Philippine people's rights organization KARAPATAN reports that, of the current 557 political detainees, 19 are in fact NDF consultants. Their detention has constituted a major obstacle to progress in the peace negotiations. This violation of the JASIG, and the outright refusal of the GRP to resume, has left the peace negotiations stalled for the last four years.

Among the detainees, moreover, are 88 suffering serious illnesses and 51 seniors. Their release would be a much-needed expression of humanitarian concern, which could set the tone and act as a foundation for a negotiated settlement.

The peace negotiations have far-reaching implications for Philippine democracy and for national development. Both issues relate directly to each component of the agenda for the negotiations established in THJD, signed by both the GRP and the NDF. The agenda-points are: (1) human rights and humanitarian law; (2) socio-economic reforms; (3) political and constitutional reforms; and (4) the end of hostilities and the disposition of forces. This agenda provides ample room to begin addressing the roots of the conflict in a comprehensive manner.

Efforts by past administrations to address these roots have been sorely lacking, and in some instances highly counterproductive. This is because the efforts have often been militarized and have not coincided with qualitative changes in governance. A comprehensive solution must involve reforms to governance institutions, mechanisms and processes to render government more accountable and accessible to people. The negotiations can serve as a starting point.

The resumption of formal peace negotiations are scheduled at either the end of July, or the beginning of August this year.

Now more than ever, there is a need for increased international support for the Philippine peace process. A variety of individuals, organizations, institutions and governments around the world have provided crucial support for the process in the past. Norway, for example, made a bold move in 2006 by deciding not to recognize the outdated and biased US and EU "terror list," on which was included the name of NDF chief consultant Jose Maria Sison. Furthermore, due in part to Pres. Duterte's commitment to being personally involved in the peace process, international attention has heightened. This heightened attention can translate into valuable support.

Support the NDF-GRP peace process!

Address the root causes of the armed conflict!

Release all political prisoners!

Struggle for a just and lasting peace!

Long live international solidarity!

[signature]

(circulated at end of August, 2016 by JustPeacePH intiave)

Supporting the renewed peace process:

A call for international solidarity for a just and lasting peace in the Philippines

During the recent exploratory talks on the 14–15th of June in Oslo, Norway, representatives from the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDF) affirmed previous commitments, as well as: the acceleration of the peace negotiations centering on key issues; immediate release of key consultants; reconstitution of the JASIG; and general amnesty for over 500 political detainees as part of confidence-building measures. Interim ceasefire is set to take place within the month, and within the year, deals on socioeconomic, political and constitutional reforms are anticipated. These would be followed by the end of hostilities and the disposition of forces.

This is an unprecedented opportunity that has arisen under the administration of President Rodrigo Duterte. The willingness expressed by the newly elected president to release political detainees is a promising sign. Doing so would indicate a higher level of respect for commitments and for human wellbeing than has been exhibited by past administrations, and would serve as a crucial corrective to the current sour state of the peace negotiations.

The Philippines is a nation under multiple conflicts, including the now 47-year civil war between the Philippine government and the NDF, which represents the Communist Party of the Philippines (CPP) and the New People's Army (NPA). The disputes that the NDF and many other groups have with the GRP, among other concerns, are matters of social justice and equity and equality of the current national development path. Some of these groups represent and consist of populations that have been denied the benefits of development. Some of them, as in the experiences of the Moro people and the indigenous Lumad, have in addition been oppressed by the GRP's armed forces, both directly and through widely reported extra-judicial killings.

Even in its own analysis, the GRP has identified the following as the main causes of internal conflict: abject poverty, corruption, failures of the justice system, human rights violations, disputes over land, ownership and use of natural resources, marginalization of Lumad and indigenous cultural communities, and the lack of respect and recognition of ancestral domain and indigenous people's rights.

Though rich in terms of agricultural resources, the Philippine economy remains highly controlled by foreign interests and by local elites, whose dominance is evidenced in their near-monopolization of land and the prevalence of import-dependent and export-oriented businesses. These factors have combined to yield the starkly unequal outcomes and worsening poverty for the majority, which the NDF-CPP-NPA has identified as the grounds for its opposition to the GRP.

Yet, initiated in 1992 with the GRP and NDF signing of The Hague Joint Declaration (THJD), the peace negotiations have faced several challenges, despite the recognition by all parties of the roots of the conflict. The most recent of these challenges has been GRP non-compliance, under the Aquino administration, concerning the Joint Agreement on Safety and Immunity Guarantees (JASIG) signed in 1995. Under the JASIG, consultants and other personnel are granted immunity from surveillance, harassment, search, arrest, interrogation, detention, prosecution and similar punitive actions.



NGO Committee on the Status of Women, Vienna

Written Statement submitted to UN Women for CSW 61

Women's Economic Empowerment in the Changing World of Work

The International Association of Democratic Lawyers and the undersigned non-governmental organizations in consultative status with ECOSOC and member organisations of the NGO Committee on the Status of Women Vienna present the following statement to the members and observers of the 61st UN Commission on the Status of Women:

Economic empowerment of women is essential to enhance gender equality and secure women's equal status and participation in every professional, social and political field. Access to resources is as important for achieving independent lives as education, ability or place of origin, and the contribution of women as equal partners in modern economies is a prerequisite for sustainable development.

Considering that implementation of the SDGs would further enhance gender equality and empowerment of women in the economic sphere, thereby benefitting individuals, families, and communities and contributing to stronger, more cohesive societies;

Recognizing that legal status does not always reflect the real status in society, and that legal discrimination continues to exist, e.g. laws governing inheritance or ownership of land and property;

Underlining that education is critical for achieving equality;

Stressing that gender-specific health care should cover the entire lifespan of girls and women and not be limited to sexual and reproductive health, and that health in the workplace is important in economic participation in industrial as well as emerging economies;

Demanding the full implementation of ILO Conventions that commit to ensure decent work and gender equality in the workplace;

Reiterating that the elimination of all forms of violence against women in both public and private spheres is critical in the fight against inequality, as violence is often used for domination and intimidation;

Stressing that, as funding activities to empower women is necessary to create a level playing field, this funding cannot depend on voluntary donations, but must be included in public spending;

Calling for the adoption of gender budgeting as a tool to analyse public spending, budgets and final accounts to ensure a fair and transparent distribution of public funds by all member states and international organizations;

To ensure the full economic empowerment of women by 2030, the undersigned member organisations of the NGO Committee on the Status of Women Vienna submit recommendations for consideration by the members and observers of CSW61:

- a) Equal access to affordable education (primary, secondary and tertiary) is a prerequisite to women's economic equality. Education should not focus on gender, but on abilities and talents, and train girls and women to lead and to work in teams. Science and mathematics as well as IT training should be emphasized;
- b) Women and men must be paid equally for work of equal value, have equal access to training and promotion, equal opportunities to choose working hours, holidays and fringe benefits, and enjoy the rights to freedom of association and collective bargaining, and childcare and child services are essential;
- c) Programmes are needed to enhance occupational health and safety for women, taking differing needs in different jobs into consideration;
- d) Legislation should be developed and enforced to support gender equality and eliminate obstacles in the workplace and in societies, including measures such as quotas on Boards and more equal sharing of family responsibilities, for example regarding care-taking and parental leave;
- e) Creation of a level playing field includes the elimination of gender stereotypes and religious and traditional culture-based roles for women;
- f) Elimination of all forms of violence against women includes prevention of new forms such as cyber-bullying and cyber-harassing, as well as structural violence and abuse;
- g) Implementation of sustainable development measures and fair trade practices will serve to strengthen the global economy and avoid austerity measures;
- h) Development assistance programmes and countries' budgets are to be analysed, monitored and evaluated considering the female economic dimension to eliminate negative impacts on women;
- i) Training, mentoring and financial support as well as training in the use of banking systems are necessary to promote women entrepreneurs;
- j) Investment in local, regional and national infrastructure should provide women with improved, safe access to public transportation and market facilities;
- k) The needs of woman refugees, migrant workers, rural and indigenous women and women with special needs must be considered in employment policies and provision of social and health services;
- l) Research into alternative economic systems should be undertaken, including development and application of indicators to measure and evaluate the contribution of unpaid work;
- m) The essential work of women's civil society organisations must be recognised, valued and supported.

Signed by the following members of the NGO Committee on the Status of Women Vienna

African Action on AIDS
Associated Country Women of the World
European Union of Women
FAWCO

International Alliance of Women
International Council of Jewish Women
International Council of Women
International Inner Wheel
International Federation of Business and Professional Women
International Federation for Home Economics
International Federation of Social Workers
Pax Romana
Servas International
Socialist International Women
Soroptimist International
Verein zur Förderung der Völkerverständigung (VFV)
Women International Zionist Organization
Zonta International



NGO Committee on the Status of Women, Vienna

Chair:

Martina Gredler
Soroptimist International
zahnaerztin@yahoo.com

Meeting Agenda

Sept. 15, 2016, 1500 - 1700, VIC G0541

First Vice-Chair:

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International Association of
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Second Vice-Chair:

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Socialist International Women
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Laurie Richardson
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Treasurer:

Ingeborg Geyer
Zonta International
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Deputy Treasurer:

Ceja Gregor-Hu
International Inner Wheel
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1. Welcome
2. Adoption of the Draft Agenda
3. Adoption of the Draft Minutes
4. CSW 61 Written Statement
5. CTOC Side Event October
6. Kids' Rights Schools Project Update
7. 16 Days of Activism Film
8. Reports of Organizations
9. AOB
10. Next Meetings
Oct. 20
Nov. 17

Guest Speaker Ms. Valerie Lebaux
Chief, Justice Section, Division for Operations, UNODC

IADL & AWJA

JURISTISCHER SALON

AM MONTAG 27.06.2016, 18 UHR,

IM CAFÉ KORB / ART LOUNGE

1. BRIGITTE HOLZNER LIEST AUS IHREM BUCH „FEUERBERG
& TIGERHOLZ“

2. PODIUMSDISKUSSION ZUM THEMA:
„FRAUENVEREINE UND FRAUEN – NGO ´S

IHR WICHTIGER BEITRAG ZUR LEISTUNG DER
ZIVILGESELLSCHAFT“

MODERATION: DR. LILIAN HOFMEISTER

ES DISKUTIEREN:

- BRIGITTE HOLZNER
- EVELYN DÜRMEYER
- ROSA LOGAR

EINTRITT FREI!

Building Bridges – shifting and strengthening visions – exploring alternatives

In March 2015 over 500 women and men participated in the first international Marxist-Feminist conference. Some of the themes were: Revisiting and rethinking Marxist-Feminist theory, Intersectionality from a Marxist-Feminist perspective, Hegemonic Feminism as a servant of neoliberalism, the position of women in the care economy, globalisation, education and feminist theory in the global south, human-nature relationships. Speakers included: Frigga Haug, Gayatri C. Spivak, Saskia Sassen, Nira Yuval-Davis, Cynthia Cockburn, Erica Burman, Shahrzad Mojab, Tucker Pamela Farley, and many others. See the conference report by [Ruth May](#) and the article by [Bärbel Danneberg](#).

The second conference, taking place in Vienna from 7-9 October 2016, will take up some of these themes again as well as discussing new ones. It will again be organised by the feminist section of [InkriT](#) (Berlin Institute of Critical Theory), transform! europe, Rosa Luxemburg Foundation and many others.

Working languages: German and English

Further information: <https://marxfemblog.wordpress.com/>

For introduction and abstracts click [here](#).

It's free entry, open for all genders, please use the registration form on the right to register!

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[Wiener SPÖ-Frauen](#)

-----Original Message-----

From: Jamil Dakwar <jdakwar@aclu.org>
 To: cerdushrn <cerdushrn@salsa3-lists.salsalabs.com>; intlmechushrn <intlmechushrn@salsa3-lists.salsalabs.com>; BHRHLawyersNetwork <BHRHLawyersNetwork@listserve.com>
 Sent: Fri, Jul 8, 2016 9:27 pm
 Subject: [BHRH] UN human rights expert group condemns recent killings

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Subject: MEDIA STATEMENT - USA / People of African descent: UN expert group condemns recent killings

MEDIA STATEMENT



USA / People of African descent: UN expert group condemns recent killings

GENEVA (8 July 2016) – *Human rights expert Ricardo A. Sunga III, who currently Chairs the United Nations Working Group of Experts on People of African Descent, issued the following statement after this week's deaths of Philando Castile in Minnesota and Alton Sterling in Louisiana at the hands of the police, and Thursday's killing of five police officers in downtown Dallas.*

"The Working Group is outraged and strongly condemns the new police killings of two African- American men. These killings which were captured on video cannot be ignored. We call for prompt independent investigations to

ensure the perpetrators are prosecuted and punished.

We also condemn the attacks on police officers in Dallas and call for the perpetrators to be held accountable.

Excessive use of force by the police against African Americans in the United States is a regular occurrence. African Americans are reportedly shot at more than twice the rate of white people.

The Working Group is monitoring the situation and has repeatedly expressed its concern to the United States Government about police killings of African Americans and called for justice. The Working Group is convinced that the root of the problem lies in the lack of accountability for perpetrators of such killings despite the evidence.

The killings also demonstrate a high level of structural and institutional racism. The United States is far from recognizing the same rights for all its citizens. Existing measures to address racist crimes motivated by prejudice are insufficient and have failed to stop the killings.

It is time, now, for the US Government to strongly assert that Black lives matter and prevent any further killings as a matter of national priority.”

NOTE TO EDITORS:

The UN Working Group of Experts on People of African Descent carried out an official visit to the US in January 2016. In its preliminary observations* to the US Government, the panel of experts noted with concern **“the alarming levels of police brutality and excessive use of lethal force by law enforcement officials committed with impunity,”** and made a number of specific recommendations, among them:

“Improving reporting of violations involving the excessive use of force and extra-judicial killings by the police, and ensure that reported cases of excessive use of force are independently investigated; that alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions; that investigations are re-opened when new evidence becomes available; and that victims or their families are provided with remedy.”

The Working group will present a comprehensive report containing its findings and recommendations to the UN Human Rights Council in September 2016.

(*) Read the Working Group’s preliminary recommendations to the US Government:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17000&LangID=E>

ENDS

The Working Group of Experts on People of African Descent was established on 25 April 2002 by the then Commission on Human Rights, following the World Conference against Racism held in Durban in 2001. It is composed of five independent experts: Mr. Ricardo A. Sunga III (the Philippines) current Chair-Rapporteur; Ms. Mireille Fanon Mendes-France (France), Mr. Ahmed Reid (Jamaica); Mr. Sabelo Gumedze (South Africa); and Mr. Michal Balcerzak (Poland). Learn more, log on to:

<http://www.ohchr.org/EN/Issues/Racism/WGAfricanDescent/Pages/WGEPADIndex.aspx>

The Working Group is part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human

Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms. Special Procedures mandate-holders are independent human rights experts appointed by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. They are not UN staff and are independent from any government or organization. They serve in their individual capacity and do not receive a salary for their work. Learn more, log on to:

<http://www.ohchr.org/EN/Issues/Racism/WGAfricanDescent/Pages/WGEPADIndex.aspx>

The International Decade of People of African Descent:

<http://www.un.org/en/events/africandescentdecade/>

UN Human Rights, country page – United States:

<http://www.ohchr.org/EN/countries/LACRegion/Pages/USIndex.aspx>

For inquiries and media requests, please contact Ms. Christina Saunders (+41 22 928 9197 / csaunders@ohchr.org), Mr. Niraj Dawadi (+41 22 928 9151 / ndawadi@ohchr.org) or write to africandescent@ohchr.org

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UN ACCOUNTABILITY PLEDGE

The next Secretary-General faces the challenge of making the UN more accountable, especially to the vulnerable populations that peacekeeping missions are sent to protect. Recent accountability crises in UN peacekeeping have tarnished the UN's reputation and imperiled its ability to effectively promote human rights and the rule of law. Two ongoing crises particularly require urgent action:

- Despite an official policy of zero tolerance of sexual exploitation and abuse by UN peacekeepers and staff, the UN has been rocked by a series of scandals that expose widespread sexual exploitation and abuse of vulnerable civilians that peacekeepers are sent to protect. Ongoing failures of the UN system to prevent, investigate and punish the abuse and provide justice to the victims amplify the crisis.
- Despite overwhelming evidence that UN peacekeepers are responsible for the introduction of cholera to Haiti, which has sparked a devastating epidemic that has affected over 800,000 people to date, the UN has not accepted responsibility or provided remedies to those harmed by the epidemic.

The undersigned civil society organizations share a vision of a more just and stable world. We believe in the need for a strong and effective United Nations to realize that vision. **Accordingly, we call upon the candidates for UN Secretary-General to pledge their commitment to building a more accountable and transparent United Nations by signing the following pledge:**

ACCOUNTABILITY PLEDGE

I recognize that if I am selected as the next Secretary-General, I will be personally entrusted with fostering a stronger, more effective United Nations. I recognize that accountability and transparency are vital to safeguarding the UN's role as a promoter of human rights and rule of law.

Accordingly, if selected to serve as the next Secretary-General of the UN, I commit to the following:

1. I pledge to make improved UN accountability, transparency and ethical integrity a key personal priority.
2. I pledge to work with Member States to ensure that what Secretary-General Ban described as a "culture of impunity" around sexual exploitation and abuse is replaced by an impartial, accessible and effective accountability mechanism.
3. I pledge to ensure that principles of immunity are not misused to shield UN peacekeeping personnel from accountability for sexual exploitation and abuse.
4. I pledge to ensure that victims of cholera in Haiti have access to fair remedies.
5. I pledge to work with Member States to secure immediate support for the control and elimination of cholera in Haiti.

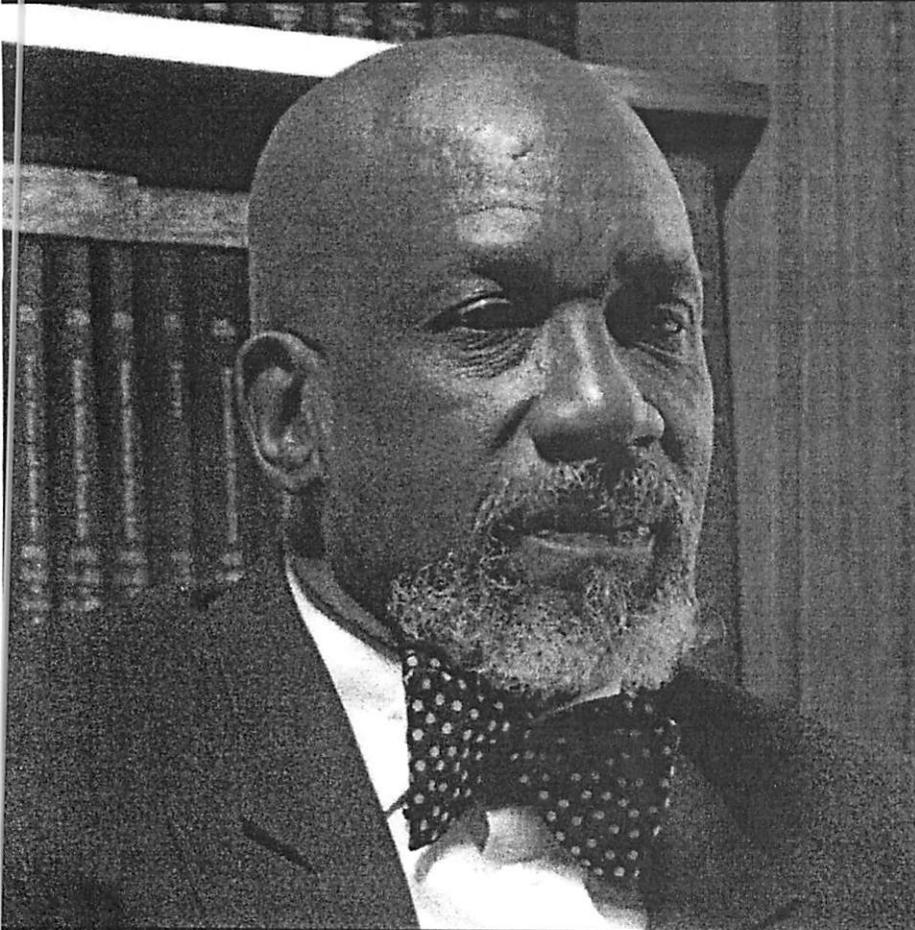
Signed by:

On this Day:

The Accountability Pledge is endorsed by the following civil society organizations:

African Women's Development Fund (Ghana)
AIDS-Free World (Canada, United States)
Albuquerque Center for Peace and Justice (United States)
Alternative Chance (Haiti)
Bureau des Avocats Internationaux (Haiti)
Canadian Voice of Women for Peace (Canada)
CenterLaw (Philippines)
Center for Accountability of International Organisations (Switzerland)
Center for Constitutional Rights (United States)
Center for Justice & Accountability (United States)
Centre for Applied Legal Studies (South Africa)
Defensa de Niñas y Niños - Internacional (Costa Rica)
European Centre for Constitutional and Human Rights (Germany)
Foundation for Fundamental Rights (Pakistan)
Giuristi Democratici (Italy)
Global Justice Center (United States)
Government Accountability Project (United States)
Human Rights Advocates (United States)
International Federation for Human Rights (France)
International Justice Resource Center (United States)
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Legal Resources Centre (South Africa)
Li,Li,Li! Read (United States)
MADRE (United States)
MATCH International Women's Fund (Canada)
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REDRESS (United Kingdom)
Report the Abuse (Switzerland)
Socio-Economic Rights Institute (South Africa)
World Federalist Movement – Canada (Canada)
World Federalist Movement – Institute for Global Policy (Netherlands, United States)

Justice in Action



In Honor of Lennox Hinds...

Featuring panels on Law, Justice, and Activism

Hosted by...

The Paul Robeson Cultural Center, the Program in Criminal Justice, and the Department of Africana Studies

RUTGERS

School of Arts and Sciences

PANEL ONE: 2:30–3:30pm

"Justice In Action: The Bench, The Bar and Academia"

Moderator: Professor Carol Fine, Esq.

Panelists:

1. The Honorable Judge Carlo Abad, Chief Judge, Municipal Court of Jersey City, NJ
2. Marine Leclinche, LLM Candidate, Cardozo School of Law (New York), IP Law Master's Degree, France
3. Professor Milena Wilson, Esq., Rutgers University, Immigration Law Attorney

PANEL TWO: 3:30–4:30pm

"The Impact of the Teaching & Research of Professor Lennox Hinds"

Moderator: Vicki Brooks, Rutgers University

Panelists:

1. Joseph Amditis, Montclair University, Master's Program in Journalism, CUNY, NYC
2. Kisha Smith Hebbon, Esq., Family Law Attorney, Somerset, NJ, Fox News Commentator
3. Odogwu Obi Linton, Esq., Director, Maryland Public Service Commission

4:30–5:30pm

Refreshments sponsored by the Paul Robeson Cultural Center

Details

October 5, 2016

2:30–4:30pm

Lectures

The Paul Robeson Cultural Center
Rutgers University, Busch Campus
600 Bartholomew Rd
Piscataway Township, NJ 08854
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Free and Open to the Public

Justice in Action

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"Radical Visions of Justice"

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Distinguished Professor Emerita
University of California, Santa Cruz

"Reflections of a People's Lawyer"

Lennox Hinds, Professor
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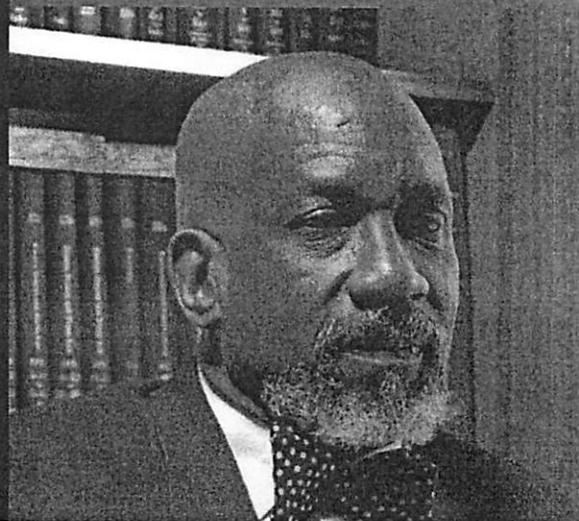
School of Arts and Sciences

Details

October 5, 2016
7:00–9:00pm
Lectures and Reception

College Avenue Student Center
Multipurpose Room

Attendees must register for a free ticket
at



From: Jamil Dakwar <jdakwar@aclu.org>

To: intlmechushrn <intlmechushrn@salsa3-lists.salsalabs.com>; cerdushrn <cerdushrn@salsa3-lists.salsalabs.com>;
The Bringing Human Rights Home Lawyers' Network listserv <bhrhlawyersnetwork@listserve.com>; humanrightstf
<humanrightstf@civilrightscoalition.org>

Subject: [BHRH] NEWS RELEASE - USA: Inequality casts dark shadow over exercise of assembly and association rights,
UN expert says

Date: Thu, Jul 28, 2016 3:06 pm

NEWS RELEASE



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

USA: Inequality casts dark shadow over exercise of assembly and association rights, UN expert says

GENEVA / WASHINGTON, DC (28 July 2016) – The United States of America is struggling to live up to its ideals in the area of racial, social and economic inequality, which is having a negative impact upon the exercise of the rights to freedom of peaceful assembly and of association, United Nations human rights expert Maina Kiai said at the end of his first official fact-finding mission to the country*.

The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association singled out race as a particularly pernicious issue. He emphasised that while his mandate does not cover racial discrimination, it was impossible carry out his mission “without issues of racism pervading the discussions.”

“Racism and the exclusion, persecution and marginalization that come with it, affect the enabling environment for the exercise of association and assembly rights,” Mr. Kiai said, noting that understanding its context means looking back at 400 years of slavery and post-Civil War Jim Crow laws which “enforced segregation and marginalized the African-American community to a life of misery, poverty and persecution.”

In more recent times, the Special Rapporteur noted, “old philosophies of exclusion and discrimination were reborn, cloaked in new and euphemistic terms,” such as the so-called “War on Drugs” and “three strikes” sentencing policies. The effects of harsh law-and-order policies often snowball, he added, with a minor criminal conviction – or even an arrest at a protest without substantiated charges –making it difficult to find a job, secure a student loan or find a place to live.

“There is justifiable and palpable anger in the black community over these injustices. It needs to be expressed,” he stressed. “This is the context that gave birth to the non-violent Black Lives Matter protest movement and the context in which it must be understood.”

The independent expert also highlighted a long list of other issues affecting the environment in which association and assembly rights are exercised – including economic inequality, unnecessarily aggressive and militarized policing at some peaceful assemblies, intimidation of activists, lack of accountability for rights violations, permit requirements for protests,

disproportionate counter-terrorism measures, increasing corporate power and “a free market fundamentalist culture that actively discourages unionization.”

“The situation of migrant workers throughout the United States is characterized by the precariousness and exploitation of their employment situation, retaliation for drawing attention to adverse working conditions and a fear of taking action to seek improvement of the violations,” he said.

“Migrant workers are routinely subjected to harassment, intimidation, physical, sexual and psychological abuse, with those attempting to form or belonging to unions and organizations such as the Congress of Day Laborers being targeted for reprisals,” the expert noted.

Mr. Kiai also drew attention to the H2B work visa program, which gives employers “immense control over the employee.” He called the arrangement “not dissimilar to the Kafala system of bonded labor practiced in a number of countries in the Gulf region.”

The independent expert further noted the lack of robust labor rights protections as a major hurdle to exercising the right to freedom of association in the workplace.

“I was shocked to see that in states such as Mississippi, the lack of unionization and ability to exploit workers is touted as a great benefit for employers,” he said, citing the situation at a Nissan plant in Canton, MS, as a prime example. “The figure that stands out for me is this: Nissan reportedly operates 44 major plants throughout the world; all of them are unionized, except for two of them in the US south. Why not Mississippi?”

But the Special Rapporteur called the United States a “nation of struggle and resilience,” and had high praise the civil society sector, calling it one of the country’s greatest strengths and it is something that the United States and its people should be thankful for.

He also noted that people continue to protest despite severe restrictions and harsh crackdowns in some areas, and emphasized the role that the rights to freedom of peaceful assembly and association can play in uniting societies and in healing them.

“People have good reason to be angry and frustrated at the moment,” he said. “And it is at times like these when robust promotion of assembly and association rights are needed most. These rights give people a peaceful avenue to speak out, engage in dialogue with their fellow citizens and authorities, air their grievances and hopefully settle them.”

During his 17-day visit, Mr. Kiai met numerous officials at the federal, state and local levels and members of civil society. His visit included stops in Washington, New York, Baltimore, Ferguson, MO, Cleveland, Phoenix, New Orleans, Baton Rouge, Jackson, MS, and Philadelphia.

A final report on the visit will be presented to the Human Rights Council in June 2017.

(*) Check the Special Rapporteur's end-of-mission statement:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20317&LangID=E>

ENDS

Mr. Maina Kiai (Kenya) took up his functions as the first Special Rapporteur on the rights to freedom of peaceful assembly and of association in May 2011. He is appointed in his personal capacity as an independent expert by the UN Human Rights Council. Learn more, log on to:

<http://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/SRFreedomAssemblyAssociationIndex.aspx>

The Special Rapporteurs are part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures' experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organization and serve in their individual capacity.

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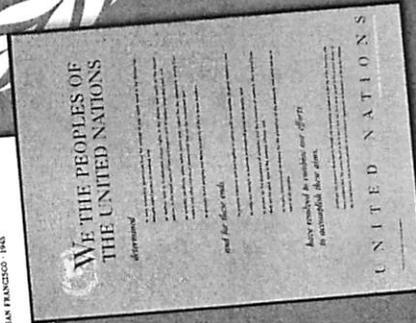
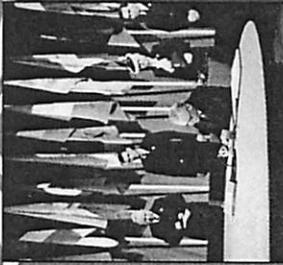
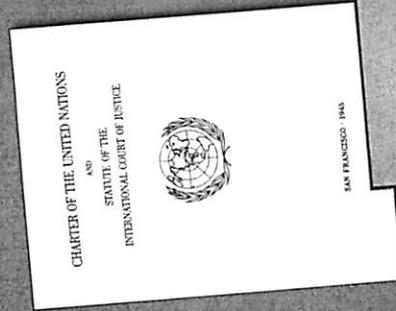
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70 Years of the UN Charter

Le 70ème anniversaire de la Charte des Nations Unies

70 Years of the UN Charter

Read the Charter of the United Nations and Statute of the International Court of Justice following page 3.



WE THE PEOPLES OF THE UNITED NATIONS

determined

to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom.

and for these ends

to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples.

*have resolved to combine our efforts
to accomplish these aims.*

Through our respective Governments, through representatives assembled in the City of San Francisco, who have published their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

UNITED NATIONS



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From the Editor

The second issue of the Review is dedicated to the 70th Anniversary of the United Nations Charter—"The United Nations Charter: History, Violation, Enforcement."

Roland Weyl details the history of the Charter and argues that there is no alternative authority besides the Charter. The Charter is an indispensable and necessary instrument of international law. Lawyers must use their legal skills to guarantee the sovereignty of peoples.

Marjorie Cohn describes the manner in which the US has tried to manipulate the United Nations System from its founding through the present time, including a critical analysis of the "Responsibility to Protect."

Norman Peach also outlines the history of the Charter and asks whether it is "out of fashion." He concludes it is not.

Robert Charvin demonstrates with examples how the Charter is bent, ignored and violated and calls for action.

Géraud de Geouffre de la Pradelle analyzes the contradictions ambiguity of using the Charter vis-à-vis Palestine.

Adda Bekkouche examines in his contribution on the Atlantic Treaty the issues of sovereignty of peoples and the public power of the state.

Dinorah la Luz Feliciano explains in her essay that the United States of America has always manipulated the Charter. She examines Art.73 (e) of the Charter and the political status of the Commonwealth of Puerto Rico.

Phyllis Bennis reunites in her comment the Climate talks in Paris, the UN, terrorism and the Global War on Terror and concludes that the people want their United Nations and their UN Charter.

We have lost Gavrilow Josip Chiuzbaian of Romania following a long illness.

Selçuk Kozagaçlı from Turkey has joined us as a new member.

And last but not least Marjorie Cohn (USA) is a member.

Evelyn Dürmayer
Vienna, 13 May 2016



De l'éditrice

Le deuxième numéro de la Revue est consacré au 70ème anniversaire de la Charte des Nations Unies sous le titre — „La Charte des Nations Unies – son histoire, sa violation, sa mise en oeuvre (son imposition)”.

Roland Weyl détaille l'histoire de la Charte et argue qu'il n'y pas une autorité alternative à la Charte. La Charte a fondé le droit international sur la base de la souveraineté des peuples et les juristes doivent aider les peuples à exercer cette souveraineté.

Marjorie Cohn décrit la manière par laquelle les États Unis ont essayé de manipuler le système des Nations Unies depuis sa création jusqu'à nos jours, en incluant une analyse critique de la „Responsabilité de protéger”.

Norman Paech esquisse également l'histoire de la Charte et se demande si elle n'est pas „démodée”. Il conclut que non.

Robert Charvin démontre par des exemples comment la Charte est contournée, ignorée et réclame l'action. Adda Bekkouche examine dans sa contribution sur le traité transatlantique les questions de la souveraineté des peuples et de la puissance publique de l'État.

Géraud Geouffre de la Pradelle analyse la contradiction et l'ambiguïté de l'utilisation de la Charte à l'égard de la Palestine.

Adda Bekkouche examine dans sa contribution sur le traité transatlantique les questions de la souveraineté des peuples et de la puissance publique de l'État.

Dinorah La Luz Feliciano explique dans son essai que les États-Unis d'Amérique ont toujours manipulé la Charte. Elle examine l'Art.73 e de la Charte et le statut politique du Commonwealth du Puerto Rico.

Phyllis Bennis réunit dans son commentaire les négociations sur le climat à Paris, les Nations Unies et la Guerre Globale contre la Terreur and conclut que les peuples veulent leurs Nations Unies et leur Charte des Nations Unies.

Notre comité a perdu Yosip Gavrilov Chiuzbaian (Roumanie) après une longue maladie.

Selçuk Kozagaçlı (Turquie) a été coopté et last but not least Marjorie Cohn (États- Unis) est également un nouveau membre.

Evelyn Dürmayer
Vienne le 13 mai 2016

CHARTER OF THE UNITED NATIONS

AND

STATUTE OF THE

INTERNATIONAL COURT OF JUSTICE



SAN FRANCISCO · 1945



The United Nations and Indigenous Human Rights

A discussion with the Chair of the United
Nations Permanent Forum of Indigenous
Issues, Dr. Dalee Sambo Dorough

10.13.2016 at 7pm

Food will be provided

Sponsored by the Native American Law Student
Association and the Environmental Law Society

Faculty Dining Room, Suffolk University
Law School at 120 Tremont St, Boston, MA

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