



Welcome to IADL,  
International Association of Democratic Lawyers

# United Nations Activities Bulletin

INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

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UNICEF

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### UPCOMING EVENTS

#### **COLAP VI, Conference of Lawyers in the Asia-Pacific**

COLAP VI will be held in Kathmandu, Nepal from June 17-19. The COLAP VI was postponed from its scheduled date of June 2015 due to the devastating earthquake in Nepal. The theme is “Challenges to rights of the people for peace, democracy, human rights and economic development”. The conference will include a specific session on Nepal’s Development on Democratic Process and Difficulties, and will discuss current world threats in the Asia-Pacific region and the need for peoples’ struggle and a new legal system.

The Nepal Peace and Solidarity Council (NPSC) and the Progressive and Professional Lawyers Association, Nepal (PPLA-Nepal) national umbrella organizations working for rights, peace,

democracy and rule of law in Nepal are jointly hosting the Conference under the banner of National Organizing Committee. For more information please contact [colapvinp@gmail.com](mailto:colapvinp@gmail.com)

### UPDATE ON HAITI

#### **Developments in Efforts to Seek UN Accountability for Cholera in Haiti**

*Beatrice Lindstrom, Staff Attorney at the Institute for Justice and Democracy in Haiti (IJDH) and IADL alternate representative to the UN in New York provided the following update.*

Efforts to hold the United Nations (UN) accountable for introducing cholera to Haiti have reached new momentum in recent months, with UN Member States calling for reparations, candidates for the next Secretary-General publicly favoring a

just response, and the UN Secretariat for the first time seeming to indicate a willingness to sit down with UN Human Rights Rapporteurs to discuss steps it could take to fulfill its human rights obligations to victims.

This progress comes as a result of increased pressure on the UN from numerous directions. For International Human Rights Day on December 10, IADL-member *Bureau des Avocats Internationaux* (BAI) facilitated a letter writing campaign where 2,500 victims of cholera wrote directly to the UN Security Council to demand justice and reparations. For example, survivor Viengeméne Ulisse opened his letter to the Security Council: “[i]t is with great sadness that I write you this letter to remind you that human rights are something that all people must respect no matter how powerful you are.”

These powerful calls for the UN to fulfill its human rights obligations and provide the victims with remedies for the harms they have suffered are also coming from within the UN system itself. The UN Independent Expert on the Situation of Human Rights in Haiti, Gustavo Gallon, stressed in his February 2016 report that “a commission for redress should be created, as a matter of urgency, to quantify the harm done, establish compensation, identify responsible parties, halt the epidemic and take other measures....”

Separately, Mr. Gallon has joined four UN Special Rapporteurs in chastising the UN Secretary-General for failing to provide cholera victims with an effective remedy, noting that the UN’s position to date “undermines the reputation of the United Nations, calls into question the ethical framework within which its peace-keeping forces operate, and challenges the credibility of the Organization as an entity that respects human rights.” They also stressed that they “believe it is essential that the victims of cholera have access to a transparent,

independent and impartial mechanism that can review their claims and decide on the merits those claims in order to ensure adequate reparation...,” and requested an opportunity to meet with the UN leadership and discuss how this outcome could be facilitated.

IADL has played an important role in highlighting these initiatives and calling on member states to follow through on the recommendations. At the meeting of the UN Human Rights Council where Mr. Gallon presented his report, Micòl Savia presented a statement on behalf of IADL that welcomed these initiatives, and asked the Human Rights Council “to urge the UN Secretariat to take responsibility for the UN’s role in the cholera epidemic and work with the Special Procedures to devise a solution that guarantees victims’ fundamental right to an effective remedy.”

This advocacy has resulted in an important potential breakthrough: in a response to the Special Rapporteurs report made public in late May, UN Deputy Secretary-General Jan Eliasson indicated a willingness to meet to discuss what further steps could be taken. Though a modest step, it would mark the first time that the UN has been willing to meet to explore alternative remedies, signaling important progress in the fight for justice for victims.

In recent months, several governments have also for the first time called for a just response at the UN Security Council in New York and Human Rights Council in Geneva. For example, Malaysia urged the UN to consider remedies and compensation for victims. Importantly, the Haitian Ambassador in Geneva welcomed the recommendation by Independent Expert Gallon that the UN promptly establish a commission to provide reparations.

This growing momentum and attention to the issue has in turn spurred several candidates for the next Secretary-General to speak in favor of justice. As Secretary-General Ban’s term comes to an end this

year, renewed UN leadership may bring new opportunities for justice.

Meanwhile, the lawsuit filed by BAI and the Institute for Justice & Democracy in Haiti, and supported by *amicus curiae* briefs from various IADL members, is pending a decision on whether the UN can claim immunity from suit even where it has breached its obligations to victims to provide alternative settlement of claims. At a hearing held in the case in March, supporters of the victims packed the court room and several prominent media outlets reported favorably on the event. As IADL Bureau Member and BAI Managing Attorney Mario Joseph remarked at the end of the hearing, “the United Nations is walking toward the end of this absolute immunity.”



*Photo credits: Edgar Lafond/Haiti Liberte*



## **UPDATE ON TOGO**

*Report from Bernard A. Dodji BOKODJIN, Sociologist, IADL coordinator in Africa.*

### **Naddaf to submit report to UN on exploitation in extractive industry for Togo Universal Periodic Review**

The government of Togo will be reviewed on its human rights record during the 26<sup>th</sup> Session of the Universal Periodic Review Working Group of the Human Rights Council at the United Nations in Geneva from October 31 – November 11, 2016. The review will consider a report submitted by the government of Togo as well as summary submissions by civil society organizations regarding serious violations of human rights committed by the government of Togo in the last four years. Togo's last UPR was in 2011.

Naddaf, the Togolese association affiliated with the IADL, is preparing a summary submission on "human rights in the extractive industries" that will be presented to the Human Rights Committee of the United Nations in Geneva. The report takes into account 1) employment and working conditions in the mining industry, including the non-declaration of workers to the National Social Security Fund, lack of personal protective equipment, lack of employment contract for all employees, failure to observe the working hours and the minimum wage (guaranteed minimum wage), negligence regarding weekly rest and annual leave, freedom to unionize, and absence of medical monitoring of workers; 2) licensing abuse in extractive industries; and 3) recommendations to the State of Togo.

## **2017 Bureau Meeting to be Held in Lome**

In an effort to support IADL affiliate networks in Africa, the IADL Bureau is planning to hold one of its 2017 bi-annual meetings in Lome, Togo, with a parallel conference. Bernard contacted women's organizations from Senegal, Burkina Faso and Ivory Coast as part of this effort. The organization from Senegal showed interest in IADL's work. The Lomé Law student's association in Togo also showed interest in IADL's work. There was interest to have an IADL chapter in Angola. Proposed conference topics include issues of development, climate and conflict management and the link between the three of them; the role of elections in the construction of democracy and transitional justice; institution building; and the role of the ICC compared with regional tribunals and instruments in advancing human rights.

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## **ADVOCACY ON HONDURAS**

### **IADL Joins ELDH in Sponsoring Day of the Endangered Lawyer Highlighting Wave of Violence Against Honduran Lawyers**

The IADL joined the European Association of Lawyers for Democracy and World Human Rights (ELDH) in sponsoring the Day of the Endangered Lawyer on January 22, 2016. This year's aim was to highlight the ongoing wave of violence directed at lawyers and other law professionals in Honduras. The situation facing lawyers in Honduras is dire. Between 2010 and March 2015 the Inter-American Human Rights Commission (IAHRC) recorded 91 deaths of lawyers as a result of targeted killings. On Friday, January 22, 2016, lawyers and other law

professionals and campaigners protested outside Honduran Embassies and Consulates all over Europe and in countries outside Europe. A petition on behalf of the Honduran lawyers and other law professionals was delivered to the Ambassadors. The press release for the event is attached in annex.

The Day of the Endangered Lawyer is an initiative of the European Democratic Lawyers (EDL), the ELDH, and the Foundation of the Day of the Endangered Lawyer. It was supported this year by among other groups, the Honduran Association of Judges for Democracy, the Colegio de Abogados de Honduras, the European Bar Human Rights Institute (IDHAE), the Council of Bars and Law Societies of Europe CCBE, Lawyers for Lawyers (The Netherlands), the International Association of Democratic Lawyers (IADL), the International Association of People's Lawyers (IAPL), and the International Association of Lawyers (UIA).

### **IADL Joins in World-Wide Condemnation and Demand for Answers in Assassination of Indigenous Activist Berta Cáceres**

The IADL joined hundreds of organizations around the world in condemning the murder of indigenous activist Berta Cáceres in her home in Honduras, and in demanding an investigation of the circumstances surrounding her assassination. Berta Cáceres was the General Coordinator of COPINH, the National Council of Popular and Indigenous Organizations of Honduras. Cáceres, a Lenca woman, grew up during the violence that swept through Central America in the 1980s. She and COPINH have been accompanying various land struggles throughout western Honduras since 1993, fighting in defense of

indigenous rights, particularly to land and natural resources. She was one of the leading indigenous activists in Honduras. For more information please see the attached flyer in annex.

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## **REPORT ON UN ACTIVITIES IN GENEVA**

### **31ST SESSION OF THE HUMAN RIGHTS COUNCIL, FEBRUARY 29 - MARCH 24, 2016**

Micòl Savia, IADL's permanent representative to the UN in Geneva, delivered three statements and made two oral interventions on behalf of IADL during the 31st session of the Human Rights Council in Geneva, Switzerland. The statements are attached in the Annex to this *Bulletin*. Below is a summary report from Micòl on the content of the interventions.

#### **Turkey**

Micòl delivered a statement concerning the dramatic deterioration of the human rights situation in Turkey, especially in the south-east of the country. On behalf of the IADL she urged Members States to convene a Special Session of the Human Rights Council in order to assess and address the tragic situation of the civilians under curfew.

#### **Great Britain**

This statement concerned the reaction of the British government to the findings of the Working Group on Arbitrary Detention in the Julian Assange's case. See

[http://sputniknews.com/europe/20160317/1036460192/assange-united-nations-uk.html?](http://sputniknews.com/europe/20160317/1036460192/assange-united-nations-uk.html?utm_source=short_direct&utm_medium=short_url&utm_content=aR4R&utm_campaign=URL_shortening)

[utm\\_source=short\\_direct&utm\\_medium=short\\_url&utm\\_content=aR4R&utm\\_campaign=URL\\_shortening](http://sputniknews.com/europe/20160317/1036460192/assange-united-nations-uk.html?utm_source=short_direct&utm_medium=short_url&utm_content=aR4R&utm_campaign=URL_shortening)

#### **Palestine**

During the 31st session of the Human Rights Council, the Special Rapporteur on the human rights situation in the Occupied Palestinian Territories (“OPT”), Mr. Wibisono, presented his first and last report to the Council ([http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/31/73](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/73)). Mr. Wibisono resigned soon after his appointment because Israel, despite repeated requests, didn't allow him to access the Occupied Territories. Mr. Stanley Michael LYNK has been nominated new Special Rapporteur on the human rights situation in the OPT.

Western countries and also many African and Latin American countries (except Alba countries) boycotted the Interactive Dialogue with the Special Rapporteur and more in general the debate under Item 7 of the HRC Agenda (human rights situation in the Occupied Palestinian Territories). The political situation at the UN regarding Palestine is getting worse. Many countries now abstain from voting on resolutions on the issue.

Micòl intervened on behalf of IADL underlying once more Israel's lack of cooperation with UN mechanisms and bodies, and also the lack of real political will to hold Israel accountable for its crimes. IADL called upon the Human Rights Council not to surrender to Israel's pressure and to redouble its efforts to uphold and enforce international law and enable the Palestinian people to exercise their inalienable rights to self-determination and independence through the establishment of the Palestinian State.

Pakistan (on behalf of the OIC, with the support of some other countries) presented four resolutions on

the OPT. Paraguay requested the Council to vote on three of them. The US used to call for a vote on resolutions about Palestine but now, as they are not member of the Council anymore, Paraguay apparently took the lead.

The following resolutions were adopted:

- **Right of the Palestinian people to self-determination**

[http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/31/L.36](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/L.36) (adopted without a vote).

- **Human rights situation in the Occupied Palestinian Territory, including East Jerusalem**

[http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/31/L.37](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/L.37) (Adopted by: 42 in favor, 0 against and 5 abstentions: Botswana, Ghana, Paraguay, Former Republic of Macedonia, Togo).

- **Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem**

[http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/31/L.38](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/L.38) Adopted by: 32 votes in favor, 0 against, 15 abstentions: Albania, Botswana, Congo, Cote d'Ivoire, Ethiopia, Georgia, Germany, Ghana, India, Latvia, Netherlands, Paraguay, Republic of Korea, Togo, United Kingdom).

- **Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan**

[http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/31/L.39](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/L.39) Adopted by: 32 votes in favor, 0 against, 15 abstentions: Albania, Belgium, France, Georgia, Germany, Ghana, Latvia, Netherlands, Paraguay, Portugal, Republic of Korea, Slovenia, Former Republic of Macedonia, Togo, UK).

[http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/31/L.39](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/L.39) Adopted by: 32 votes in favor, 0 against, 15 abstentions: Albania, Belgium, France, Georgia, Germany, Ghana, Latvia, Netherlands, Paraguay, Portugal, Republic of Korea, Slovenia, Former Republic of Macedonia, Togo, UK).

This last resolution is particularly relevant as it requested the OHCHR to create a database of all business enterprises that have enabled, facilitated and profited, directly and indirectly, from the construction and growth of the settlements. European countries were not supportive of this idea. The UK said very clearly that they are not going to collaborate with the OHCHR in the creation of such a database.

## **Haiti**

Please see attached to this Bulletin the oral intervention delivered by Micòl on behalf of IADL during the Interactive Dialogue with the Independent Expert on Haiti. The statement was drafted by Beatrice Lindstrom and our colleagues from IJDH. We called the attention of the Council to the ongoing cholera epidemic in Haiti and the continued failure of the United Nations to provide victims any access to a remedy, as required under human rights law. We supported the IE's repeated recommendation that a "commission on truth, justice, and redress for cholera victims" be created. And we called upon the HRC to urge the UN Secretariat to take responsibility for the UN's role in the cholera epidemic and work with the Special Procedures to devise a solution that guarantees victims' fundamental right to an effective remedy.

## Ukraine

Micòl delivered an oral statement on behalf of IADL during the Interactive Dialogue on the human rights situation in Ukraine. The debate was held by the Human Rights Council on March 22, under Agenda Item 10 (Technical assistance and capacity-building).

Background information:

### United Nations Human Rights Monitoring (HRMU)

Soon after the coup d'etat at the end of February 2014, the UN Secretary-General and the High Commissioner for Human Rights requested Mr. Ivan Šimonović, Assistant Secretary-General for Human Rights,<sup>1</sup> to visit Kiev.

On March 14, 2014, Mr. Šimonović announced the immediate deployment of a UN Monitoring Mission to evaluate and report on the human rights situation in the country and provide support to the government of Ukraine in the promotion and protection of human rights.

The Mission was dispatched at the request of the Ukrainian *de facto* authorities.<sup>2</sup>

According to the UN Technical Cooperation Programme, the Office of the High Commissioner for Human Rights (OHCHR) can indeed assist States, at their request, in the building and strengthening of national structures capable of promoting and protecting human rights, democracy and the rule of law. And Ukraine is definitely in need of international assistance to align its policies

to universally recognized standards. However, to be effective, technical cooperation programmes require the objective assessment of the human rights situation in the country seeking assistance. Otherwise international efforts are useless.

Since the establishment of the Monitoring Mission, and based on its findings, the OHCHR publishes periodic reports about the human rights situation in Ukraine (you can find them in [here](#)). Regrettably, the thirteen reports produced so far, failed to provide an accurate and comprehensive overview of the human rights violations in the country. Reports are selective and biased.

The alarming spread of ultra-nationalism, xenophobia, and hate speeches are seriously underestimated, if not ignored. The same occurs with the repeated attacks of far-right groups against minorities groups, political opponents and other dissenting voices. The ban of the Communist Party of Ukraine from participating in the local elections and the trial aimed to its dissolution occupied little more than a footnote. The huge impact of the so called Decommunisation Laws on the most basic human rights of a large sector of the population, is also disregarded. By ignoring these and other relevant human rights violations, such reports can hardly help to improve the situation on the ground.

Moreover, the OHCHR's reports address (and with particular emphasis) the human rights situation in Crimea and in the city of Sevastopol, despite the fact that those territories are not anymore under Ukraine's jurisdiction. Such inclusion, which is totally useless for the purpose of providing technical assistance to Ukraine, serves to add fuel to the fire and to divert the attention from more troubling human rights issues.

## Debate at the HRC

In July 2015, during the 29th session of the HRC, the Ukrainian delegation introduced Resolution A/HRC/29/23, requesting the Council to improve international assistance to Ukraine in the field of human rights. The resolution was co-sponsored by a number of countries.<sup>3</sup>

The text invites the High Commissioner to orally update the Council about the findings of each of the OHCHR's reports on the human rights situation in Ukraine, and to discuss them in a stand alone interactive dialogue at every HRC session for one year (until the 32nd session in June 2016).

The intention of holding such debate, keeping also into account the nature of the OHCHR's reports, was political. During the discussion preceding the adoption of the resolution, many countries complained about the political manipulation of the issue ([here](#) you can watch the debate). As stated among others by Venezuela “political motivated initiatives provide no benefit for victims.”

Despite critics, the resolution has been finally adopted with 21 votes in favor,<sup>4</sup> 6 against (Bolivia, China, Cuba, Russian Federation, Saudi Arabia and Venezuela) and 20 abstentions.<sup>5</sup>

As a result, now at every HRC session, under Item 10 of the Agenda (technical cooperation and capacity-building), Mr. Šimonović come to the Council to discuss the human rights situation in Ukraine. The debate is extremely politicized.

Western countries use it as a platform to attack the Russian Federation. Almost all interventions are about Russian-backed separatists, Crimea, Crimean Tartars and Nadia Savechenko (the Ukrainian pilot tried in Russia for complicity in the murder of two journalists) or similar cases. There is little concern about people living in Ukraine and their future. The discussion, which has nothing to do with technical assistance to Ukraine, is discouraging. Here you can watch the first Interactive Dialogue (September 2015 - HRC30) and here the second one (March 2016 - HRC31). The next debate will be in June 2016.

## IADL oral interventions

Micòl intervened on behalf of IADL during both Interactive Dialogues.

In September 2015 (HRC30), we called attention to the unprecedented crackdown on political parties, and in particular on the Communist Party of Ukraine. We also called attention to the ongoing political censorship of arts and the implementation of the Decommunisation Laws.

During the 31<sup>st</sup> HRC session, Micòl focused our intervention on the growing attacks against Ukrainian lawyers. In early March Mr. Grabovsky, a lawyer representing a Russian citizen persecuted on alleged terrorism charges, disappeared. His body was later founded with gunshot wounds. Mrs. Sokolovskaya, who represents the interests of another Russian defendant in the same case, has received numerous threats from unknown persons and came under increasing pressure by the authorities. Lawyer Viktor Loyko was killed in his apartment in Kharkiv on the 14th of March, 2016.

On February 25<sup>th</sup>, lawyer Elena Prjadko and her client – former chief of the Kiev Security Service of Ukraine, were attacked in the courtroom during an hearing by members of the neo-Nazi battalion Azov.

Notwithstanding such difficult situation, the reports of the OHCHR, when addressing the key issue of the administration of Justice, put a lot of emphasis on the trials of Nadia Shevchenko, Oleh Sentsov or Oleksandr Kolchenko (the three of them trialed in the Russian Federation), ignoring attacks against Ukrainian lawyers defending 'undesirable' clients. To underscore this anomaly, during the Interactive Dialogue, Micòl asked Mr. Šimonović which kind of technical assistance can the OHCHR provide to Ukraine by reporting on trials held in third countries. Surprisingly, in his final remarks he quoted us, but he couldn't really argue about it.

All our activities at the UN in Geneva wouldn't have been possible without the precious support of our brave colleagues in Ukraine, who, despite the adverse conditions, continue to fight for the respect of basic human rights and the maintenance of the rule of law. To them we should express all our support!

The dangerous policies designed by the ruling Ukrainian authorities can indeed easily cross borders. At this regard, the ongoing equalization of Communism and Nazism and the attacks against the Communist Party of Ukraine (KPU) require particular attention.

Micòl

1Mr. Šimonović is a prominent politician. He assumed his functions as Assistant Secretary-

General for Human Rights, on July 2010 heading OHCHR's New York Office. Before joining the UN, from 2008 he held the position of Minister of Justice of Croatia. Previously Mr. Šimonović was Deputy Minister in the Ministry of Foreign Affairs and Permanent Representative to the United Nations in New York, where he served as Senior Vice-President and President of the Economic and Social Council from 2001 to 2003. See <http://www.ohchr.org/EN/AboutUs/Pages/ASG.aspx>

2Press Conference, 14 March 2014, Kiev <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14371&LangID=E>

3Albania, Australia, Austria,\* Belgium,\* Bulgaria,\* Canada,\* Croatia,\* Cyprus,\* Czech Republic,\* Denmark,\* Estonia, Finland,\* France, Georgia,\* Germany, Greece,\* Hungary,\* Iceland,\* Ireland, Italy,\* Japan, Latvia, Lithuania,\* Luxembourg,\* Malta,\* Montenegro, Netherlands, New Zealand,\* Norway,\* Poland,\* Portugal, Republic of Moldova,\* Romania,\* Slovakia,\* Slovenia,\* Spain,\* Sweden,\* Turkey,\* Ukraine,\* United Kingdom of Great Britain and Northern Ireland, United States of America ( \* Non-member State of the Human Rights Council).

4Albania, Botswana, Cote d'Ivoire, Estonia, France, Germany, Ghana, Ireland, Japan, Kenya, Latvia, Maldives, Mexico, Montenegro, Netherlands, Portugal, Republic of Korea, Sierra Leone, Macedonia, United Kingdom, United States.

5Algeria, Argentina, Bangladesh, Brazil, Congo, El Salvador, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, South Africa, United Arab Emirates, Vietnam.

## **REPORT ON UN ACTIVITIES IN NEW YORK**

### **UN Working Group of Experts on People of African Descent Finds Legacy of Enslavement in US Remains a Serious Challenge; Impunity for State Violence Creates US Human Rights Crisis**

On January 29, 2016 the UN expert panel on People of African Descent released a statement in which it addressed current concerns and assessed progress made in the fight against racial discrimination, Afrophobia, xenophobia, and protecting and promoting the human rights of African-Americans. From January 9-29, a delegation of the UN Working Group visited Washington D.C., Baltimore, Jackson- Mississippi, Chicago, and New York City.

The Working Group visiting delegation, which also included human rights experts Sabelo Gumedze and Ricardo A. Sunga III, welcomed various efforts undertaken by the Government to address the issue, like a ban on solitary confinement for juveniles in the federal prison system announced this week. However, they expressed serious concerns about the police killings, the presence of police in schools, and violence targeting the African American community with impunity and racial bias in the criminal justice system, mass incarceration and the criminalization of poverty which disproportionately affects African Americans.

During its eleven-day mission, the Working Group's delegation heard from civil society, researchers and families of victims of police killings about racial discrimination and Afrophobia. The human rights experts met representatives of the Government at the federal and the state levels, and the US Congress and Senate, as well as hundreds of civil society organization representatives, lawyers and

human rights activists from more than 20 states who had gathered in the different cities.

The Working group will present a report containing its findings and recommendations to the UN Human Rights Council in September 2016. To see the Working Group's full end-of-mission statement please see: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17000&LangID=E>

The Working Group is part of the Special Procedures of the Human Rights Council.

### **International Day for the Elimination of Racial Discrimination**

The International Day for the Elimination of Racial Discrimination was held on March 21, 2016. This year's International Day was devoted to challenges and achievements of the Durban Declaration and Programme of Action – 15 years after the landmark document was adopted at the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in South Africa.

The United Nations Office of the High Commissioner for Human Rights reported in anticipation of the International Day that the world is witnessing an alarming increase in hate and xenophobic speech. "Much more needs to be done by Governments around the world to protect vulnerable groups and punish the perpetrators. Impunity has become the norm for what are heinous crimes and this is a very alarming situation," said the Special Rapporteur on contemporary forms of racism, Mutuma Ruteere; the Chair-Rapporteur of the Working Group of Experts on People of African Descent, Mireille Fanon Mendes-France; and the Chairperson of the Committee on the Elimination of

Racial Discrimination, José Francisco Cali Tzay.  
<http://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17242&LangID=E>

### **60th Session of the Commission on the Status of Women, March 14-24, 2016**

The sixtieth session of the Commission on the Status of Women took place at the United Nations Headquarters in New York from 14 to 24 March 2016. Evelyn Duermayer was in attendance for IADL. The priority theme was women's empowerment and its link to sustainable development. In its agreed conclusions, the Commission called on the United Nations system and the United Nations Entity for Gender Equality and the Empowerment of Women to support gender responsive implementation of the 2030 Agenda for Sustainable Development.

Evelyn provided the following report.

#### ***Report on CSW 60 (first week)***

This summary can only reflect those events where I could be present and / or participate. It should provide an understanding of the efforts to overcome differences and to be prepared for the challenges of the SDGs 2030.

My report will be chronological and starts with the first parallel event held at the Church Center: "Combating Sexual Violence: Legal and Systemic Reform" on March 14. The focus was on the fact, that even though so many organizations are working on the issue of preventing violence against women, especially on the international level, there is a need to better protect the victims and to enforce the responsibilities of the perpetrators. Speakers like Cheryl Thomas, one of the founders of Global

Rights for Women and in 2011 chosen by the magazine Newsweek as one out 150 "Women who shook the World" and Diane Rosenfeld, founder and Director of the "Gender Violence Program at the Harvard Law School" underlined once more that patriarchy is the basis of male alliances and that domestic violence is as predictable as avoidable.

The first side event in Conference A of the main building the same day was on the topic "Women's role in the search for Israeli-Palestinian peace." The Committee on the exercise of the inalienable rights of the Palestinian People was created by the General Assembly in 1975. Twenty-six states are members and twenty-four states are observers.

This Committee is supported by the Division for Palestinian Rights of the United Nations Secretariat. The deputy director of the Permanent Mission of Malta, Natasha Meli-Audrey – nominated rapporteur by the Bureau of CSW60 – gave introductory remarks. The first speaker, Sarah Taylor, from Women, Peace and Security Advocate, Women's Rights Division and Human Rights Watch underlined the significance of SCR 1325 as a key moment for the gender dimension in conflict and peace negotiations and decision making as well as the role of the next eight resolutions.

Hiba Husseini, a lawyer and legal consultant during negotiations between Palestinians and Israelis and a founding member of the Al-Mustakbal Foundation analyzed the development of the participation of women in decision processes, that at the beginning were only mentioned as technical assistants and that the unemployment rate in the West Bank, East Jerusalem is as high as in the Gaza Strip. Domestic violence was not an issue in 1967 when the Palestinian Authority was created. She concluded that the SCR 1325 seems to be more important than

sociocultural issues.

Lihi Joffe, a board member of the Coalition of Women for Peace in Tel Aviv first reported on her background, receiving a secular education but in the spirit of the chosen people in the Holy Land. Her organization was created in the year 2000 after the second intifada. The aim is together acting against racism and violence and that the board is being chaired between an Israeli and a Palestinian Woman. The public space is not enough open yet and since 2014 there are weekly protests.

Another side event was a common one between the Netherlands, Chile and Nepal on how to materialize the national plan of action regarding Resolution 1325. Nepal seems to have the most efficient and elaborate program.

One of the highlights of CSW 60 was – and other participants might agree – was “Gender & SDGs: the outcome, the processes and the prospects” in the new forum, the Ex-Press Bar in the General Assembly building. The event was organized by UNRISD, Gender & Development, Oxfam and the Rosa Luxemburg Foundation New York Office. The results of their analysis will be published soon online. The speakers on the panel introduced the pros and cons of the SDGS to the large audience. Valerie Esquivel from UNRISD thought a strength of the SDGS 2030 was their intersectionality (see SDG 5); one of the greatest weaknesses was the traditional concept of the gross national product. The conditions of the environment were not included and don't automatically lead to more gender equality.

Shahra Razavi, Chief Research and Data Section UN Women, sees the strength in the human rights goals “back on track,” indivisibility of rights and on

equal opportunities and a weakness in the lack of responsibility of the decision makers- see the Universal Periodic Review and the shadow reports. A tighter mechanism is necessary.

Jessica Woodroffe from Oxfam underlined that if the goal for all was intersectionality, the methods don't fit with the hopes: no one left behind suggests a charity approach to the most vulnerable groups and that the specific focus on gender is lost. More financial resources should be provided- see unpaid work (SDG 4/5). The private sector must be regulated. Globally speaking there is not enough participation, and implementation is a political and not a technical fight. The pressure of the civil society must be stronger.

Corinna Rodriguez Enriquez (DAWN) describes the situation in Argentina, and sees Goal 17 as gender blind.

The first NGO briefing took place on March 15 and the facilitator Andreas Glossner from Germany explained the actual status of the negotiations on the agreed conclusions. They should be used as a manual and that a lot of energy emanates from this. States should stick to their obligations. The focus on indigenous women, the Palestinian women, and on girls should be stronger.

What has been achieved and what are the challenges those were the issues Ivan Simonovic, Assistant Secretary – General for Human Rights since 2010 and Louise Arbour, High Commissioner on Human Rights from 2004-2008 presented to their audience.

I observed that the state party negotiations demonstrated the structural capacities of the facilitator and the willingness of the states representatives and institutions like the European

Union to overcome differences, keep to the language, and not to get behind on the Beijing Platform.

Not included are the events Austria organized which were well attended and successful. One other event was the 10th Anniversary of the Human Rights Council. Last but not least Beatrice Lindstrom (IADL and BAI) read the oral statement on behalf of the NGO Committee on the Status of Women Vienna.

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## **REPORT ON UN ACTIVITIES IN VIENNA**

IADL Permanent Representative to the United Nations in Vienna Evelyn Dürmayer provided the following report on recent United Nations activities in Vienna. Please see the New York report for Evelyn's report on her attendance at the 60<sup>th</sup> session of the CSW.

### **IADL Co-hosts Crime Prevention Side Event on “Women Meeting the Challenges of Violent Extremism”**

IADL co-hosted a side event with Soroptimist International at the 25<sup>th</sup> session of the The Commission on Crime Prevention and Criminal Justice in Vienna, Austria on May 24, 2016. The topic was “Women Meeting the Challenges of Violent Extremism.” The panelists were Lilian Hoffmeister, CEDAW Committee Member and IADL alternate representative to the UN in Vienna and Alexa Greenwald, Program Manager, Mothers' Schools Against Extremism, Women Without Borders. They spoke on the impact of armed conflict and violent extremism on women and

addressed women's role in early recognition and response to signs of radicalization within the family and within society, and the international legal framework on women, peace and security (UN Security Council Resolution 1325).

Lilian Hofmeister spoke of the strong link between the organization of warrior societies and patriarchy and that post-war period means also pre-war period. She underlined that the provision of Art. 5a of CEDAW is the key element of the Convention formulating the obligation of state parties to take all appropriate measures to eliminate stereotyped gender roles based on the idea of inferiority of women and girls.

Alexa Greenwald showed that the role of mothers as a key to educate and deradicalize their children is still underestimated. There have been Mothers' Schools implemented in Tajikistan, Pakistan, India/Kashmir, Nigeria, Indonesia and Zanzibar and they will be started in Europe, in Sweden, France and Macedonia.

The event was well attended and moderated by Martina Gredler, Chair, NGO Committee on the Status of Women Vienna. The flyer for the event is attached in annex.

### **“Enhancing the Role of Women in Terrorism Prevention”**

Evelyn also attended the CCPCJ side event “Women and Terrorism: Enhancing the Role of Women in Terrorism Prevention” held on May 24, 2016. The speakers were Nasra Hassan, Director of International Relations, Association of Austrian Peacekeepers; Senior Advisor, International Peace Institute; Faculty Member at Salzburg Global Seminar; and Dolgor Solongo, Officer-in-Charge of the Implementation Support Section I (Asia and

Europe), Terrorism Prevention Branch, United Nations Office on Drugs and Crime. Ms. Solongo highlighted discussed what UNODC can do to contribute to the efforts on enhancing the role of women in terrorism prevention. Ms. Hassan focused on criteria concerning women's involvement in terrorism including as perpetrators.

The event was well attended. It was moderated by Cindy Smith, Director of United Nations Interregional Crime and Justice Research Institute. The flyer for the event is attached in annex.

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## **ADDITIONAL UN ADVOCACY – Assembly of States Parties (ASP)**

### **14th Annual Assembly of States Parties to the International Criminal Court**

*Report from Hitomi Takemura, Associate Professor,  
Aichi Prefectural University, Japan.*

I was privileged to attend the 14th annual Assembly of States Parties (ASP) of the International Criminal Court (ICC) held at the Hague, the Netherlands, as a delegate of the International Association of Democratic Lawyers (IADL). The Assembly was held from November 17th to 26th, 2015, and fortunately I was able to attend the entire event.

As in previous years, the Assembly of States Parties sadly took the form of political theater. Many closed sessions and informal debates took place until the last minutes of the ASP. Because the International Criminal Court was established by a multilateral treaty, the Court is inevitably controlled and its course navigated by the Assembly of State Parties especially with respect to its annual budget. There was much debate on the efficiency and

effectiveness of Court proceedings during the panel discussion of November 24. Many panelists, most states and civil society representatives from the floor concurred on the need for resources to cover on-going and future trials, investigations and prosecutions. The ASP adopted a 2016 budget of €139,590,600, a 7% increase from the 2015 budget (Resolution ICC-ASP/14/Res.1). Prior to the ASP, the Committee on Budget and Finance had proposed to the ASP a budget of €153,320,000, amounting to an increase of 17.3% over the 2015 budget. It goes without saying that sufficient funding is a *conditio sine qua non*, a necessary but insufficient condition, for an impartial and independent International Criminal Court.

This year's ASP General Debate included a long list of complaints from African countries about the arguably African-centric investigations and prosecutions before the ICC. The importance of the principle of complementarity was particularly stressed by the States Parties who are Member States of the African Union. For instance, the Federal Democratic Republic of Ethiopia stated 'we have arrived at the conclusion that the ICC, whose establishment Africa strongly supported and advocated for, is no longer a Court for all but exists only to deal with Africans in the most rigid ways with lack of trust and respect for Customary International Law.' Kenya called for 'a shift to respect for African jurisprudence and support for locally-grown solutions'. It seems that the legitimacy of the ICC has been called into question for one-thirds of States Parties, namely the African countries.

Although the governments of Kenya and South Africa respectively tried to discuss the topics of the admissibility of the pre-recorded evidence and head of state immunity, and insert legal interpretations of

the Rules of Procedure and Evidence and the Statute of the ICC into the ASP outcome resolutions, both attempts failed. In light of the relevance of these issues to cases currently pending before the Chambers of the ICC, it may be safe to say that the ASP chose the right course, leaving the matter to Chambers. South Africa proposed as an agenda item ‘Application and Implementation of Article 97 and Article 98 of the Rome Statute’, while Kenya attempted to revise rule 68 so as to exempt pre-recorded evidence in the cases of Mr. Ruto and Mr. Sang. The defense teams of Mr. Ruto and Mr. Sang challenged this as a retroactive and detrimental use of rule 68 which had previously been amended during the 12th Assembly of States Parties in 2013 in order to allow the introduction of previously recorded audio or video testimony of a witness (Resolution ICC-ASP/12/Res.7). Nonetheless, the text of paragraph 2 of the resolution of the 12th ASP, as Kenyan delegates consisting of at least 60 members of parliament repeatedly pointed out, says that ‘the following shall replace rule 68 of the Rules of Procedure and Evidence, emphasizing article 51, paragraph 4, of the Rome Statute according to which amendments to the Rules of the Procedure and Evidence shall not be applied retroactively to the detriment of the person who is being investigated or prosecuted [...]’ The ASP mentioned this fact in its adopted report: “Following the debate on the supplementary item “Review of the Application and implementation of Amendments to the Rules of Procedure and Evidence introduced at the 12th Assembly,” the Assembly recalled its resolution ICC-ASP/12/Res.7 dated November 27th 2013 which amended rule 68 of the Rules of Procedure and Evidence, which entered into force on the above date and is consistent with the Rome Statute, and reaffirmed its understanding that the amended

rule 68 shall not be applied retroactively.” Opinion is therefore divided as to whether or not the Kenyan delegates won a partial victory yielding some results at the 14th ASP.

Overall, this year’s Assembly could be characterized as eventful. The last day of the ASP of 2015, namely November 26th, lasted until very late in the evening. The outcomes of the 14th ASP include an amendment of rule 124, and the deletion of rule 124 (Resolution ICC-ASP/14/Res. 2). Member States of the Rome Statute are expected to ratify this amendment as soon as possible. The election of the members of the Board of Directors of the Trust Fund for Victims (TFV) of the ICC took place during the ASP, and the incumbent chair of the Board of Directors, Mr. Motoo Noguchi (Japan) was reelected as a member of the Board on November 18th. On November 26th, Ms. Mama Koité Doumbia (Mali) was elected. One additional position, for the European member of the Board of Directors of the TFV, is still vacant.

As in past years, there were numerous interesting side events. I was able to attend many of them. The crime of aggression event was very impressive in that there was enthusiasm from European countries for recognition of this crime, in complete contrast to the American view. The ICC’s jurisdiction may be extended to cover this crime by the end of 2017 as some 23 or 24 States already ratified the so-called Kampala amendment, which would add the crime of aggression to the Rome.

There was a guided tour of the permanent premises of the International Criminal Court for the participants of the ASP. The building is very beautiful even under cloudy weather. It is surrounded on all four sides by water, and the

building gave an image of transparency and independence.

Last but not least, I would like to thank Ms. Beth Lyons and Professor Osamu Niikura for their support of my attendance at the ASP in the Hague in 2015.

\* \* \*

The Portuguese Association of Democratic Lawyers, APJD, an IADL affiliate organization in Portugal, released issue number 3 of their journal in December 2015. The journal is in Portuguese with some English. For those interested in obtaining a copy of the journal, please contact Evelyn Duermayer.

**WATCHING United Nations MEETINGS ON THE WEB**

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

The IADL *United Nations Activities Bulletin* is prepared under the direction of the Permanent Representative to the United Nations in New York, Professor Lennox S. Hinds. This issue was edited by Claire Gilchrist. Reports were contributed by Bernard A. Dodji Bokodjin, Evelyn Dürmayer, Claire Gilchrist, Beatrice Lindstrom, Micòl Savia, and Hitomi Takemura.

# Upcoming United Nations Events and Conferences

## JULY – DECEMBER 2016

### July 2016

Committee on the Elimination of Discrimination against Women, Sixty-fourth session	Geneva	4 - 22 July
IMO, Council, 116th session	London	4 - 8 July
International Law Commission, Sixty-eighth session, second part	Geneva	4 July - 12 August
International Law Seminar, Fifty-second session	Geneva	4 - 22 July
International Seabed Authority Assembly, Twenty-second session	Kingston	4 - 22 July
Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals, Thirty-first session	Geneva	7 - 8 July
Commission on the Limits of the Continental Shelf, Forty-first session*	New York	11 July - 26 August
Group of Governmental Experts to review the operation and further development of the Register of Conventional Arms, Third session	Geneva	11 - 15 July
High-level political forum on sustainable development convened under the auspices of the Economic and Social Council, Third session	New York	11 - 20 July
Human Rights Council, Expert Mechanism on the Rights of Indigenous Peoples, Ninth session	Geneva	11 - 15 July
Human Rights Council, Working Group on the Right to Peace, Fourth session	Geneva	11 - 15 July
Open-ended Working Group on the Fourth Special Session of the General Assembly Devoted to Disarmament, Second substantive session	New York	11 - 15 July
Organisation for the Prohibition of Chemical Weapons, Executive Council, Eighty-second session	The Hague	12 - 15 July
UNCTAD, quadrennial conference, Fourteenth session	Nairobi	17 - 22 July
Economic and Social Council, Substantive session, High-level segment, including the three-day ministerial meeting of the High-level Political Forum on Sustainable Development, convened under the auspices of the Council, and the annual ministerial review	New York	18 - 22 July

Human Rights Council, Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Twenty-eighth session	New York	18 - 22 July
Working Group on Discrimination against Women in Law and in Practice, Sixteenth session	New York	18 - 22 July
Committee against Torture, Fifty-eighth session	Geneva	25 July - 12 August
Committee on the Elimination of Discrimination against Women, pre-sessional working group, Sixty-sixth session	Geneva	25 - 29 July
Economic and Social Council, Substantive session, Coordination and management meeting	New York	25 - 27 July
ICSC, Eighty-third session	Geneva	25 July - 5 August
Independent Audit Advisory Committee, Thirty-fifth session	New York	25 - 27 July
Preparatory committee for the third United Nations Conference on Housing and Sustainable Urban Development (Habitat III), Third session	Surabaya, Indonesia	25 - 27 July
United Nations Board of Auditors, Seventieth regular session	New York	26 July
Economic and Social Council, Organizational session	New York	28 - 29 July
Investments Committee, 230th meeting	Venue to be determined	July
Investments Committee, 230th meeting	Venue to be determined	July
United Nations Joint Staff Pension Board, Sixty-third session	New York	July
United Nations Joint Staff Pension Board, Standing Committee	New York	July

## August 2016

General Assembly, Workshop on implementation of General Assembly resolutions addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks	New York	1 - 2 August
Committee on the Elimination of Racial Discrimination, Ninetieth session	Geneva	2 - 26 August
Conference on Disarmament, Third part	Geneva	2 August - 16 September
Committee of Experts on Global Geospatial Information Management, Sixth session	New York	3 - 5 August
Human Rights Council Advisory Committee, Seventeenth session	Geneva	8 - 12 August
Committee on the Rights of Persons with Disabilities, Sixteenth session	Geneva	15 August - 2 September
Human Rights Council, Working Group on Communications, Nineteenth session	Geneva	15 - 19 August
Conference of the States Parties to the United Nations Convention against Corruption, Open-ended Intergovernmental Working Group on the Prevention of Corruption, Seventh session	Vienna	22 - 24 August
Human Rights Council, Working Group on Arbitrary Detention, Seventy-sixth session	Geneva	22 - 26 August
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Working Group B, Forty-seventh session and Joint Meetings of Working Groups A and B	Vienna	22 August - 2 September
Conference of the States Parties to the United Nations Convention against Corruption, Open-ended Intergovernmental Working Group on Asset Recovery, Tenth session	Vienna	25 - 26 August
Preparatory Committee established by General Assembly resolution 69/292: Development of international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, Second session	New York	26 August - 9 September
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, Twenty-fifth session	Geneva	29 August - 7 September

Conference of the High Contracting Parties to Protocol V to the 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, Tenth Conference of the High Contracting Parties	Geneva	29 August
Group of Governmental Experts on Development in the Field of Information and Telecommunications in the Context of International Security, First session	New York	29 August - 2 September
Annual Conference of the High Contracting Parties to Amended Protocol II to the 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, Eighteenth annual conference	Geneva	30 August
Open-ended Working Group to take forward multilateral nuclear disarmament negotiations	Geneva	August

## September 2016

UN-Women, Executive Board, Second regular session	New York	1 - 2 September
WIPO, Assemblies of Member States	Geneva	3 - 11 September
Committee on the Rights of Persons with Disabilities, pre-sessional working group, Sixth session	Geneva	5 - 9 September
States parties to the Convention on Cluster Munitions, Sixth Meeting of the States Parties	Geneva	5 - 7 September
UNCITRAL, Working Group III (Online Dispute Resolution), Thirty-fourth session (To be confirmed)	Vienna	5 - 9 September
UNCTAD, Working Party on the Strategic Framework and the Programme Budget, Seventy-third session	Geneva	5 - 7 September
Advisory Committee on Administrative and Budgetary Questions, Fall session	New York	6 September - 16 December
Committee on Conferences, Substantive session	New York	6 - 13 September
Executive Board of UNDP/UNFPA/UNOPS, Second regular session	New York	6 - 13 September

Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Advisory Group, Forty-seventh session	Vienna	12 - 16 September
Committee on the Rights of the Child, Seventy-third session	Geneva	13 - 30 September
General Assembly, Seventy-first session	New York	13 September - December
Human Rights Council, Thirty-third session	Geneva	13 - 30 September
UNCTAD, Trade and Development Board, Sixty-third session	Geneva	13 - 23 September
UN-Habitat, Committee of Permanent Representatives, Sixty-second meeting	Nairobi	14 September
UNICEF, Executive Board, Second regular session**	New York	14 - 16 September
Assembly of States Parties to the Rome Statute of the International Criminal Court, Budget and Finance Committee, Twenty-seventh session	The Hague	19 - 30 September
Commission on Narcotic Drugs, Meeting of Heads of National Drug Law Enforcement Agencies, Africa, Twenty-sixth meeting (To be confirmed)	Addis Ababa or a capital in the region	19 - 23 September
Committee on Economic, Social and Cultural Rights, Fifty-ninth session	Geneva	19 September - 7 October
Human Rights Council, Working Group on Enforced and Involuntary Disappearances, 110th session	Geneva	19 - 23 September
IAEA, Board of Governors	Vienna	19 - 23 September
UNCITRAL, Working Group II (Arbitration and Conciliation), Sixty-fifth session (To be confirmed)	Vienna	19 - 23 September
General Assembly, General debate of the Seventy-first session	New York	20 - 29 September
UNEP, Committee of Permanent Representatives, 136th meeting	Nairobi	20 September
UPU, Twenty-sixth Congress	Istanbul	20 September - 7 October

UPU, Twenty-sixth Congress	Istanbul	20 September - 7 October
IFAD, Executive Board, 118th session	Rome	21 - 22 September
General Assembly, Commemoration of the International Day for the Total Elimination of Nuclear Weapons	New York	26 September
Human Rights Council, Working Group on the issue of human rights and transnational corporations and other business enterprises, Fifteenth session	Geneva	26 - 30 September
IAEA, General Conference, Sixtieth session	Vienna	26 - 30 September
UNEP, Annual Subcommittee of the Committee of Permanent Representatives, Fourth session	Nairobi	26 - 30 September
General Assembly, Fourth Committee, Seventy-first session	New York	29 September - 8 November
General Assembly, First Committee, Seventy-first session	New York	30 September - 2 November
UNRWA, Advisory Commission	Venue to be determined	September

## October 2016

Commission on Narcotic Drugs, Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, Twenty-sixth meeting	Santiago	3 - 7 October
Committee on Enforced Disappearances, Eleventh session	Geneva	3 - 14 October
Committee on the Rights of the Child, pre-sessional working group, Seventy-fifth session	Geneva	3 - 7 October
General Assembly, Sixth Committee, Seventy-first session	New York	3 October - 11 November
Human Rights Council, Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, Fourteenth session	Geneva	3 - 14 October

Human Rights Council, intersessional forum on economic, social and cultural rights (social forum), 2016 session	Geneva	3 - 5 October
IAEA, Board of Governors	Vienna	3 October
UNCITRAL, Working Group I (Micro-, Small- and Medium-sized Enterprises), Twenty-seventh session (To be confirmed)	Vienna	3 - 7 October
UNHCR, Executive Committee, Sixty-seventh session	Geneva	3 - 7 October
United Nations Voluntary Fund for Victims of Torture, Board of Trustees, Forty-fourth session	Geneva	3 - 7 October
UNCTAD, Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting, Thirty-third session	Geneva	4 - 6 October
UNESCO, Executive Board, 200th session	Paris	5 - 18 October
Annual meetings of the Boards of Governors of the World Bank Group and IMF, Fall meetings	Washington D.C.	7 - 9 October
Committee on Economic, Social and Cultural Rights, pre-sessional working group, Fifty-ninth session	Geneva	10 - 14 October
Human Rights Committee, pre-sessional Working Group on Communications, 118th session	Geneva	10 - 14 October
Committee of Experts on International Cooperation in Tax Matters, Thirteenth session	Geneva	11 - 14 October
Organisation for the Prohibition of Chemical Weapons, Executive Council, Eighty-third session	The Hague	11 - 14 October
Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards in the Field of Racism, Eighth session	Geneva	17 - 28 October
Commission on the Limits of the Continental Shelf, Forty-second session***	New York	17 October - 2 December
Conference of the Parties to the United Nations Convention against Transnational Organized Crime, Eighth session	Vienna	17 - 21 October
Conference of the Parties to the United Nations Convention against	Vienna	17 - 21 October

Transnational Organized Crime, Eighth session

Conference of the Parties to the United Nations Convention against Transnational Organized Crime, Working Group of Government Experts on Technical Assistance, Ninth session	Vienna	17 - 19 October
Human Rights Committee, 118th session	Geneva	17 October - 4 November
ICAO, Committee Phase, 209th session	Montreal (ICAO Headquarters)	17 - 28 October
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	17 - 21 October
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Working Group A and informal/expert meetings, Fiftieth session	Vienna	17 - 19 October
Third United Nations Conference on Housing and Sustainable Urban Development (Habitat III)	Quito	17 - 20 October
UNCCD, Committee for the Review of the Implementation of the Convention, Fifteenth session	Nairobi	18 - 20 October
Committee on the Elimination of Discrimination against Women, Working Group on Communications under the Optional Protocol to the Convention, Thirty-sixth session	Geneva	19 - 21 October
Conference of the Parties to the United Nations Convention against Transnational Organized Crime, Working Group on International Cooperation, Seventh session	Vienna	19 - 21 October
UNCTAD, Intergovernmental Group of Experts on Competition Law and Policy, Fifteenth session	Geneva	19 - 21 October
Commission on Narcotic Drugs, Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, Fortieth meeting (To be confirmed)	Bangkok or a capital in the region	24 - 28 October
Committee on the Elimination of Discrimination against Women, Sixty-fifth session	Geneva	24 October - 18 November
Open-ended intergovernmental working group to elaborate a legally binding instrument on transnational corporations and other business enterprises with	Geneva	24 - 28 October

respect to human rights, Second session

ILO, Governing Body and its committees, 328th session	Geneva	27 October - 10 November
States Parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Sixth Meeting	Geneva	27 October
Human Rights Council, Working Group on the Universal Periodic Review, Twenty-sixth session	Geneva	31 October - 11 November
UNCITRAL, Working Group IV (Electronic Commerce), Fifty-fourth session (To be confirmed)	Vienna	31 October - 4 November
UNCTAD, Trade and Development Commission, Eighth session	Geneva	31 October - 4 November
Voluntary Fund for Technical Cooperation in the Field of Human Rights, Board of Trustees, Forty-third session	Geneva	31 October - 2 November
Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, Fifty-first session**	New York	October
United Nations System Chief Executives Board for Coordination, Second regular session**	New York	October/November
UNWTO, Executive Council, 104th session	Venue to be determined	October/November
UPU, Council of Administration	Bern	October/November

## November 2016

International Narcotics Control Board, 117th session	Vienna	1 - 18 November
Security Council, Governing Council of the United Nations Compensation Commission, established pursuant to Security Council resolution 692 (1991), Eighty-first session	Geneva	1 - 2 November
IMO, Council, 117th session	London	5 - 9 November

Commission on Narcotic Drugs, Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East, Fifty-first session (To be confirmed)	A capital in the region	7 - 11 November
Committee against Torture, Fifty-ninth session	Geneva	7 November - 7 December
Committee against Torture, Fifty-ninth session	Geneva	7 November - 7 December
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 the Operation and Further Development of the United Nations Standardized Instrument for Reporting on Military Expenditures, First session	Geneva	7 - 11 November
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, Forty-seventh session	Vienna	7 - 9 November
UNFCCC, Conference of the Parties to the Convention and meetings of subsidiary bodies, Twenty-second session	Marrakesh, Morocco	7 - 18 November
Committee against Torture, Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Thirtieth session	Geneva	14 - 18 November
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
Human Rights Council, Forum on Business and Human Rights, Fifth session	Geneva	14 - 16 November
IAEA, Board of Governors, Technical Assistance and Cooperation Committee	Vienna	14 - 16 November
Investments Committee, 231st meeting	New York	14 November
Open-ended intergovernmental expert working group on indicators and terminology relating to disaster risk reduction, Third session*	Geneva	14 - 18 November
UNCTAD, Investment, Enterprise and Development Commission, Eighth session	Geneva	14 - 18 November

WFP, Executive Board, Second regular session	Rome	14 - 18 November
Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifteenth session	The Hague	16 - 24 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
IAEA, Board of Governors	Vienna	17 - 18 November
UNITAR, Board of Trustees, Fifty-fifth session	Geneva	17 - 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
Human Rights Council, Forum on human rights, democracy and the rule of law	Geneva	21 - 22 November
Human Rights Council, Working Group on Arbitrary Detention, Seventy-seventh session	Geneva	21 - 25 November
ICAO, Council Phase, 209th session	Montreal (ICAO Headquarters)	21 November - 2 December
Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency, Fifty-seventh regular session**	New York	21 - 22 November
UNIDO, Industrial Development Board, Forty-fourth session (To be confirmed)	Vienna	22 - 24 November
United Nations Board of Auditors, Forty-sixth special session**	New York	22 November
Human Rights Council, Forum on Minority Issues, Ninth session	Geneva	24 - 25 November
Conference of the States Parties to the Convention on the Prohibition of Chemical Weapons, Twenty-first session	The Hague	28 November - 2 December
Group of Governmental Experts on Development in the Field of Information and	Geneva	28 November -

Telecommunications in the Context of International Security, Second session		2 December
Human Rights Council, Working Group of Experts on People of African Descent, Nineteenth session	Geneva	28 November - 2 December
Human Rights Council, Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Twenty-ninth session	Geneva	28 November - 2 December
Human Rights Council, Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Twenty-ninth session	Geneva	28 November - 2 December
Independent Audit Advisory Committee, Thirty-sixth session**	New York	28 - 30 November
States parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, Fifteenth meeting	Santiago	28 November - 2 December
Subcommittee of Experts on the Transport of Dangerous Goods, Fiftieth session	Geneva	28 November - 6 December
UNCTAD, Working Party on the Strategic Framework and the Programme Budget, Seventy-fourth session	Geneva	28 November - 2 December
United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, Board of Trustees, Twenty-first session	Geneva	28 November - 2 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
United Nations Pledging Conference for Development Activities	New York	November
United Nations Staff Pension Committee	New York	November

## December 2016

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 (To	Vienna	1 December
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be confirmed)

Commission on Crime Prevention and Criminal Justice, Reconvened twenty-fifth session (To be confirmed) Vienna 2 December

Commission on Narcotic Drugs, Reconvened fifty-ninth session (To be confirmed) Vienna 2 December

FAO, Council, 155th session Rome 5 - 9 December

UNCITRAL, Working Group VI (Security Interests), Fifty-fourth session (To be confirmed) Vienna 5 - 9 December

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

Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals, Thirty-second session Geneva 7 - 9 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

UNCITRAL, Working Group V (Insolvency Law), Fiftieth session (To be confirmed) Vienna 12 - 16 December

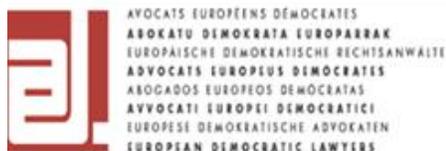
UNCTAD, Trade and Development Board, 63rd Executive session (Least Developed Countries) Geneva 12 - 14 December

UNEP, Committee of Permanent Representatives, 137th meeting Nairobi 13 December

IFAD, Executive Board, 119th session Rome 14 - 15 December

UN-Habitat, Committee of Permanent Representatives, Sixty-third session Nairobi 14 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 December



**ELDH** European Association of Lawyers  
for Democracy and World Human Rights

## Day of the Endangered Lawyer – 22nd January 2016.

### In solidarity with Honduran lawyers, judges and other law professionals

Since 2010 every year on or about 24 January protests are organized in front of embassies in solidarity with endangered lawyers, who are threatened, attacked, or even killed because they defend human rights, poor people, trade unionists or peasants or because they are just fulfilling their professional duties. The date commemorates of 4 lawyers and a trade unionist who were killed by Spanish fascists in Madrid in 1977.

On Friday, 22nd January 2016, lawyers, other law professionals and campaigners will be protesting outside Honduran Embassies and Consulates all over Europe and in countries outside Europe. A petition on behalf of the Honduran lawyers and other law professionals will be handed over to the Ambassadors.

The aim is to highlight the ongoing wave of violence directed at lawyers and other law professionals in Honduras. The situation facing lawyers in Honduras is dire. Between 2010 and March 2015 the Inter-American Human Rights Commission (IAHRC) recorded 91 deaths of lawyers as a result of targeted killings.

The violence does not concern only lawyers and other law professionals. Many Hondurans are suffering severe violations of human rights. These adversely affect public life in Honduras as a whole. The main reasons for this violence are poverty, unemployment, drug-trafficking, misogyny, and severe deficits in the investigation and prosecution of these crimes. The crimes of violence are not only committed by organized groups as has been declared by the Honduran Government but also often covered up by influential officials for reasons of corruption or complicity. Lawyers, prosecutors and judges who deal with cases of violence or state corruption run a high risk of becoming victims of violence themselves.

In addition to the organizational deficiencies of the prosecution, intimidation of witnesses, prosecutors, judges and lawyers as well their corruption are responsible for wide scale impunity for such crimes. The independence of judges is not guaranteed. On the contrary restrictive laws make it difficult for judges to keep their independence and to guarantee the functioning of the law. Judges who have protested against the coup d'état in 2009 were illegally dismissed, as has been confirmed by the Inter American Court of Human Rights in 2015. This state interference in the judicial system undermines the rule of law.

This situation has been reported by different United Nations mechanisms: UN Special Procedures, Human Rights Treaty Bodies, and the Human Rights Council. According to a study by the United Nations Office on Drugs and Crime (UNODC) in 2013 Honduras had the highest homicide rate in the world. This is also confirmed by NGOs such as Amnesty International and Human Rights Watch.

Human Rights Watch in their annual report commented that:

*“Honduras suffers from rampant crime and impunity for human rights abuses...Judges face acts of intimidation and political interference”*

The IAHR received reports of assassinations and intimidation of judges in Honduras. The IACHR also received information about the assassination of Mireya Efigenia Mendoza Peña, a trial court judge in El Progreso, Yoro and Assistant Secretary of the Association of Judges for Democracy, an organization that works to defend judges in Honduras. According to publicly available information, in 2014 at least 20 judges have received death threats and according to information provided by the *Asociación Jueces por la Democracia* (Association of Judges for Democracy), at least three judges have been violently killed in the last two years.

The UN Special Rapporteur on the situation of human rights defenders received information that prosecutors, particularly those working on human rights and environmental issues, had received death threats or even have been killed and that their situation had become especially precarious. Furthermore, prosecutors and judges working on cases in which the police had been involved in crimes were under political pressure from high-ranking authorities, including from within the office of the General Prosecutor.

Professor Bill Bowring, English barrister, the ELDH President and International Secretary of the Haldane Society of Socialist Lawyers, the ELDH Association in England, said:

*“Lawyers, prosecutors and judges in Honduras should be allowed to perform their professional duties without any intimidation and adequate protection needs to be provided by the state especially when lives are at risk as a result of the exercise of their profession.”*

Florence de la Pradelle, a lawyer in Brussels and coordinator of the Commission “Défense de la Défense” of the European Democratic Lawyers EDL said *“I support this initiative to highlight not only the deteriorating human rights position in the state of Honduras but to highlight the attacks on lawyers and human rights defenders as a whole.”*

**For more information please contact the coordinators**

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**THE DAY OF THE ENDANGERED LAWYER is an initiative of**

The European Democratic Lawyers (EDL), [www.aeud.org](http://www.aeud.org)  
The European Association of Lawyers for Democracy and Human Rights (ELDH), [www.eldh.eu](http://www.eldh.eu)  
The Foundation of the Day of the Endangered Lawyer

**The initiative will be supported among others by**

The Honduran Association of Judges for Democracy  
The European Bar Human Rights Institute IDHAE  
The Council of Bars and Law Societies of Europe CCBE  
Various Bar Associations  
Lawyers for Lawyers (The Netherlands)  
The International Association of Democratic Lawyers IADL  
The International Association of People’s Lawyers  
The International Association of Lawyers UIA  
The Colegio de abogados de Honduras

greatly

# MISSED

## Berta Cáceres

Country: Honduras  
Status: Killed on March 3, 2016

At approximately midnight, the General Coordinator of COPINH, Berta Cáceres was assassinated in her hometown of La Esperanza, Intibuca. At least two individuals broke down the door of the house where Berta was staying, shot and killed her.

Berta Cáceres was one of the leading indigenous activists in Honduras. She spent her life fighting in defense of indigenous rights, particularly to land and natural resources.



## The School of the Americas (SOA)



*The SOA/ WHINSEC is located 2 hours south of Atlanta, Georgia.*

To learn more and to take action, contact SOA Watch  
**(202) 234 3440**

is a combat training school for Latin American soldiers, located at Fort Benning, Georgia. In 2001 it was renamed the Western Hemisphere Institute for Security Cooperation (WHINSEC).

Since 1946, the SOA has trained over 70,000 Latin American soldiers in counterinsurgency techniques, sniper training, commando and psychological warfare. Training manuals used at the school for at least a decade, advocated the use of torture, extortion and execution. Graduates of the school continue to use their skills to wage a war against their own people.

**soaw.org**





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**GENERAL ASSEMBLY**  
**Human Rights Council**  
**31<sup>st</sup> Session**

*Check against delivery*

**Item 4: Situations that require the attention of the Council – General Debate**

The International Association of Democratic Lawyers (IADL) and the Europe-Third World Centre (CETIM) call the attention of the Council to the dramatic deterioration of the human rights situation in Turkey.

The recent attack against the daily Zaman newspaper is just the last example of the government's attempts to suppress all kinds of criticism and prevent the exposure of its abuses and wrongdoings. Prominent investigative journalists who reported on the possible involvement of states entities in the supplies of weapons to violent jihadist groups fighting across the border in Syria were jailed on terrorism charges. The prosecutors investigating on the same matter were dismissed. Peaceful protests are dispersed with tear gas and water cannons. The judicial harassment against members of the parliament, academics, lawyers and other dissenting voices is a further symptom of President Erdogan's increasingly authoritarian rule.

The growing militarization of the South-East of the country and the long-term round-the-clock curfews imposed upon several towns in the region are brutally affecting the civilian population. Hundreds of people, including children, women and elderly have been killed, in particular due to the use of heavy weapons by the Turkish Army inside densely populated areas. Entire cities are isolated from the outside world. Wounded people are prevented from receiving medical treatment and die because of their injuries. Doctors demanding access to the curfew zone are pushed back by the police. Corpses remain on the streets often for many days, because their families are prevented from burying them.

The population is not properly informed about a temporary lifting of the curfew. For this reason in some cases people, among them several school-children, have been shot by military snipers because they were not aware of the restart of the curfew. Helicopters and fighter jets fly over the cities and armoured vehicles patrol the streets. Houses are destroyed by the military and water pipes and electricity lines are interrupted and/or destroyed. Access to drinking water, food, electricity and communications are severely restricted. All range of basic human rights are being violated, including right to education, medical care and freedom of movement. In the whole region, an estimated 1.5 million people are directly or indirectly affected by the curfews and the military offensive.<sup>1</sup>

<sup>1</sup>See the report of a delegation of lawyers coming from different European countries which visited Diyarbakir, Turkey, from 21st to 24th of January 2016 to monitor the impact of the curfew on the population. The mission was coordinated by two European lawyers' organisations: the European Association of Lawyers for Democracy and Human Rights (ELDHR) and the European Democratic Lawyers (EDL), and also the "Unione delle Camere Penali Italiane". <http://www.camerepenali.it/public/file/Varie/ucpi-delegazione-internazionale-di-avvocati-in-turchia.pdf>

On 28th November 2015 the President of the Diyarbakir Bar Association, our colleague Tahir Elci, was killed on the street when he gave a press conference asking for a peaceful solution of the conflict. More than one hundred academics who signed a petition calling for an end to the military operation are facing criminal charges.

Given the gravity of the situation, we urge Member States to convene a Special Session of the Human Rights Council in order to assess and address the tragic situation of the civilians under curfew and to take all necessary steps to put an immediate end to the atrocities committed by the military including by establishing an International Commission of Inquiry or an International Fact Finding Mission.

*March 15<sup>th</sup> 2016*

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**GENERAL ASSEMBLY**  
**Human Rights Council**  
**31<sup>st</sup> Session**

*Check against delivery*

**Item 5: Human Rights bodies and mechanism – General Debate**

Special Procedures have an important role to play in the promotion and protection of human rights around the globe. It is crucial to avoid politicization in the appointment of mandate holders and to preserve their correct functioning.

In this regard, the International Association of Democratic Lawyers (IADL) and the Europe-Third World Centre (CETIM) wish to call your attention to the grave allegations recently made by the highest representatives of the United Kingdom's government regarding the United Nations Working Group on Arbitrary Detention.

In February the group of experts determined that the Wikileaks founder, Mr. Julian Assange, is arbitrarily deprived of his liberty by Sweden and the United Kingdom, and that he is entitled to his freedom of movement and to compensation. In response to these findings, Prime Minister David Cameron and Foreign Secretary Philip Hammond publicly declared that the decision was ridiculous and that the members of the Working Group were, and I quote, "lay people".

Such unprecedented personal attack against UN Mandate Holders not only undermines the fundamental rights of Mr. Assange and the dignity of the Working Group, but it also erodes the credibility of the Human Rights System as a whole. These offensive remarks set a dangerous precedent that has global repercussions. They threaten the efficacy of the future work of all Special Procedures and should not be tolerated, especially when they come from a member of this Council that should be encouraging respect for human rights by all other UN member states.

Such an unjustifiable reaction represents a further example of the double standards applied by some countries, and in particular Western countries, when it comes to human rights and that too often discredits the work of the Council. Just few months ago, during the 29<sup>th</sup> HRC session, both Sweden and UK co-sponsored a cross regional statement delivered by Norway on behalf of 65 Member States calling for the immediate response and follow up by states on decisions by the Working Group on Arbitrary Detention on individual cases.

We urge the Human Rights Council to defend its bodies and mechanisms and to call upon the United Kingdom and Sweden to respect the authority and integrity of the UN Working Group on Arbitrary Detention even if, and when, they dislike their decisions.

*March 15<sup>th</sup> 2016*



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

國際民主法律家協會

رابطة الحقوقيين الديمقراطيين العالمية

## GENERAL ASSEMBLY

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### Human Rights Council

#### 31<sup>st</sup> Session

#### Item 7: Human rights situation in Palestine and other occupied Arab Territories – General Debate

The International Association of Democratic Lawyers (IADL) reiterates its deep concern over Israel's lack of cooperation with United Nations bodies and mechanisms. Mr. Wibisono's resignation proves once more Israel's disregard for its international obligations and its unwillingness to put an end to the scourge that since nearly half a century provokes indescribable suffering to the Palestinian People and threatens international peace and security.

Former Special Rapporteur Mr. Richard Falk has been banned from entering the Occupied Territories during his 6-year mandate. The same occurred to all other UN Mandate Holders and inquiry missions, the last of which was the United Nations Fact-Finding Mission on the 2014 Israeli offensive in the Gaza Strip. Israel's attempts to conceal the truth regarding its crimes are nevertheless useless. The brutality of the Israeli military occupation is indeed well known to the international community.

Despite the hundreds of United Nations resolutions, Israel's gross, widespread and systematic violations of international law continue unabated; its war crimes remain unpunished and its unlawful policies are being institutionalized.

In the face of Israel's persistent non-compliance with international law, the reaction of the international community should be unanimous and resolute. Unfortunately this is not the case. The boycott by a great number of countries of the Debate under Item 7 is particularly distressing and demonstrates the lack of real political will to hold Israel accountable for its criminal acts.

Notwithstanding sporadic protests and condemnations, several UN Member States continue their military and economic cooperation with Israel regardless of its human rights record, and criticize HRC resolutions aimed at addressing the dramatic situation in the OPT as 'unbalanced' and 'biased'. Several countries attempt to

criminalize the Boycott, Divestment and Sanctions (BDS) campaign, one of the most effective tactics used by the Palestinian resistance in their struggle for justice and freedom. The legislation of some States has been revised in order to limit universal jurisdiction and perpetuate impunity for suspected Israeli war criminals. Briefly, many efforts are deployed to shield Israel from censure, criticism, and above all, from accountability.

We call upon the Human Rights Council not to surrender to Israel's pressure and to redouble its efforts to uphold and enforce international law and to enable the Palestinian People to exercise their inalienable rights to self-determination and independence through the establishment of the Palestinian State.

*March 21, 2016*



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## GENERAL ASSEMBLY

### Human Rights Council

#### 31<sup>st</sup> Session

#### **Item 10: Technical assistance and capacity-building – Interactive Dialogue with the Special Rapporteur on Haiti**

*Check against delivery*

The International Association of Democratic Lawyers (IADL) thanks the Independent Expert on the Situation of Human Rights in Haiti, Mr. Gustavo Gallón, for his work. We call the attention of the Human Rights Council to the ongoing cholera epidemic in Haiti and the continued failure of the United Nations to provide victims any access to a remedy, as required under human rights law.

Cholera continues to ravage Haiti. The Haitian Government has recorded 9,200 deaths and 770,000 hospitalizations since UN peacekeepers caused the outbreak 5 years ago. A newly released Medecins Sans Frontieres study suggests the true death toll may be three times higher.

We welcome the Independent Expert identifying the cholera epidemic as an issue requiring intense and focused action. His repeated recommendation that a “commission on truth, justice, and redress for cholera victims” be created is an important call to the United Nations to respect victims’ most basic human rights.

We also draw the attention of the Council to the joint communications sent by UN Special Procedures to the Secretary-General, calling on the UN to respect victims’ right to an effective remedy. We reiterate their statement that it is “essential that the victims of cholera have a transparent, independent and impartial mechanism that can review their claims and decide on the merits of those claims in order to ensure adequate reparation.”

We call upon the Human Rights Council to urge the UN Secretariat to take responsibility for the UN’s role in the cholera epidemic and work with the Special

Procedures to devise a solution that guarantees victims' fundamental right to an effective remedy.

The UN's wrongful actions have violated hundreds of thousands of Haitians right to life, health, clean water, sanitation and a healthy environment. By denying justice to victims, the UN not only fails to comply with human rights law, but also jeopardizes its moral credibility and undermines its work around the world.

*23<sup>rd</sup> March 2016*



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## GENERAL ASSEMBLY

### Human Rights Council

#### 30<sup>th</sup> Session

#### Item 10: Technical assistance and capacity-building – Interactive Dialogue on HC oral update on Ukraine

*Check against delivery*

The International Association of Democratic Lawyers (IADL) thanks the High Commissioner for the oral update on the situation of human rights in Ukraine. Nevertheless, we regret that the reports presented so far fail to offer a comprehensive overview of the human rights violations in the country.

The unprecedented crackdown on political parties, independent media and other dissenting voices, as well as the alarming spread of ultra-nationalism, xenophobia, and hate speeches are seriously underestimated, if not ignored. The support and the impunity provided by the government to far-right and neo-Nazi groups can't be neglected. These elements, which are among the root causes of the conflict, brutally affected political opponents and minorities groups, leading to divisions hard to mend.

In its eagerness to suppress dissent, adducing supposed threats to national security, the government banned media, journalists, books, movies and blacklisted artists such as Emir Kusturica, Oliver Stone, Goran Bregovic and many others. The Communist Party of Ukraine, the main opposition party in the country before the “regime change”, came under increasing pressure: its offices have been raided, its rallies forbidden, its members beaten and intimidated. In July 2014 the Minister of Justice filed an administrative lawsuit to ban it. The trial, marked by significant attacks on the independence of the Judiciary, is still pending.

The so-called Decommunization Laws, criticized by several international organizations for their flagrant violation of basic international norms and standards, have not been amended as recommended, *inter alia*, in the 10<sup>th</sup> OHCHR report. In application of these laws, the Minister of Justice prohibited three political parties, including the Communist Party of Ukraine, from taking part in the forthcoming local election on October 25<sup>th</sup>. A list of monuments and memorials to be destroyed is being prepared by the Institute of National Memory, headed by Volodymyr Vyatrovych, well known in the scientific community for his books denying crimes of OUN-UPA, Ukrainian nationalist paramilitary groups that during WWII fought in Nazi units like the SS Division "Galicia", slaughtering tens of thousands of Poles and Jews. The list of "memory erasure", along with prominent politicians from Russia and Ukraine, include representatives of the European social-democracy and anti-fascist movement such as Karl Liebknecht, Rosa Luxemburg, Wilhelm Pieck, Ernst Thälmann, Georgi Dimitrov and Mate Zalka.

Recently an NGO called “Left March” was denied registration by the Minister of Justice because

Left March is the title of a 1918 poem by Vladimir Mayakovsky.

Finally, Mr. President, the assessment of human rights situation in Crimea should not be included in these reports because it is not pertinent and unnecessary distorts the debate. As it has been said from the outset by the same UN Assistant Secretary-General, Mr. Ivan Simonovic, the objective of the mission is to assess the human rights situation in Ukraine and not to dwell on politics.

*September 29<sup>th</sup>, 2015*



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## GENERAL ASSEMBLY

### Human Rights Council

#### 31<sup>st</sup> Session

#### **Item 10: Technical assistance and capacity-building – Interactive Dialogue on HC oral update on Ukraine**

*Check against delivery*

The International Association of Democratic Lawyers (IADL) recognizes the important role that both the Office of the High Commissioner for Human Rights (OHCHR) and the Human Rights Council can play in the areas of technical assistance and capacity building. In order to effectively contribute in strengthening democracy and the rule of law is nevertheless necessary to offer an accurate and comprehensive overview of the human rights situation in the country seeking assistance, and to strictly adhere to the principles of impartiality, objectivity and non-selectivity which should inform the work of the United Nations.

In the case of Ukraine, the reports presented so far by the OHCHR continue to underestimate or ignore the alarming spread of ultra-nationalism, neo-Nazism, xenophobia, and hate speeches. Members of far-right groups continue to attack with impunity persons belonging to minorities, political opponents and other dissenting voices with severe consequences on the enjoyment of the freedom of peaceful assembly and association, freedom of expression, religion and belief by a large sector of the population.

The banning of three political parties from the participation in the elections or the proceedings aimed to their dissolution deserve much more attention, considering the crucial role they play in ensuring pluralism and the proper functioning of democracy.

Regarding the key issue of the administration of Justice, the reports give much relevance to individual cases such as those involving Nadia Savchenko or Oleh Sentsov and Oleksandr Kolchenko, but there is not mention of the growing attacks against Ukrainian lawyers and judges. Recently, Mr. Yuri Grabovsky, a lawyer representing a Russian citizen persecuted on alleged terrorism charges, has disappeared. Mrs. Oxana Sokolovskaya, who represents the interests of another Russian defendant in the same case, has received numerous threats from unknown persons and came under increasing pressure by the authorities, who finally opened a

criminal proceeding against her. Lawyer Viktor Loyko was killed in his apartment in Kharkiv on 14th of March, 2016. On February 25<sup>th</sup>, lawyer Elena Prjadko and her client – former chief of the Kiev Security Service of Ukraine, were attacked in the courtroom during an hearing by members of the neo-Nazi battalion Azov.

We would like to ask one question to the UN Assistant Secretary General, Mr. Šimonović:

Which kind of technical assistance in the field of human rights and in particularly in the administration of Justice, can provide the OHCHR to Ukraine by reporting on trials held in a third country?

*March 22, 2016*