

U.N. AND U.N.- RELATED ACTIVITIES BULLETIN

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In Consultative Status With ECOSOC and Represented at UNESCO and
UNICEF

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Editor's Note: This U.N. Activities Bulletin is prepared for the Manila Bureau meeting. It was organized close in time to the meeting; hence, reports from Vienna and Geneva will appear in the next issue. Please consult the Calendar in the June issue, for U.N. events through the end of October 2010.

IADL ATTENDS DISCUSSION ON THE DEBT

"An Exit from Debt – The Need for Fair and Transparent Arbitration for Sovereign Debt in Africa and Beyond" New York, 2 August 2010

Report by IADL Intern Jared Lerner

The event was held by the Jubilee USA Network along with the Third World Network. The discussion was led by Jubilee USA Deputy Director Melinda St. Louis and focused on the continuing efforts of the African Forum and Network on Debt and Development, or AFRODAD. Representing AFRODAD at the roundtable discussion was Executive Director Collins Magalasi and Tiri Mutazu who both came from Africa to New York in order to attend the roundtable discussion and several other meetings in the upcoming weeks. The focus and goals of the roundtable discussions were to provide an update on the current progress of AFRODAD's efforts and to introduce and explore any new ideas or strategies, which could help lead to the creation of an international arbitration mechanism.

After brief introductions by each of the groups represented at the event, Tiri and Collins gave presentations that outlined the efforts of AFRODAD over the past ten years and the need for an international arbitration mechanism. This international mechanism would be established in order to settle debts between nations, as well as between nations and private creditors, and would provide greater stability to the international financial infrastructure. AFRODAD has been continuously researching this issue over the past decade, specifically strategies to establish an effective international arbitration mechanism.

Collins and Tiri both recognized that this may take another ten or even twenty years to accomplish, but the issue is too important to ignore. Tiri explained that after analyzing other efforts they've decided not to follow previous examples like the World Bank or UNICEF. Tiri explained how many African nations have benefited from programs like HIPC and MDRI. However, he explained that even though these programs have been beneficial for many countries they still don't resolve the real issue. These programs were started by creditors only after the overwhelming public support started by Jubilee in 2000, which was started to push for worldwide solidarity. However, under these programs even if a country is eligible for debt cancellation and receives it, that country can still be indebted to private creditors. Another example Tiri used was Jamaica, because severe debt has led several countries to submit to the requests of creditors instead of being able to focus on the interests of their own citizens. Tiri explained that "Jamaica pays 66% of its revenue towards paying interest of debt."

Collins then explained that "we have wanted to create a platform where countries can take their grievances, but we haven't been concerned with how it will work, bilateral or multilateral". He explained that a permanent international arbitration mechanism is necessary, because debt and credit will forever be a major aspect of the international financial infrastructure. He then explained that the research they've done was necessary to see what hasn't worked and why it hasn't worked was important, although, the next major steps are going to be much harder than the preliminary research. Collins explained that these next steps are needed to adapt their strategy in order to accomplish their goals.

The roundtable discussions that followed focused on the many obstacles that still face groups like Jubilee, the Third World Network, and AFRODAD. The discussions made it clear that the most important obstacle was the lack of political support that exists for the issue even after the recent international financial crisis. Even with the current global financial crisis and the crises in Greece and Iceland. Collins explained that everyone agrees that

there should be some kind of independent international institution. However, AFRODAD has yet to be able to even garner the backing of the African Union on this issue. Other major issues that were discussed were the UN and the politics that exist there and which UN agencies or apparatus to use to push the issue to the forefront. Collins explained that he understands that there will always be politics at the UN and opponents to this idea, especially due to the pressures from the Paris Club, the IMF, and other major forces. He also explained that a lot of political support would be needed to get this court established, which is why each meeting is so important. Collins explained that the need to adopt a new politically minded strategy is essential. This strategy would need to include who to contact to get behind this issue, including delegates, NGO's, CSO's, UN representatives, and Nations around the world. After garnering enough political support it would then need to be introduced at the right UN Conference. The agreed upon recommendation regarding the UN Conference or event was the UN Conference on Trade and Development. This conference would be the optimal arena for this topic, because it would fall under both trade and development. Also, several members at the meeting informed Tiri and Collins that they would reach out to people and see what kind of feedback they receive regarding political support for the issue.

Following up via email since the CSO roundtable discussion on 2 August 2010 Melinda St. Louis of Jubilee, and Tiri and Collins of AFRODAD have continued to attend meetings with several UN agencies in Washington D.C, G-77 missions, the US Administration, US Congress, World Bank, IMF, G-24, and several other civil society organizations in past few weeks. Also, Jubilee Deputy Director Melinda St. Louis has recommended that anyone interested in getting on the Jubilee USA Networks email list or interested in a copy of documents distributed at the roundtable discussion on 2 August 2010 to contact her at Melinda@jubileeusa.org or you can go to www.afrodad.org

ICTR DEFENCE ISSUES

Professor Peter Erlinder has submitted an update on his case, and a note of thanks to IADL for its support. There is also proposal to continue IADL's opposition to case transfers to Rwanda has been submitted for the Bureau's consideration in Manila. These documents are being circulated separately by the President and Secretary-General.

Alternate Representative Beth Lyons has been focusing on the ICTR prisoner issues. The ICTR Defence Conference Committee is presenting these concerns to the ICTR President and Registrar in the next months. The main issue is the appointment, and compensation of defence attorneys at each detention facility (Arusha, Mali, Benin) for those who have been convicted. Convicted detainees have no absolute right to counsel; a detainee must seek an order from the Appeals Chamber, in order to be appointed an attorney for review of his judgment. In addition, without lawyers or investigators, the detainees have no access to potential exculpatory material (Rule 68) material, which has emerged in later cases at ICTR or in gacaca proceedings in Rwanda, or is still in the possession of the Prosecution and has not been disclosed, despite its ongoing obligations under the Rules. There are now a number of recanting prosecution witnesses, as well as "professional" prosecution witnesses who have testified differently in various ICTR and gacaca cases, which challenge the legitimacy of the judgments. In addition, there is no permanent legal liaison between the detainees and the ICTR or the host country. The convicted detainees continue to face fundamental problems with health services and communications.

Papers detailing these concerns, and written by ICTR prisoners in Arusha, Benin and Mali, are available in French at www.tpirheritagedefense.org.

ICC News

International Justice Day Celebration, 13 July 2010, Association of the Bar, New York

Alternate Representative Beth Lyons attended this event. The speakers included Hon. Patricia O'Brien, Under Secretary-General for Legal Affairs and U.N. Legal Counsel, H.E. Mr. Christian Wenaweser, Permanent Representative of Liechtenstein to the U.N., and President of the ICC Assembly of States Parties and David Tolbert, President, International Center for Transitional Justice. All of the speakers emphasized that the first ICC Review Conference in Kampala marked a qualitative step forward in international justice.

The crime of aggression – particularly its jurisdictional aspects – was a major point of contention and compromise. In summary, the definition adopted is patterned on the language of the 1974 General Assembly Resolution. The compromise lies in the jurisdictional regime. New amendments adopted provide that the ICC will not be able to exercise its jurisdiction over the crime of aggression until a) at least 30 State Parties have ratified or accepted the amendments; and b) a decision is taken by two-thirds of the States Parties to activate the jurisdiction at any time after 1 January 2017. Combined with the existing “opt out” provisions of Article 124 (Rome Treaty), no crime of aggression will be investigated or litigated by the ICC until at least 2017 or later.

Full reports and supporting documents on the decisions of the ICC Review Conference are available at www.iccnw.org, the excellent website of the ICC Coalition. IADL has been a member of the Coalition since the late 1990's.

UPCOMING ASSEMBLY OF STATES PARTIES, U.N. HEADQUARTERS, NEW YORK, 6-10 DECEMBER 2010

General information on the upcoming ASP is available on the ICC website, www.icc-cpi.int. Registration for delegates will likely be at the end of October. If you are interested in attending, please contact the U.N. representatives in New York.

**UPCOMING UN EVENTS & CONFERENCES
NOVEMBER - DECEMBER 2010**

Date(s)	Event	Location
8 – 12 November	WFP, Executive Board, second regular session	Rome
8 – 12 November	UNCTAD, Sixth United Nations Conference to Review all Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices	Geneva
9 – 11 November	Security Council, Governing Council of the United Nations Compensation Commission established pursuant to Security Council resolution 692 (1991), seventieth session	Geneva
9 – 12 November	First Meeting of States Parties to the Convention on Cluster Munitions	Vientiane
15 – 19 November	Committee against Torture, Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, twelfth session	Geneva
16 – 26 November	Human Rights Council, working group on arbitrary detention, fifty-ninth session	Geneva
18 November	Disarmament Commission, organizational session	New York
22 – 23 November	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	Geneva
22 – 26 November	Committee on Economic, Social and Cultural Rights, pre-sessional working group, forty-sixth session	Geneva
22 – 26 November	UNCTAD, Working Party on the Strategic Framework and the Programme Budget, fifty-seventh session	Geneva
22 November – 3 December	Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards in the Field of Racism	Geneva
22 November – 3 December	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, thirteenth session	Geneva
24 November	Twelfth 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	Geneva

24 – 26 November	UNIDO, Industrial Development Board, thirty-eighth session	Vienna
25 – 26 November	Annual meeting of States parties 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	Geneva
29 November	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 – 30 November	UNCTAD, Trade and Development Board, fifty-first executive session	Geneva
29 November – 1 December	IAEA, Board of Governors, Technical Assistance and Cooperation	Vienna
29 November – 2 December	Independent Audit Advisory Committee, twelfth session	New York
29 November – 2 December	UNU, Council, fifty-seventh session	Kuala Lumpur
29 November – 3 December	Conference of the States Parties to the Convention on the Prohibition of Chemical Weapons, fifteenth session	The Hague
29 November – 3 December	FAO, Council, one hundred and fortieth session	Rome
29 November – 3 December	Human Rights Council, Working Group on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, eleventh session	Geneva
29 November – 3 December	States parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, tenth session	Geneva
29 November – 7 December	Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency	Berne
29 November – 7 December	Subcommittee of Experts on the Transport of Dangerous Goods, thirty-eighth session	Geneva
29 November – 10 December	UNFCCC, Conference of the Parties to the Convention, sixteenth session, and meetings of subsidiary bodies	Mexico City
6 – 10 December	Assembly of States Parties	New York