



Welcome to IADL,
International Association of Democratic Lawyers

U.N. ACTIVITIES BULLETIN

INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

In Consultative Status with ECOSOC and Represented at UNESCO and
UNICEF

www.iadllaw.org

September 2012

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REPORT ON U.N. ACTIVITIES IN NEW YORK

CONGRATULATIONS TO HUMAN RIGHTS NOW (HRN)

ECOSOC granted consultative status to HRN in July 2012. HRN, an international organization based in Japan, was founded by former IADL Representative Kazuko Ito and Mari Inoue in 2010. It is committed to achieving, protecting and promoting the human rights of people worldwide, with a special focus on the Asian countries. HRN has lobbied with various countries since early 2011 to attain its status.

IADL's President, and Permanent and Alternate Representatives in New York have offered guidance in this process. HRN's website is <http://hrn.or.jp/eng/activity/area/japan/>.

PRESENTATION BY PRESIDENT JOENSEN OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (ICTR) ON 4 JUNE 2012 AT THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

President Joensen discussed some of the recent legal developments at the ICTR, including the controversial Rule 71*bis*. This rule permits a Trial Chamber, upon the Prosecution's request, to preserve evidence relating to an indictment for future trials in special, closed depositions. This applies whether or not the arrest warrant has been executed. The Accused, who is a fugitive, is not present, cannot instruct the defence attorney. Acknowledging that the ICTR is mandated to prosecute both sides of the conflict, Joensen explained that the RPF has not been prosecuted because the Trial Chamber has not received indictments from the Prosecution; this one-sidedness presents difficulties for reconciliation.

The event was sponsored by the African Affairs Committee and other international committees. Alternate Representative Beth Lyons attended.

SECURITY COUNCIL IMPLEMENTS RESIDUAL MECHANISM

At its June meeting, the SC implemented its previous decision on 22 December 2010, to establish the Residual Mechanism for the Criminal Tribunals. This mechanism, which went into effect on 1 July 2012, is governed by Statute (available in Press Release SC/10141, 22 December 2010). Its President is Judge Theodor Meron, who is also the ICTY President. The remaining tasks of the Tribunals will be transferred to the Residual Mechanism. The ICTR is scheduled to complete all judicial work by the end of 2014. At least five cases had been transferred under Rule 11*bis* to Rwanda, as well as cases of suspects. Three cases of fugitives (Kabuga, Mpiranya and Bizimana) for whom evidence was preserved under Rule 71*bis*, are slated for trial by the Residual Mechanism upon their arrest. The ICTY may continue its trials beyond the completion date of December 2014. The Arusha branch of the RM opened on 1 July 2012 and also houses the Archives.

President Joenson emphasized the importance of finding countries to accept those persons who have been acquitted, or have completed their sentences. These individuals are now living in “safe-houses” in Arusha. A number of SC members supported the urgency of the request to re-locate acquitted persons.

In contrast to prior meetings, the remarks of the Rwandan representative, Mr. Gasana, were measured and did not include attacks on defence counsel. No doubt the reason is the recent legal

victories transferring cases to Rwanda. By the end of June, eight cases of apprehended Accused and fugitives were transferred to Rwanda for trial. In addition, the representative re-iterated Rwanda’s request to relocate the Archives to Kigali. The provisional minutes of the meeting are available at www.un.org under Security Council (Meetings); document S/PV.6782. Alternate Representative Beth Lyons attended the meeting.

IADL PRESIDENT CALLS FOR THE IMMEDIATE RELEASE OF THE FOUR ICC STAFF MEMBERS HELD IN LIBYA

IADL President Jeanne Mirer, in a letter dated 11 June 2012, called on the Libyan government to ensure that the privileges and immunities of the ICC staff members, including one Defence attorney, who were on a visit, ordered by the ICC and arranged with the Public Prosecutor, to Saif Al-Islam Gaddafi, to be respected.

The delegation of four was detained on 9 June, and subsequently released on 2 July 2012, after pressure from the U.N. as well as bar associations, diplomatic efforts involving Ambassadors from the countries of the detained persons – Australia, Spain, Russia and Lebanon and at the end, an apology in Libya from the ICC President and a promise from the ICC to investigate the incident.

According to the press, Melinda Taylor, the defence attorney, is accused of spying and breaching state security. It was unclear, at the time of the release, whether she would have to return to Libya to face charges.

This incident calls to mind the Peter Erlinder case in Rwanda and the need to ensure the internationally guaranteed rights of attorneys, especially Defence counsel. In the Libya case, however, the governments of the detainees and the UN Security Council aggressively lobbied for their release.

IADL BUREAU MEMBER MARIO JOSEPH ADDRESSES MEETING ON HAITI AT THE U.N. CHURCH CENTRE ON 9 APRIL 2012

Haiti: Law in the Time of Cholera: UN Peacekeeping, Cholera and Human Rights focused on the criminal negligence and responsibility of the U.N. in triggering the cholera epidemic which has infected at least half a million Haitians and killed more than 7,000 since October 2010.

The event was organized by Global Policy Forum and Institute for Justice and Democracy in Haiti (IJDH). It was co-sponsored by Center for Constitutional Rights, IADL, Mennonite Central Committee, Presbyterian Ministry at the U.N. and United Methodist Women. Other speakers included Brian Concannon, Jr., Director of IJDH and an NLG member; Mario Joseph, Bureau des Avocats Internationaux and IADL Bureau Member, Dr. Evan Lyon, M.D., expert on cholera in Haiti and Abby Goldberg, New Media Advocacy Project.

Joseph represents some 5000 cholera victims and families who have petitioned the U.N. for accountability and compensation for the cholera

introduced by U.N. peacekeepers (see Annex). He explained the U.N.'s failure to set up a claims commission, as required by the SOFA between the U.N. and Haiti, and the future plans to file suit in either Haiti, the U.S. or Europe, if the U.N. continued not to respond.

Dr. Lyon traced the cholera outbreak in Haiti to Nepali peacekeeping troops stationed there, and emphasized the need for clean water infrastructure to be installed in the country. Goldberg presented a brief media spot detailing the outbreak of cholera in Haiti and the legal case against the UN, and urged those present to disseminate it as widely as possible.

IADL Alternate Representative Beth Lyons and IADL intern Christopher Roberts attended

CIVIL SOCIETY DISCUSSES HUMAN RIGHT TO PEACE, 22 MARCH 2012

The **Civil Society Consultation on the Human Right to Peace**, co-organized by the Spanish Association on International Human Rights Law, the International Observatory of the Human Right to Peace, the World Council of Churches, and the Institute for Global Leadership, provided a forum for discussion and recommendations on the Human Rights Council Advisory Committee draft declaration on the right to peace. Constituents debated whether to encourage the Advisory Committee to adopt a stronger declaration or to allow some dilution to increase the chances that the declaration would be adopted, with the majority of speakers pushing for a stronger declaration. Alternate

Representative Claire Gilchrist attended the meeting.

**55TH SESSION OF THE
COMMISSION ON THE STATUS
OF WOMEN, 22 FEBRUARY – 4
MARCH 2012 AT U.N.
HEADQUARTERS**

This year the CSW focused on the empowerment of rural women and their role in poverty and hunger eradication and developmental challenges. The main themes expressed in the discussion involved access to water, education, healthcare, and banking, availability of micro-loans, reduction in violence against women, and improving land rights.

Delegations described different ways in which their countries have made strides to improve the status of women, specific methods of implementation of these policies, and areas that still require attention. The delegation of Burundi announced that since 2005 the country offers free education to women, is currently establishing a free healthcare system, provides microloans for rural women, and has increased the presence of women in government to the present rate of 30%. However, the delegation expressed that women still have problems accessing banking and other institutions. The delegation of Rwanda explained that land titles are now registered to husband and wife and the names of children are also included in the legal registry to ensure inheritance. In Rwanda land titles may also be used as collateral for loans. Bolivia also described how married women are included on land titles to guarantee inheritance. Additionally, Bolivia described programs to assist agricultural

production such as loans for quinoa growers (a grain like seed that is a pillar of the Bolivian diet).

Many delegations expressed the need for more research on differentials of land ownership, access to banking, markets and government positions in order to better address the issues that rural women encounter. The discussion on the role of rural women will also be an important topic at the upcoming Conference on Sustainable Development in Rio de Janeiro.

**CSW 55: Panel Discussion on“Rural
Empowerment through Modern Consensus
Building Strategies”**

This discussion was hosted by Lawyers Without Borders in conjunction with a team of lawyers from Shearman and Sterling, LLP. Using an allegory from the children’s book *Click, Clack, Moo*, the panel discussed four critical mediation skills, including (1) interests and position; (2) active listening; (3) leveraging and coalition building; and (4) neutrality in mediation. The story of farm animals building a coalition to leverage for improved working conditions proved a perfect segue into real word examples of successful mediations.

The panelists spoke about coalition building during the August Meeting in eastern Nigeria, an annual event among women that often addresses and seeks resolution of issues of importance to women in local communities. At one meeting, attendees sought to address widowhood practices that led to gender-based violence against widows. Attendees understood that women were pivotal in maintaining widowhood practices and wanted to end

violence against women by women. They sought outspoken male leaders to join their coalition as champions of widowhood practice reform. By conferring titles to these men within their organization, they won them to their cause and together were able to work toward meaningful reform. The compromises made during this period were enshrined into law and significantly improved the status of widows in the region. The story of successes during the August Meeting demonstrates how seeking alliances with key constituencies can create powerful coalitions that catalyze meaningful reform in rural communities.

However, not all of the panel's real world examples ended happily. In discussing the importance of an impartial mediator, the panel described instances in Kisii, Kenya in which the traditional method of seeking elders as mediators led to bias and corruption. Because those seeking mediation paid what they could to elders in exchange for their services, solicitors with more money secured results in their favor, thus undermining any system of fairness and justice.

Responses to the workshop were positive. Those present appreciated the use of allegory and interactive presentation to convey the importance of mediation skills in overcoming issues that plague communities.

IADL interns Emily Freeborn and Jessica Rofé attended these events.

REPORTS ON RIO+20 ACTIVITIES

Preparatory Meeting for the United Nations Conference on Sustainable Development, 21 March 2012

This meeting presented an opportunity for states to negotiate the text of the Zero Draft Outcome Document concerning sustainable development before the Rio +20 Conference on 20-22 June 2012 in Brazil.

The themes of the document include poverty eradication, rural development, gender equality, education, food security, and social inclusion. The general consensus was that the language used should focus on action and implementation instead of overall general principles.

Much of the discussion involved clarifying key terms like "sustainable" and "green economy," as well as ensuring that the document addressed methods for creating sustainable economies. Representatives also discussed the economic implications of adopting sustainable measures and the infrastructural frameworks necessary to make this kind of development possible.

Repetitiveness was a main concern of many delegations, which resulted in consolidation of numerous sections. The nuances of language, for example, "we commit to the following" versus "we support the following" were also debated. Lastly, deciding whether or not to include language focusing on specific groups of people was a point of contention; such as whether to point out the needs of Sub-Saharan Africa in the section on poverty eradication.

IADL interns Emily Freeborn and Jessica Rofé attended the Preparatory Meeting.

“RIO minus 20: A CALL FOR GLOBAL GRASSROOTS ACTION”

IADL was represented by Andrew Reid, Esq. who also represented the NLG at the Rio+20 and People’s Summit.

The United Nations Conference on Sustainable Development, also known as Rio+20, was held in Rio de Janeiro, Brazil from June 13 to June 22. The Conference was a 20-year follow-up to the historic 1992 Earth Summit which resulted in landmark treaties on the environment including the Rio Declaration on Environment and Development, Agenda 21, and the Convention on Biological Diversity. However, rather than extending the gains made at the Earth Summit, Rio+20 has been widely condemned as an abject failure and a missed lifetime opportunity. Although attended by some 190 heads of state and dignitaries and more than 50,000 people from over 180 nations, the developed nations at the Conference abandoned their responsibilities and forced their regressive report, “The Future We Want,” upon the body, ignoring the years of efforts by the 13,000 participating NGOs. . . Andrew’s full report appears in the Annex.

11TH SESSION OF THE PERMANENT FORUM ON INDIGENOUS ISSUES, 7 - 18 MAY 2012, NEW YORK

The lively conference filled with the vibrant colors and textures of traditional indigenous attire focused on concerns unique to indigenous peoples throughout the world such as limited access to the political and economic process, vulnerability to poverty, land

displacement, and environmental disasters, etc. Delegations including Mexico and Guatemala expressed the need for indigenous peoples to have more rights with regard to land displacement advocating for rights to approve any land displacements and to allow for return to indigenous lands where appropriate. In addition to the focus on land rights other concerns expressed include rights to food and food sovereignty, education, and improving representation in government. Education was a large focus due to the higher illiteracy rates within many indigenous populations and education is viewed as an essential pipeline to increase involvement in the political process and to increase economic progress.

IADL intern Emily Freeborn attended the forum on 14 May.

ICC NEWS

PAN-AFRICAN DELEGATION TO THE ICC, 18 JUNE 2012

As a follow-up to the International People’s Tribunal on War Crimes and Violations of International Law held in January 2012 at Columbia University School of Law, in New York, the delegation delivered a petition to the ICC Prosecutor, Ms. Bensouda, on 18 June 2012. The petition demanded that the ICC prosecute the U.S., Britain, France, Italy Canada and NATO for war crimes and crimes against humanity committed in Libya, Haiti, Ivory Coast, and the U.S.

The Pan-African delegation was led by the International Association Against Torture (IAAT) and the

December 12th Movement International Secretariat.

A conference, “**International Criminal Court: Ending NATO’s Immunity for War Crimes and Crimes Against Humanity in Africa and Its Diaspora,**” was held at Erasmus University in The Hague, following the petition’s presentation. Conference issues included: Is the ICC a weapon in a Western campaign to recolonize Africa and the African people? Do NATO’s “peacekeepers” have immunity for war crimes and other violations of international law? An African Perspective on the ICC, global justice and the media’s role.

Conference speakers included Roger Wareham, International Secretary-General for IAAT; Minister Akbar Muhammad, international affairs specialist, Nation of Islam; David Comissiong, President of the Clement Payne Movement; Mireille Fanon-Mendes, President of the Frantz Fanon Foundation and member of the U.N. Working Group of Experts on People of African Descent; and Richard Harvey, international legal specialist and IADL member. (conference flyer in Annex)

Permanent Representative to the U.N. Lennox Hinds, who served as the Presiding Judge of the International People’s Tribunal, facilitated the delegation’s activities in The Hague.

UPCOMING ACTIVITIES

The 11th Session of the Assembly of States Parties (ASP) will be held in The Hague, 14-22 November 2012. The deadline for registration is 24 October 2012.

If you are interested in attending the ASP on behalf of IADL, please contact the New York office no later than 13 October 2012.

LECTURE BY SOUTH AFRICAN MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT, 19 JULY 2012, AT THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

His Excellency, Mr. Jeffrey Radebe outlined the main principles governing the evolution of the South African Constitution and the transformation of the judiciary since 1994. He emphasized judicial independence, access to legal services, gender equality. Approximately 600-650 petitions are submitted to the Constitutional Court each year. He emphasized that moves for African regional courts, such as ACPHR, to include criminal jurisdiction, should not diminish the role of the ICC.

Alternate Representative Beth Lyons attended the lecture.

OTHER ACTIVITIES

IADL Alternate Representative Claire Gilchrist assisted in training and logistics for interns during this period. IADL Alternate Representative Beth Lyons has started recruiting additional interns for the new school year starting September 2012.

REPORT ON U.N. ACTIVITIES IN VIENNA

CONGRATULATIONS ON THE RE- BIRTH OF THE IADL *REVIEW OF CONTEMPORARY LAW*

The first issue of the new series of the *IADL Review*, edited by Permanent Representative Evelyn Durmayer, has been produced and will soon be available on the IADL website. The *Review's* Cover and Table of Contents are in the Annex.

The *Review* focuses on the **IADL Conference on the 60th Anniversary of the Stockholm Appeal**, which was held in Paris in June 2010. The issue includes an historical recollection of the daughter of Frederic Joliot Curie, the French physicist who initiated the Appeal, calling for a ban on nuclear weapons, as well as articles on the World Peace Council, which released the Appeal and the struggle to prohibit nuclear weapons and promote general disarmament.

The second issue of the *Review*, **Lawyering for the People**, is being prepared. The third issue will concentrate on military bases.

Please send any questions and contributions to the Editor.

VIENNA ALLIANCE OF NGOS ON CRIME PREVENTION AND CRIMINAL JUSTICE, 23 AUGUST 2012

The meeting discussed preparations for the upcoming 6th Session of the Conference of the Parties to the U.N. Convention Against

Transnational Organized Crime (CTOC/COP), which will take place in Vienna, 15-19 October 2012.

Side events on small arms, victims of organized crime and NGO participation in U.N. treaty monitoring systems are currently planned. Other topics may include issues related to the implementation of the Trafficking Protocol.

IADL Permanent Representative Evelyn Durmayer participated in the meeting.

21ST COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE

IADL Permanent Representative Evelyn Durmayer, and IADL colleagues from Belgium, Great Britain and Japan, participated in **Violence Against Migrant Woman and Children in Prison and Detention**, sponsored by the NGO Committee on the Status of Women, held on 27 April in Vienna (announcement in Annex). This was a side-event during the 21st Commission on Crime Prevention and Criminal Justice. IADL Alternate Representative Lilian Hofmeister arranged an evening discussion with experts on the topic of quotas for women.

Evelyn Durmayer and Lilian Hofmeister, representing the NGO Committee on the Status of Women and the IADL, also met with the South African Ambassador in Vienna, His Excellency Mr. X.M. Mabhongo, who agreed to assist in one of the NGO Committee meetings later this year.

REPORT ON U.N. ACTIVITIES IN GENEVA

IADL has increased its visibility at the Human Rights Council under the leadership of Permanent Representative Micol Savia, working with colleagues from JALISA, AAJ and other IADL associations and friends. Below are reports from the **20th Session of the Human Rights Council** in June 2012. Attachments listed are found in the Annex.

AGENT ORANGE

IADL's main activity during the 20th session of the HRC has been Agent Orange. IADL submitted a written statement on "the right to health for the Vietnamese victims of Agent Orange" (attachment n. 2), mainly based on the results of the International People's Tribunal of Conscience held in Paris in 2009.

IADL also delivered an oral statement during the General Debate under Item 4, calling the attention of the Council to this very important issue (attachment n. 3).

On June 26, IADL organized a side event at the Palais des Nations on the Vietnamese victims of Agent Orange. VAVA President, General Nguyen Van Rinh and External Affairs Director Mr. Nguyen Minh Y traveled to Geneva, and were introduced at the side event (attachment n. 4). IADL President Jeanne Mirer also spoke. IADL President Emeritus Jitendra Sharma was on the program but could not attend.

On June 26, at a community meeting co-sponsored by CETIM, both Vietnamese leaders gave presentations; the meeting was well-attended by representatives of the social movements in Geneva (attachment n. 5). IADL is grateful to CETIM for its support.

Permanent Representative Micol Savia met with the Special Rapporteur on the Human Right to Health, and discussed the Agent Orange work. The Rapporteur suggested that IADL also meet with the Special Rapporteurs on Transnational Corporations and Human Rights, and on Chemical Waste.

EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS

The Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, presented his annual report (A/HRC/20/22) to the HRC. This year, the thematic section of the report focused on the right to life of journalists "who play a crucial role in ensuring a society that takes informed decisions" and who are "killed at an alarming rate by State and non-State actors."

The Special Rapporteur highlighted "that two thirds of the deaths of journalists occur outside armed conflict" and that "the most common profile of a journalist killed is that of a local as opposed to foreign correspondent, covering political or corruption issues for a local newspaper or a radio station." Mr. Heyns called attention to the fact that "impunity is a major, if not the main, cause of the high number of journalists killed every year."

The Special Rapporteur also presented three follow-up reports on country visits, which have been in place since 2006, specifically in the Democratic Republic of the Congo, Colombia and the United States of America.

The follow-up report on the mission to the U.S. analyzed steps taken by the U. S. in implementing the recommendations made by the former Special Rapporteur following his visit to the country in 2008. Mr. Heyns underlined that no significant improvement has been made in three priority areas: due process in the imposition of the death penalty; transparency in law enforcement, military and intelligence operations; and accountability for potentially unlawful deaths in the Government's international operations.

In particular, he expressed serious concerns about the practice of targeted killings operations. Mr. Heyns "like his predecessor, is seriously concerned that the practice of targeted killing [as justified by the United States] could set a dangerous precedent, in that any Government could, under the cover of counter-terrorism imperatives, decide to target and kill an individual on the territory of any State if it considers that said individual constitutes a threat."

IADL, together with the American Association of Jurists (AAJ), submitted a written statement to support and elaborate on the findings of the Special Rapporteur regarding U.S. targeted killings policy. IADL, recalling that it has opposed target killing policy for many years and that in 2005 IADL

lawyers filed an *amicus* brief with the Israeli Supreme Court addressing Israel's policy of target killings, agreed that "this precedent is not only dangerous but also, the claimed right by any country, especially a country like the United States with its massive military might, to target a person for death based on a suspicion of terrorism undermines international law most particularly International Human Rights law." IADL and AAJ called on the international community to heed the Special Rapporteur's warning regarding the dangerous precedent and end targeted killing. (attachment n. 6).

On June 21, the American Civil Liberties Union (ACLU) organized a side event on "Human rights in the United States of America: Extra-judicial executions." The Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on human rights and counter-terrorism participated in the meeting. Both experts expressed their intention to work on this very important issue during the forthcoming years. IADL Permanent Representative Micol Savia attended the side event.

VIOLENCE AGAINST WOMEN

The Special Rapporteur on violence against women, Mrs. Rashida Manjoo, presented her report on the country visit she made to Italy. During her visit, our colleagues of the Italian Association of Democratic lawyers (Giuristi Democratici), and in particular Barbara Spinelli, actively participated in her work and provided lots of information.

Giuristi Democratici (GD) is an

active members of the CSO Italian platform “30 YEARS CEDAW: Work in Progress,” a network of organizations and experts engaged on women’s rights which has a formal dialogue with the Italian Institutions. GD coordinated the CSO Platform for the drafting and the presentation of the first Italian Shadow Report in the 49th CEDAW session in 2011 in N.Y. to the U.N. CEDAW Committee. GD, jointly with the CSO Platform, started a campaign to raise awareness among women of their rights and to train institutions and professionals for the application of CEDAW and to use national and international procedures to prevent femicide and to protect women’s rights.

IADL intervened in the Interactive Dialogue with the Special Rapporteur and delivered an oral statement on the grave question of femicide in Italy (attachment n. 7) urging the Italian government to fully implement the recommendations made by the Mandate holder. IADL also submitted a written statement on the same subject (attachment n. 8).

On June 25, IADL, together with other associations working in the field, co-sponsored a side event on **Violence Against Women**. Barbara Spinelli intervened in the panel, speaking about femicide in Italy and Europe (attachment n. 9).

IADL President, Jeanne Mirer, had a long talk with Barbara Spinelli and discussed the possibility of creating a Working Group on gender issues within IADL. Barbara Spinelli indicated her total availability to work on the subject.

CHOLERA EPIDEMIC IN HAITI

IADL submitted a written statement on the cholera epidemic in Haiti (attachment n. 10). In this statement, IADL “requested the Human Rights Council to consider recommending:

- expand the mandate of the Special Rapporteur on Human Rights in Haiti to be able to include the issue of the origin of the cholera epidemic;
- but nonetheless, the United Nations ensure that any victim of cholera in Haiti is provided an effective mechanism for enforcing his or her rights to compensation, including access to a Standing Claims Commission or national court system, and
- the United Nations respect the Haitian people’s recognized human right to water by providing the comprehensive clean water and sanitation infrastructure necessary to control the cholera epidemic.”

IADL supports the case filed by the Bureau des Avocats Internationaux and the Institute for Justice and Democracy in Haiti on behalf of 5000 victims of cholera in Haiti.

The Independent Expert on the situation of human rights in Haiti, in his report, underlined that “At the end of 2011, almost 514,000 cases of cholera had been registered and just over 6,900 persons had died since the beginning of the epidemic.”

On the origins of the epidemic, the Mandate holder affirmed that: “The public controversy over who was

responsible for introducing the strain of cholera to Haiti is growing. Complaints registered by the families of victims are increasing, and the number of persons who request certificates of cholera infection at health-care establishments is constantly rising. The Independent Expert has neither the authority nor the mandate to offer an opinion on the origin of the disease. However, he wishes to point out that silence or denial will do nothing to promote a good understanding of the activities of MINUSTAH in a context marked by several distressing episodes of sexual assault in which MINUSTAH military personnel have allegedly been implicated.”

MALVINAS ISLANDS

IADL co-sponsored an oral intervention with AAJ expressing serious concerns about the U.K.’s constant refusal to dialogue over the Malvinas Islands and the growing militarization of the area. In particular, the two associations called the attention of the Council to the continuous oil exploration activity in the Argentine continental shelf, authorized unilaterally by the U.K., in clear violation of Argentina’s territorial integrity and sovereignty and of several U.N. resolutions (attachment n. 11).

HUMAN RIGHT TO PEACE

During the 20th session of the HRC, IADL continued its work on the Human Right to Peace. IADL, together with the American Association of Jurists (AAJ), submitted a written statement welcoming the work of the Advisory Committee on the codification of the

human right to peace and recalling that peace is the primary goal of the United Nations. IADL and AAJ urged Members States to carefully consider the Advisory Committee Draft Declaration and to engage, without delay, in a transparent and open process, involving the civil society, toward the adoption of a Declaration on right to peace (attachment n. 12) .

IADL delivered, as well, an oral statement on the issue during the General Debate under Item 5 (attachment n. 13). On this subject IADL cooperated closely with the Spanish Society for International Human Rights Law and with our colleagues from the Japanese Sssociation of Democratic Lawyers (JALISA). IADL Permanent Representative Micol Savia participated in the informal meetings convened during the session by Cuba, as a sponsor Member State, on the draft resolution on Right to Peace.

On 5 July 2012, the HRC adopted the resolution “Promotion on the Right to Peace” which established an intergovernmental working group mandated to negotiate a draft U.N. declaration on the right to peace. Support for the resolution came from 34 African, Caribbean and Asian States. The Western and Eastern European States abstained (12). The United States cast the sole vote against the resolution. The first working group meeting will be held before the March 2013 HRC session in Geneva.

CUBAN FIVE NEWS

The U.N. Special Rapporteur on the Independence of Judges and Attorneys, Ms. Gabriela Knaul,

expressed her concern about the “supposed lack of access to all available evidence and documentary records” and the fact that the *habeas corpus* appeals filed by the Defendants might be considered “by the same justice previously in charge of the cases.” She warned of the implications of this on an “impartial outcome” of the judicial process. These concerns were communicated in a letter to American authorities. The letter is included in her Report to the 20th Session of the HRC, and is included in the Communications section.

IADL MOURNS THE PASSING OF PROFESSOR CARLOS VARGAS PIZARRO, A STALWART FIGHTER FOR THE HUMAN RIGHT TO PEACE, ON 12 AUGUST 2012 IN COSTA RICA

LEGAL VICTORY FOR RIGHT TO PEACE IN COSTA RICA CASE

On 3 August 2012, Costa Rica’s Supreme Court, rejecting the challenge by the Attorney General, affirmed the Administrative Tribunal’s declaration in 2011 that former President Arias’ “forbidden weapons” Decree was illegal. The annulled Decree authorized any police chief in Costa Rica to deploy heavy weapons with no declaration of a state of emergency, even in peaceful demonstrations. Congratulations to IADL member Luis Roberto Zamora Bolanos on this legal victory!

The IADL *U.N. Activities Bulletin* is prepared under the direction of the Permanent Representative to the U.N. in New York, Prof. Lennox S. Hinds. This issue was edited by Beth Lyons, and formatted by Emily Freeborn, with assistance from Claire Gilchrist. Reports were contributed by Evelyn Durmayer, Emily Freeborn, Claire Gilchrist, Beth Lyons, Jeanne Mirer, Andrew Reid, Christopher Roberts, Jessica Rofe and Micol Savia.

UPCOMING UN EVENTS & CONFERENCES

September – December 2012

September 2012

- | | | |
|--|----------|---------------------------|
| -UNCTAD, Working Party on the Strategic Framework and the Programme Budget, sixty-second session (Technical Cooperation) | Geneva | 3 - 5 September |
| -Advisory Committee on Administrative and Budgetary Questions | New York | 4 September - 14 December |
| -Committee on Conferences, substantive session | New York | 4 - 10 September |
| -Executive Board of UNDP/UNFPA/UNOPS, second regular session | New York | 4 - 10 September |
| -States Parties to the International Covenant on Civil and Political Rights, thirty-second meeting | New York | 6 September |
| -Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, | Geneva | 10 - 14 September |

seventeenth session			
.Human Rights Council, twenty-first session	Geneva	10 - 28 September	
.IAEA, Board of Governors	Vienna	10 - 14 September	
.States Parties to the Convention on Cluster Munitions, third meeting	Oslo	11 - 14 September	
.UNESCO, Executive Board, 190th session	Paris	11 - 28 September	
.UNICEF, Executive Board, second regular session	New York	11 - 14 September	
.Conference of the States Parties to the Convention on the Rights of Persons with Disabilities, fifth session	New York	12 - 14 September	
.Committee on the Rights of Persons with Disabilities, eighth session	Geneva	17 - 28 September	
.Committee on the Rights of the Child, sixty-first session	Geneva	17 September - 5 October	
.IAEA, General Conference, fifty-sixth session	Vienna	17 - 21 September	
.ICAO, Committee, one hundred and ninety-seventh session	Montreal	17 September - 5 October	
.UNCTAD, Trade and Development Board, fifty-ninth session	Geneva	17 - 28 September	
.General Assembly, sixty-seventh session**	New York	18 September - December	
.IFAD, Executive Board, one hundred and sixth session	Rome	20 - 21 September	
.High-level meeting of the General Assembly on the rule of law at the national and international levels	New York	24 September	
.IAEA, Board of Governors	Vienna	24 September	
.Committee on the Elimination of Discrimination against Women, Working Group on Communications under the Optional Protocol to the Convention, twenty-fourth session	Geneva	25 - 28 September	
.Comprehensive Nuclear-Test-Ban Treaty Organization, Working Group A, forty-second session	Vienna	26 - 28 September	
.UNEP, Committee of Permanent Representatives, one hundred and twentieth meeting	Nairobi	26 September	
.UNRWA, Advisory Commission (1 day)	Amman	September	
.UNESCO, General Conference	Paris	September/October	
October 2012			
.Commission on Narcotic Drugs, Heads of national drug law enforcement agencies, Latin America and Caribbean region, twenty-second session	Santiago or a capital in the region	1 - 5 October	
.Committee on the Elimination of Discrimination against Women, fifty-third session	Geneva	1 - 19 October	
.Human Rights Council, intersessional forum on economic, social and cultural rights (Social Forum), fifth session	Geneva	1 - 3 October	
.UNCITRAL, Working Group II (Arbitration and Conciliation), fifty-seventh session	Vienna	1 - 5 October	
.UNHCR, Executive Committee, sixty-third session	Geneva	1 - 5 October	
.United Nations Staff Pension Committee	New York	1 October	
.WIPO, Assemblies of Member States	Geneva	1 - 9 October	
.Working Group on Discrimination Against Women in Law and in Practice, Fifth session	Geneva	1 - 5 October	
.Committee on the Rights of the Child, pre-sessional	Geneva	8 - 12 October	

working group, sixty-second session		
- Human Rights Committee, pre-sessional Working Group on Communications, one hundred and sixth session	Geneva	8 - 12 October
- Human Rights Council, Intergovernmental Working Group on Effective Implementation of the Durban Declaration and Programme of Action, tenth session	Geneva	8 - 19 October
- Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, forty-seventh session	New York	12 October
- Boards of Governors of the World Bank Group and the International Monetary Fund, annual meeting	Washington D.C.	12 - 14 October
- Committee of Experts on International Cooperation in Tax Matters, eighth session	Geneva	15 - 19 October
- Conference of the Parties to the United Nations Convention against Transnational Organized Crime, sixth session	Vienna	15 - 19 October
- Human Rights Committee, one hundred and sixth session	Geneva	15 October - 2 November
- United Nations Voluntary Fund for Victims of Torture, Board of Trustees, thirty-sixth session	Geneva	15 - 19 October
- Committee on the Elimination of Discrimination against Women, pre-sessional working group	Geneva	22 - 25 October
- Comprehensive Nuclear-Test-Ban Treaty Organization, Preparatory Commission, thirty-ninth session	Vienna	22 - 24 October
- Human Rights Council, Working Group on the Universal Periodic Review, fourteenth session	Geneva	22 October - 5 November
- Committee of Permanent Representatives to UN-Habitat, forty-sixth meeting	Nairobi	24 October
- States Parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, fourth meeting	Geneva	25 October
- Commission on Narcotic Drugs, Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, thirty-sixth session	Bangkok	29 October - 2 November
- Committee against Torture, forty-ninth session	Geneva	29 October - 23 November
- ICAO, Council, one hundred and ninety-seventh session	Montreal	29 October - 16 November
- Nineteenth United Nations Regional Cartographic Conference for Asia and the Pacific	Bangkok	29 October - 2 November
- UNCITRAL, Working Group IV (Electronic Commerce), forty-sixth session	Vienna	29 October - 2 November
November 2012		
- ILO, Governing Body and its committees, three hundred and sixteenth session	Geneva	1 - 16 November
- United Nations System Chief Executives Board for Coordination, second regular session	New York	2 November
- Commission on Crime Prevention and Criminal Justice, Expert Group meeting on Cybercrime, second session	Vienna	5 - 7 November
- Committee on Enforced Disappearances, third session	Geneva	5 - 9 November
- IMO, Council, one hundred and ninth session	London	5 - 9

.Investments Committee**	New York	November 5 November
.UNCITRAL, Working Group VI (Security Interests), twenty-second session	Vienna	5 - 9 November
.WFP, Executive Board, second regular session	Rome	5 - 9 November
.Committee against Torture, Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, eighteenth session	Geneva	12 - 16 November
.Committee on Economic, Social and Cultural Rights, forty-ninth session	Geneva	12 - 30 November
.Group of Governmental Experts to review the operation and further development of the Register of Conventional Arms, first session	Geneva	12 - 16 November
.Sixth 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	12 - 13 November
.UNCTAD, Trade and Development Commission, fourth session	Geneva	12 - 16 November
.United Nations Pledging Conference for Development Activities	New York	12 November
.Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group of the United Nations Convention against Corruption, resumed third session	Vienna	14 - 16 November
.Fourteenth 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	14 November
.Human Rights Council, Working Group on Arbitrary Detention, sixty-fifth session	Geneva	14 - 23 November
.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, annual meeting	Geneva	15 - 16 November
.Commission on Narcotic Drugs, Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East, forty-seventh session	A capital in the region	19 - 23 November
.UNCTAD, Working Party on the Strategic Framework and the Programme Budget, sixty-third session	Geneva	19 - 23 November
.UNIDO, Industrial Development Board, fortieth session	Vienna	20 - 22 November
.Conference of the States Parties to the Convention on the Prohibition of Chemical Weapons, seventeenth session	The Hague	26 - 30 November
December 2012		
.Committee on Economic, Social and Cultural Rights, pre-sessional working group, fiftieth session	Geneva	3 - 7 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, seventeenth session	Geneva	3 - 7 December
.States parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti personnel Mines and on Their Destruction, twelfth session	Place to be determined	3 - 7 December
.Subcommittee of Experts on the Transport of Dangerous Goods, forty-second session	Geneva	3 - 11 December

.UNCITRAL, Working Group I (Procurement), twenty-second session	Vienna	3 - 7 December
.United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, Board of Trustees, seventeenth session	Geneva	3 - 7 December
.Ad Hoc Committee of the General Assembly for the Announcement of Voluntary Contributions to UNRWA	New York	4 December
.Human Rights Council, Forum on Business and Human Rights	Geneva	4 - 5 December
.Commission on Crime Prevention and Criminal Justice, reconvened twenty-first session	Vienna	7 December
.Commission on Narcotic Drugs, reconvened fifty-fifth session	Vienna	7 December
.IFAD, Executive Board, one hundred and seventh session	Rome	10 - 14 December
.Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction	Geneva	10 - 14 December
.UNCITRAL, Working Group III (Online Dispute Resolution), twenty-sixth session	Vienna	10 - 14 December
.United Nations Board of Auditors, forty-second special session**	New York	10 - 11 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	Geneva	11 December
.Independent Audit Advisory Committee, twentieth session**	New York	12 - 14 December
.Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals, twenty-fourth session	Geneva	12 - 14 December
.UNEP, Committee of Permanent Representatives, one hundred and twenty-first meeting	Nairobi	13 December
.Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labeling of Chemicals, sixth session	Geneva	14 December
.States Parties to the Convention on the Rights of the Child, fourteenth meeting**	New York	18 December
.Committee of Permanent Representatives to UN-Habitat, forty-seventh meeting	Nairobi	19 December

ANNEXES

(number of pages in parentheses)

U.N. Activities in New York

- IADL Letter from President Mirer for Release of ICC Staff Members (1)
- Petition for Relief on behalf of Haitian Petitioners (3)
- Full Reports from Rio 20+ and CSW (5)

U.N. Activities in Vienna

- IADL *International Review of Contemporary Law*, Cover and Table of Contents (2)
- Side event on Violence against Migrant Women and Children (1)

U.N. Activities in Geneva

- Report of IADL Permanent Representative in Geneva to Bureau (4)
- IADL written statement on Agent Orange (4)
- IADL oral intervention on Agent Orange (3)
- IADL side-event on Agent Orange at Palais des Nations (1)
- IADL/ CETIM community meeting on Agent Orange (1)
- IADL written statement on Target Killings (4)
- IADL oral intervention on Femicide (1)
- IADL written statement on Femicide in Italy (4)
- IADL/GD/other organizations side event on Violence against Women (2)
- IADL on Cholera Epidemic in Haiti (3)
- IADL/AAJ oral intervention on Malvinas Islands (2)
- IADL/AAJ written statement on Right to Peace (4)
- IADL oral intervention on Right to Peace (2)

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Announcement for African-American International Conference on the ICC (1)