

GENEVA FOR HUMAN RIGHTS Global Training

GENEVE POUR LES DROITS DE L'HOMME
Formation Internationale

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GENEVA FOR HUMAN RIGHTS

Geneva for Human Rights - Global Training (GHR) is an International **training** Association under Swiss law (in conformity with articles 60 *et al.* of the Swiss Civil Code). It obtained tax exemption status from the State of Geneva and Consultative Status with the Economic and Social Council of the United Nations (*ECOSOC*). Its Secretariat is based in Geneva.

Our Vision

The international community adopted numerous human rights declarations and conventions and dozens of monitoring mechanisms and procedures. On the spot, victims, witnesses, human rights organisations and defenders work difficult conditions. They all demand implementation of the international standards. Massive human rights abuses persist around the world. Indeed, there are still **gaps** between the standards of the United Nations (UN) and the follow-up of their decisions. It is **time for implementation**. And this has to be done by the country itself, which implies a need to develop national capacities.

Our Objectives

Through training, study and protection, GHR, a **training organization**, aims to **bridge** these gaps, and to **empower** all those involved in human rights promotion and protection. Its *Global Training Department (GTP)* conducts each year dozens of Courses and Seminars in Geneva and in the regions. Monitoring and analyzing UN human rights meetings, its *Department of Human Rights Policy Studies (HPS)* supports these training activities.

Themes of GHR Courses

In all its Courses and Seminars, in Geneva and in the regions, GHR trains defenders on:

- the fundamentals of international law, international human rights law, humanitarian law and criminal law, tools of transitional justice);
- the trends in international relations;
- the inter-governmental organisations (IGOs) and the structure of the UN;;
- the UN structure and its main bodies (incl. ECOSOC's thematic Commissions);
- the Human Rights Council (*'HR-Council'*) and its mechanisms;
- the Universal Periodic Review (UPR), and the contribution of the civil society;
- the Special procedures and the drafting and submission of communications;
- the treaty bodies and the preparation of shadow reports;
- the Office of the High Commissioner (*OHCHR*), its priorities and field operations;
- the preventative measures and strategies to protect human rights defenders;
- the strategies to raise issues and situations at regional and international level;
- the national implementation strategies: implementing all the UN decisions and recommendations (resolutions, Special procedures, UPR, concluding observations of treaty bodies); elaborating and realizing public policies and national plans of action and in the field of human rights; the national institutions.

GHR Courses and Seminars in Geneva

In Geneva, GHR conducted many Courses and Seminars for defenders from the regions:

- **thirty-three** (2-4 weeks) **Geneva Courses** during UN main human rights sessions (Commission on Human Rights, Sub-Commission, ECOSOC, the 2009 Review Conference on Racism, and all the ordinary sessions of the HR-Council);
- **sixteen Experts Seminars** on Caste Discrimination; the HR-Council; International Humanitarian Law (2); Transitional Justice; Minorities; Enforced Disappearances (3); Religious Freedom; Business and Human Rights (3); the World Conferences on Human Rights and of Indigenous Peoples; and International Criminal Law;
- **fourteen Seminars and briefings** during the sessions of the **UPR Working group**;
- **several specific ‘On-Demand’ Courses**:
 - ✓ several Courses for NGOs coalitions from the regions:
 - from **Kazakhstan** (at the request of *Soros*),
 - **Dalits coalitions** (request of *CCFD* and *Cordaid*),
 - from **Mozambique** (request of *UNDP* and the Swiss *SDC*),
 - and for **Uyghurs Representatives**.
 - ✓ seven Courses for diplomats (with the *Graduate Institute, IUHEI*, Geneva);
 - ✓ nine Courses for humanitarian actors (eight for the *ICRC*);
- GHR **also lectured for partner organizations**, including the *World Council of Churches*, *UNITAR*, *OHCHR*, the Universities in Galway, Lyon and Padova, the *German NGO Forum* and the *F. Ebert Foundation* (Berlin), *Forum Asia* (Bangkok), the *German Network on Papua*, *Cordaid* (The Hague) and *Progressio* (London).

GHR In Country & In-Region Courses

Since 2003, GHR realized numerous Courses in the regions:

- **ten On-Demand Regional Courses** in Africa, Latin America and Asia;
- **fifty-one In-Country Courses and Seminars** in Latin America (15), in Africa (4), in the Russian Federation (7), and in Asia (25);
- and, at the requests of the *Swiss and Mexican Governments*, from 2004 to 2008, a comprehensive **training and mediation program** in Mexico to support the process of the national implementation Programme; a similar project was launched in Botswana.

What we achieved in 2014:

- **three Geneva Courses** on the occasion of the ordinary sessions of the Human Rights Council in March, June and September 2014;
- **four Expert Seminars**, on Indigenous Peoples, on International Criminal Law, on Enforced Disappearance and on Business and Human Rights;
- a specific **Geneva Course** for **Uyghur Representatives**;
- **several briefings** during the sessions of the **UPR Working group**;
- **two In-Country Courses** in **India** (for Tibetans) and in **Nepal**;
- the second national Implementation Workshop in **Botswana**;
- **a dozen lectures** for our partners, in particular universities and the *OHCHR*.

GLOBAL TRAINING DEPARTMENT

Defenders in the regions have difficulties to follow the UN negotiations and the trends in the UN Reform, the HR-Council, the special procedures, the treaty bodies and in the action of OHCHR. GHR Courses have to meet the needs and priorities of these defenders, and to bridge these information gaps, to enable them to adapt their work to these new realities.

GHR Global Training Department has set up three training programmes. The Geneva Courses and Seminars are part of the Programme on the HR-Council. The Experts Seminars are prepared by our HPS Department, which is composed of fellows and students from several universities. For its Geneva Courses and Seminars, GHR received in 2014 financial support from the Federal Department of Foreign Affairs, the Governments of Liechtenstein and Germany (for the 2nd semester), and the Canton of Geneva, who covered the travels and stay expenses of several defenders from the regions for the September Course.

1. THE GENEVA COURSES OF GHR

During the financial year 2014, GHR conducted its three Geneva Courses during the ordinary sessions of the Human Rights Council. An additional (and shorter) Geneva Course was given in November to Uyghur Representatives.

Profile of the Geneva Courses

- The *Geneva Courses* are **advanced** Courses to train trainers. They constitute a unique **intensive and interactive training**, combining the **theory**, the exchanges of experience between participants (**field situations**) and the **exposure** to the multilateral **reality** (in the HR-Council), which the trainees monitor.
- Since its creation, GHR has realized this Course at each session of the Commission on Human Rights and its Sub-Commission, at sessions of the Economic and Social Council (ECOSOC), and **at each ordinary session of the HR-Council**.
- **Each Geneva Course has two parts:**
 - ✓ **the General Course** (Week-1) to introduce the international system (international public law; international relations; UN bodies; HR-Council and its mechanisms, including the UPR; special procedures; treaty bodies);
 - ✓ **the daily morning classes** (second part of the Course) each working day, from 08:15 to 12:00, to introduce the themes of the day on the agenda of the HR-Council, and summaries of OHCHR' and Special Rapporteurs' reports submitted to the HR-Council; and to analyze the proceedings of the HR-Council; each afternoon, the trainees attend the session of the HR-Council.
- **Conditions for the certificate**
 - ✓ To obtain the Course's certificate, trainees have to submit a note on the main patterns of human rights abuses in their country; several summaries of the debates in the HR-Council; summaries of the morning classes; and a draft communication to a UN thematic procedure on a case of grave human rights abuses. Many summaries and draft letters to the Special Rapporteurs are read out, discussed and improved during the morning classes.
 - ✓ The trainees have also to stand **weekly tests** on the teaching of the previous week. This helps the trainers to ensure that their teaching is well understood, and to monitor the level of each trainee. It incites participants to review the Course and read several reports. Those getting an insufficient mark in the first test receive additional (separate) briefings from the trainers.

Geneva Course GSC-32 (3 – 21 March 2014)

Twenty-one defenders attended GHR 32nd Geneva Course conducted during the 25th session of the HR-Council

Thirteen trainees came from the regions: from **Panamá, Venezuela, Palestine, Iraq, Tanzania, Angola, Iran, India, Papua New Guinea, Philippines, Sri Lanka** (3). Four trainees were from **partner organizations: AFEDEM-Congo** (two trainees from France) and *Yellowcross International* (two Sri-Lankans from Switzerland). The other participants were students from Denmark, Ireland, Italy and Norway.

The full-time **trainers** were Edward Flynn (Ireland, Geneva Representative of *Vivat International*) and Adrien-Claude Zoller (Course Director, Switzerland). The other trainers were René Kosirnik (Legal Advisor GHR, Course on IHL, Switzerland), Penny Parker (Course on treaty bodies, USA) and Helen Walker (Course on persons with disabilities).

Support staff: Maria Teresa Tienda Rivera (Course Coordinator, Spain), Nicolas Zoller (GHR IT Officer, Switzerland) and George D'Souza (Advisor, India).

General Course (3 – 8 March)

The trainees attended the opening of the 25th session of the HR-Council, received a general briefing on access to the HR-Council (3 March) and contributed to the **confidential session**,

during which they highlighted their concerns (4 March). Courses of this first week concerned the HR-Council and its Mechanisms; the special procedures; death penalty; treaty bodies; the annual report of the High Commissioner; and genocide. The General Course ended on Saturday 8 March with the **full-day Course on the international system** (international public law, inter-governmental organisations, UN bodies, UPR).

Course on the proceedings of the HR-Council (10 – 21 March)

During Week-2 and Week-3 of the Course, the trainees had every day the **morning class**, which started with comments on the participants' oral and written summaries of the HR-Council debates, and on their draft letters to the special procedures. Additional Courses were given on: structural adjustment policies; human rights defenders, their rights, their protection; guidelines for communications to special procedures; ILO procedures; women's rights in the UN; freedom of religion; counter-terrorism; international humanitarian law; rule of law; tools of transitional justice; persons with disability; NGOs rights in the UN; indigenous peoples.

The final class (Friday 21 March) was devoted to the Course's recapitulation, GHR Course on implementing human rights at national level, and the follow-up. The final dinner of the Course took place on Thursday 20 March. 17 participants obtained their certificates.

During these three weeks, the trainees also attended a side-event on Dutch expert Theo Van Boven (14 March), and GHR Expert Seminar on Indigenous Peoples (19 March).

GHR trainers met individually with the participants from India, Philippines, Panama, Sri Lanka, Tanzania and Angola to discuss their specific follow-up initiatives.

Geneva Course GSC-33 (9 – 20 June 2014)

*During the 26th session of the HR-Council
16 defenders participated in GHR 33rd Geneva Course*

Fourteen trainees came from the regions: **Colombia**, **Brazil (2)**, **Venezuela**, **DR-Congo**, **Ivory Coast**, **Morocco**, **Singapore (3)**, **Mongolia**, **Iraq**, **Lebanon**, **United Arab Emirates**. The other two trainees were from GHR (France) and a Swiss member of AFEDEM.

The main trainers were Edward Flynn and Adrien-Claude Zoller. The other trainers were René Kosirnik (Course on IHL), Ms. Désirée Le Clercq and Ms. Josée La Porte (ILO, Geneva), Danica Finger (Germany, Consultant), and Alexandre Guye (Switzerland). GHR staff was composed of Maria Teresa Tienda Rivera (Course Coordinator), and Nicolas Zoller.

General Course (9 – 13 June)

The General Course started with an all-day session on the **international system** (Monday 9 June). In the '**confidential session**', the trainees first exposed their priorities. During this first week, Courses were given on: the HR-Council and its mechanisms, the UN and human rights, the High Commissioner and the OHCHR; standard-setting; the special procedures; UN and women's rights; the UPR; and Business and Human Rights.

Course on the proceedings of the HR-Council (16 – 20 June)

During Week-2, the trainees attended **morning classes**. Besides the discussion in the HR-Council and the comments on the papers submitted by the trainees, Courses were given on: International Humanitarian Law; the ILO system (at the ILO); international criminal law; transitional justice; racism; forced labour, treaty bodies; the individual complaint system.

The last class (Friday 20 June) was devoted to the follow-up, with the recapitulation of the Course and GHR Course on national human rights implementation. GHR trainers also held follow-up meetings with those from the regions. The closing dinner of the Course took place on Thursday night 19 June. 14 trainees received a certificate.

Geneva Course GSC-34 (6 – 18 September 2014)

*GHR trained 24 defenders during its 34th Geneva Course
conducted on the occasion of the 27th session of the HR-Council.*

Sixteen trainees were **defenders from the regions**. They came from **Uganda**, **India (2)**, **Singapore**, **Bangladesh**, **Cambodia**, **Nepal**, the **Philippines (2)**, **Brazil**, **Ukraine (2)**,

Bosnia and Herzegovina, Albania, Kosovo. The other trainees were students from Spain (3), Italy, France (2), and Hungary.

Full-time trainers were Edward Flynn, Danica Finger and Adrien-Claude Zoller. The other trainers were René Kosirnik, Tanja Florath (Irish Center for Human Rights, Germany), and Manon Garin (France, GHR Senior Management Team).

GHR support staff was composed of Nicolas Zoller, Rachel Nadia Goh (Singapore, GHR Senior Management Team), Marta Bautista (Spain, HPS) and Georg D'Souza.

General Course (6 - 12 September)

The Course started with the all-day session and GHR **course on the international system** (Saturday 6 September). The trainees presented their own country situations, and the trainers introduced the international system and the HR-Council and its mechanisms.

The other courses given during this first week concerned: the UN dealing with human rights; the HR-Council's agenda and programme of work; human rights standard-setting; the special procedures; International Humanitarian Law; International Criminal Law and Commissions of Inquiry; Transitional Justice; indigenous peoples' and women's rights.

Course on the proceedings of the HR-Council (15 – 18 September)

During the **morning classes**, the trainees also received courses on: the UPR; the treaty bodies; the OHCHR; techniques for the protection of human rights defenders; and enforced disappearances. The recapitulation and GHR Course on national implementation strategies were presented during the last morning class (Thursday 18 September). During the farewell dinner (18 September evening), 23 trainees received a certificate.

As part of the Course, the trainees also attended the 'side-event' of *Misereor* on 'preventing religious violence in India'; the conference of the Permanent Missions of Argentina and France on 'the promotion of truth, justice, reparations and guarantees of non-recurrence: experience on implementation' (with the presence of Ms. Estela Carlotto, President of the Grand Mothers of Plaza de Mayo); and GHR Expert Seminar on Enforced Disappearances. Three trainees, Ms. Okhotnikova (Ukraine), Ms. Tolaj (Kosovo), and Ms. Korjenic (Bosnia-Herzegovina) made oral presentations during this GHR Seminar.

A particular assistance was provided to an Indian trainee to ensure the sustainability of his organization. GHR trainers had private follow-up meetings with trainees from Ukraine, Uganda, Bangladesh, Cambodia, Nepal and the Philippines. After the Course, GHR sent teaching material to the trainees. Many trainees participated in a support campaign for the Indian trainee, who suffered judicial harassment.

Geneva Course for Uyghur Representatives GSC-34-A (23 – 25 November 2014)

On the eve of the 7th UN Forum on Minority Issues, GHR conducted a Geneva Course for Uyghur Representatives.

28 Uyghur Representatives participated in an additional Geneva Course conducted by GHR at the request of the *World Uyghur Congress (WUC)*. The Course took place from 23 to 25 November in the Conference Centre 'Le Cénacle'. The **Preparatory Group** of GHR was composed of Adrien-Claude Zoller (main trainer), Danica Finger and Manon Garin (France). After her appointment end October at a position with the French Government, Ms. Garin was replaced by Chiara Cosentino (Italy) and János György Drienyovszki (Hungary).

The selection of participants was made by the *WUC*. GHR took care of the preparatory work, including the choice of the Conference Centre, the visa requests, the accommodation, the meals and the background documentation.

Proceedings of the Geneva Course

The Course was opened on Sunday 23 November with a welcoming dinner and an address by the Uyghur leader, Ms. Rebiya Kadeer.

On Monday 24 November, the Course started with the needs of the Uyghur people. Trainees raised the problems faced by Uyghur in China: assimilation and immigration policies, family planning, forced abortion, arbitrary arrest and political prisoners, torture, enforced disappearances, exploitation of resources, lack of education, Uyghur language, violations of freedom of religion, association and expression.

The first session, on the international system (concepts of State sovereignty, territorial integrity, self-determination) highlighted the need for precise definitions of Uyghur people and territory. They call it 'East Turkestan', while China refers to the region as Xinjiang. The trainer also introduced: the UN system and UN bodies; the mechanisms of the HR-Council; the human rights standards; the special procedures, with guidelines for drafting communications.

Day-2 started with a presentation on the use of the special procedures to address the systemic abuses raised by the participants. During the day, the trainer also introduced the treaty bodies (in particular shadow reports), minority rights (and introduction to the UN Forum), indigenous peoples' rights (and the principle of self-identification), and, in the afternoon, the specific and relevant strategies, both on short and long-term.

On 26 November, GHR team assisted these Uyghur Representatives in the UN Forum on Minority Issues and in the 'side-event' of UNPO on the situation of minorities and indigenous peoples in Tibet, East Turkistan and Southern Mongolia. The event was evaluated in a last meeting in the UN.

2. GENEVA SPECIFIC SEMINARS DURING THE UPR

The Universal Periodic Review (UPR) is an important additional tool to implement human rights inside countries. GHR actively supported the creation of UPR-Info.org, a new documentation and communication tool for the stakeholders, and remains involved in this new mechanism. GHR elaborated a **specific training scheme**, covering all the stages of UPR, and highlighting the importance of bolstering the cooperation with the States, with the special procedures and the treaty bodies.

In all its Courses, in Geneva and in the regions, GHR explains the UPR, and sensitize on the potential NGO contribution at each stage of the UPR process (contribution to the State's report; preparation of the 'stakeholders' reports; review of the country by the Working group; adoption of the report by the group, and then by the HR-Council; follow-up in each country). GHR teaches the **long-term perspectives** and the links between UPR and the process of implementation of all rights for all in each country.

As many NGO coalitions come to Geneva to attend the review of their country, since December 2008 GHR offers briefings and orientation at each UPR session.

- **18th UPR session** (27 January to 7 February)

GHR co-sponsored the 'side-event' of the Ebert Foundation and the Coalition of Dominican NGOs on the recommendations made during the review of the **Dominican Republic** (4 February). Maria Teresa Tienda Rivera also assisted the NGO coalition in the meetings with several Governmental delegations.

- **19th UPR session** (28 April to 9 May)

GHR efforts focused on the situation in the **DR-Congo**. GHR provided advice and orientation to NGOs from the DRC and to solidarity organizations (19 April).

- **20th UPR session** (27 October – 7 November)

GHR significantly developed its working relations with NGOs and lawyers from the **Arab world**. In 2013, it gave a specific Course to defenders from Saudi Arabia and a UPR briefing to a NGO delegation from Jordan. In January 2014, the President advised in Dubai a group of lawyers. During the 20th UPR session, it joined the Ebert Foundation's initiative on Iraq.

Side-event on the UPR of Iraq (Palais des Nations, 4 November 2014)

GHR President opened the session and recalled that the implementation inside the country of the recommendations accepted during the review was the main aim of UPR. Close cooperation between Government and civil society was required. Iraq's Deputy Minister of Human Rights, Dr. Abdul Kareem Shallal, commented on the recommendations made during the review, and the Chair asked him for several clarifications before giving the floor to the two non-governmental representatives present, Ms. Afyan Raheem Ali Ghulam Ali (*Alliance for Rights 'Houqoq'*) and Mr. Haider Kadhim Khudur (*ENSAN, Alliance for Human Rights*).

A dialogue started between the three speakers on the main gaps undermining the respect of Iraq's human rights obligations: the gaps between ratification of treaties,

transposition into domestic law, and lack of implementation of the existing domestic law. Other questions were raised from the room, in particular concerning the Palestinians in Iraq and the severe persecution of the Mandaean minority.

3. TRAINING FELLOWSHIP FUND FOR DEFENDERS FROM THE REGIONS

Since 2006, GHR has a special *Training Fellowship Fund for Defenders from the Regions* to offer defenders from the regions fellowships to be trained in the *Geneva Courses*. A fellowship covers the registration fees for the *Geneva Course*, the travel expenses to and from Geneva, and to the cost of living in Geneva. GHR Executive Council and its Bureau award the scholarships following the recommendations of GHR advisors and partners in the regions. The following donors contributed to this Fund in 2014: *UEM* (Wuppertal), *Bread for the World* (Berlin), *Amnesty Sweden*. **Five fellowships** were awarded in 2014.

4. IN-COUNTRY AND IN-REGION COURSES

In 2014, GHR conducted training Courses in **Botswana, India** and **Nepal**. The activities in Botswana are reported hereafter under GHR Programme '*Implementation Now* !

Course for Tibetan Defenders (Dharamshala, India, 20 – 23 October 2014)

The *Training Course for Tibetans Defenders* was conducted in Dharmashala, India, by GHR, the *Asian Alliance for Human Rights (AAHR)* and the *Tibet Policy Institute*.

22 defenders attended. They were members of the *Human Rights Desk* of the Department of Information and International Relations (DIIR), the *Tibetan Centre for Human Rights (TCHRD)*, the Secretariat of the Tibetan Parliament, the *Tibetan Women's Association*, the *Tibetan Youth Congress*, the *National Democratic Party*, the *Gu-Chu Sum Association*, the *Students for Free Tibet* and the *Tibet Policy Institute*.

Thubten Samphel (Director *Tibet Policy Institute*) chaired the Course. Trainers were Suhas Chakma, (Director *Asian Centre for Human Rights, ACHR*) and Adrien-Claude Zoller.

Proceedings

The Course opened with the '**confidential session**'. Participants exchanged information on the threats to Tibetan culture, traditions, religion and language, and on cases illustrating the systemic repression of the Tibetans in China. After a lecture by Thubten Samphel on the current situation in Tibet, Adrien-Claude Zoller and Suhas Chakma gave the Courses on the international system; the UN structure; the international standards; the HR-Council; the special procedures and the treaty bodies. They highlighted the best mechanisms and procedures available for the Tibetans. At the end of Day-1, participants were invited to prepare in Working groups a case description and draft letter to the UN thematic procedures.

Day-2 started with the meetings of the Working groups. The morning was devoted to discuss the draft letters to the Special Rapporteurs on the cases selected (arbitrary detention, torture, forced abortion, destruction of the environment). In the afternoon, both trainers proposed international strategies to raise the issue of Tibet in the UN and in the public opinion. They insisted on the need to submit every documented case of violation to the international procedures. The Course concluded with a briefing on the preventative measures to protect the defenders. And the participants received their certificates.

The Course was followed by a brainstorming with Tibetan Officials (22 October 2014) and a briefing to the *Tibetan World Congress* (23 October 2014).

Briefings for Nepalese NGOs (Kathmandu, 25 – 28 October 2014)

From 25 to 28 October 2014, Adrien-Claude Zoller visited GHR main Nepalese partners. He held two briefings on the developments in the UN human rights system and had talks at the Swiss Embassy. His visit was prepared by Ms. Neetu Pokharel, a Nepalese trainee in the Geneva Course of September 2014, working at the '*Alliance for Social Dialogue*' (ASD).

- **Briefing to Nepalese NGOs (27 October 2014)**

Eleven defenders attended: one academic, one Supreme Court Advocate and members of ASD, *Accountability Watch (AW)*, *Advocacy Forum*, *Informal Sector Service Center (INSEC)*, *Democratic Freedom and Human Rights Institute (DFHRI)*, *National Senior Citizen Federation (NASCIF)*, and *Human Rights Home*.

Sushil Pyakurel (President of ASD, of AW and of the 'Institute for Human Rights and Democracy') chaired the meeting. Adrien-Claude Zoller recalled the history of the Nepalese lobby at the UN Commission, the Chairperson's statement of the Commission (which led to the opening of the Office of the OHCHR in Nepal), and the institution-building of the HR-Council. After the closure of OHCHR Office in Nepal, the only way to break the silence was to start again submitting regular and credible communications to the Special procedures.

The discussion focused on the mechanisms of the HR-Council, the political developments influencing the work of the HR-Council, the role of the High Commissioner, the changes in the working methods of several Rapporteurs and the reform of the treaty bodies.

- **Briefing to Victims (28 October 2014)**

10 victims representing different associations were present. The meeting was chaired by a former GHR trainee in Geneva, Shiva Bisanghe, who is Coordinator of the new 'Institute for Human Rights and Democracy'. Victims described the violations they suffered: kidnappings, arbitrary detention, torture and summary executions by the State and non-State (Maoists) actors; disability following torture; arrests of peaceful protesters. All deplored the absence of a policy to deal with the past. The Truth and Reconciliation Act granted amnesty to the perpetrators and provided no remedies. There was no interest in political circles for their fate.

Adrien-Claude Zoller stressed that many other peace processes started with the concerns of both sides to avoid discussing the past abuses, since they all committed serious violations. He described the tools of transitional justice, the principles of reparation and the use of several UN special procedures. Participants expressed dismay at the lack of reaction of the UN and the lack of support from international NGOs. The meeting concluded with a discussion of the role victims played in other similar situations, as it has been the case in Argentina with the Mothers and Grand 'Mothers of Plaza de Mayo.

5. PROGRAMME 'IMPLEMENTATION NOW !' (INP)

GHR has a specific Programme to promote the implementation of human rights in specific countries through training, mediation, advisory services and teaching strategies. In 2014, GHR conducted the second National Workshop in Botswana.

5.1 Learning from our experience in Mexico

This Programme finds its origins in Mexico. At the request of the Mexican Ministry of Interior ('*SEGOB*'), and with the support of the Swiss Ministry of Foreign Affairs (*FDFA*), GHR contributed to the elaboration and the first stages of the implementation of Mexico's national Programme for human right (2004-2008). As Mexico joined the OCDE, development funds were no longer available. In 2007, the *FDFA* ceased its assistance to several countries, and decided to phase-down its Programme Mexico. At the same time, the Swiss Federal Council stressed the importance of GHR work, declaring:

'Switzerland will be withdrawing from its commitment in Mexico at the end of 2007. The process described above has made a significant contribution towards the urgently required implementation of a uniform national plan for the promotion of human rights. The fact that a Swiss human rights organisation has successfully acted as mediator between civil society and government and supported the Mexican Ministry of the Interior through the provision of expertise represents a good example for implementing similar projects in other countries'

(*DFAE*, 'Peace and human rights in Switzerland's foreign policy - Report 2006', approved by the Swiss Federal Council on 15 June 2007, p. 18)

To learn from this experience and elaborate similar programmes in other countries, the Mexico Programme was evaluated (2007). GHR launched activities in Colombia, Sri Lanka,

Nepal, Timor Leste, Burundi, Tunisia, Botswana and Morocco. Our *Geneva Courses* offer a unique opportunity for defenders from the regions to elaborate implementation strategies, in which recommendations of UPR, special procedures and treaty bodies are critical.

5.2 Botswana: towards a National Plan of Action

Ms. Alice Mogwe, Director of *Botswana's Human Rights Centre 'DITSHWANELO'*, participated in GHR 27th *Geneva Course* in June 2012. She then coordinated the Botswana NGO coalition drafting the civil society report. During the review (January 2013), the Government committed itself to elaborate national strategy to implement human rights. It established a Task Force (JTF) to review the UPR recommendations and to prepare a '*comprehensive strategy and action plan on human rights*' (February 2013). DITSHWANELO and GHR proposed to the *Ministry of Defence, Justice and Security* (MDJS) to hold a **National Workshop** to discuss the UPR recommendations and future strategies.

Convened by the MDJS Secretary, prepared without funding by DITSHWANELO and GHR, this first National Workshop took place in Gaborone on 23-24 April 2013. The Minister of MDJS and 34 Representatives from 5 Ministries, the Attorney General's Chambers, the Ombudsman Office, the Land Tribunal, the Chobe District Council, the Gantsi Land Board, the Ngwaketse Land Board, and 7 NGOs and coalitions, attended. It was the first such forum in Botswana where human rights issues could be discussed openly by Government and civil society. The Workshop focused on all facets of a National Action Plan.

The HR-Council adopted Botswana's UPR report in June 2013, and the Government transformed the JTF into a broader **Coordination Committee**, composed of several Ministries, the Office of the President, academics, nine NGOs and the private sector. The process was slow because of the limited resource of MDJS Secretariat. Donors also lobbied to obtain the creation of a national institution before the national plan. The process was losing its momentum. DITSHWANELO and GHR therefore took again the initiative.

National Civil Society Workshop in Botswana *(Lion Park, Gaborone, 25-26 February 2014)*

Taking place on 25 and 26 February in Lion Park, near Gaborone, this 2nd Workshop was prepared by DITSHWANELO and GHR. It aimed at **strengthening the contribution of the civil society** in the process. GHR President stayed in Gaborone from 22 to 28 February as Advisor for the civil society. With Alice Mogwe, he held meetings in several Ministries, with NGOs and coalitions, with donors and diplomatic missions. DITSHWANELO raised the funds for the conference. The NGO coalition of held a preparatory meeting.

The Workshop was attended by 30 NGO Representatives and chaired by Mr. Modise Maphanyane, President of the Media Institute for Southern Africa (MISA). Mr. Augustine Makginatsothe (MDJS Secretary), Anders Pedersen (Head UNDP) and David Sefawe (National Strategy Office of the President) presented the key-note speeches.

Alice Mogwe and Adrien-Claude Zoller recalled the UPR process and summarized the key-note speeches. There was a long debate on networking and on the conditions to cooperate. Participants decided to set-up a task-force to prepare rules. The day ended with four Working groups to prepare proposals for the coordinating bodies of the Government (economy and employment; governance, safety and security; social uplift; sustainable environment). Their reports were discussed in plenary.

Day-2 started with the report of the task-force. The participants adopted the proposed rules, called 'The Lion Principles' as a first trust-building step in the national plan process.

After briefing and discussion on UN and regional human rights standards and procedures, the participants worked at the national plan. Four Working groups were created to bolster NGOs contributions to the plan and to facilitate the creation of coalitions. Each group (on women's rights, marginalized groups, access to justice and persons with disability) prepared a list of priority concerns (abuses), elaborated concrete proposals for public policies (improving the situation), and identified one NGO as a potential convener. The Group on women's rights selected its convener and even agreed on the date of its next meeting.

After the Workshop, DITSHWANELO and GHR held two evaluation meetings of the Workshop (27 and 28 February). They visited the MDJS and several key partners to inform them on the proceedings and outcome of the Workshop.

5.3 Follow-up activities regarding other countries

Sri Lanka

GHR remains committed in strengthening the capacity of Sri Lankan human rights NGOs and coalitions. GHR was actively involved in the Hague Consultation (2008) and conducted training Courses on the spot. In 2014, GHR welcomed in its *Geneva Courses* a dozen of Sri Lankan defenders and provided them guidance and orientation.

From 3 to 6 February 2014, Adrien-Claude Zoller participated in the broad stocktaking conference convened by the **German coalition** ('*Sri Lanka Advocacy*', *SLA*) in Berlin to assess the trends in Sri Lanka and in the international Sri Lankan debate. Many Sri Lankan partners attended. He introduced the debate on '*Sri Lanka: human rights in the international context*', gave an overview of the debates in the UN and in the HR-Council after the shocking decision of the 2009 Special Session. Sri Lanka is now a permanent issue on the HR-Council's agenda. The Government can no longer avoid its accountability.

Colombia

GHR keeps close working relations with many Colombian NGOs. A meeting with the *Colombian Commission of Jurists (CCJ)* took place in Geneva on 2 October to review the initiatives at the HR-Council and to discuss justice issues during the peace process.

Nepal

GHR briefings in Nepal (25-28 October) enabled GHR to assess the situation and discuss the best strategies for human rights implementation in the country. Former Nepalese trainees in the Geneva Courses have decided to create a **Nepalese Section of GHR Alumni's**. Neetu Pokharel coordinates this project.

West Papua

At the beginning of the 25th session of the HR-Council, the President of **Vanuatu** called the HR-Council to take action on Papua. GHR provided orientation and strategic advice to the 'International Consultation on Papua'. Edward Flynn (Geneva Representative of *Vivat International* and GHR member) and Adrien-Claude Zoller met the Vanuatu delegation.

During the 26th session of the HR-Council, GHR joined the 'side-event' on '*Freedom of Expression and Assembly in West Papua*' convened by *Asian Legal Resource Center (ALRC)*, *Franciscans International*, the *International Coalition for Papua*, *Pro Papua Foundation*, *Tapol*, *Vivat International*, and *West Papua Netzwerk* (12 June).

Edward Flynn paid a visit to Papua. He also attended the Coordination Board of the *International Coalition for Papua*, where he represented both *Vivat International* and GHR (Brussels, 21- 23 October 2014).

6. PROGRAMME 'TRAINING SPECIFIC STAKEHOLDERS' (TSS)

In 2014, GHR gave a series of lectures and briefings during international conferences and for specific partners, in particular:

Orientation to UAE Lawyers and trainees *(Dubai, 3 – 5 January 2014)*

At the request of several lawyers from the United Arab Emirates (former trainees in the Geneva Course) GHR President went to Dubai to provide them advice and orientation on the UN system and on the requirements for the organization they wished to set-up in Geneva.

Course at the Institute of Human Rights of the Catholic University of Lyon (17 January 2014)

At the invitation of the Director of the Institute, Prof. André S. Dizdarevic, Adrien-Claude Zoller gave a Course at the '*Institut des Droits de l'Homme*' of the Catholic University of Lyon under the theme: '*the UN human rights machinery, in particular the Human Rights Council*'. He gave a multidisciplinary introduction to the HR-Council and highlighted the emergence of permanent multilateral negotiations in the UN, as a new trend in international relations. He then spoke of the UN Reform process and of the Millennium Development Goals (MDGs).

46 master students attended, nationals from Colombia (2), Mexico, France (9), Estonia, Kyrgyzstan (2), Algeria, Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo-DRC (2), Madagascar, Mali (2), Niger, Senegal, Togo (3), Lebanon, Iran.

Seminar at the Irish Centre for Human Rights
(Galway, 11 February 2014)

From 10 to 13 February 2014, a delegation of GHR visited partners in Ireland. Composed of Edward Flynn, Maria Teresa Tienda Rivera and Adrien-Claude Zoller, the delegation met in Galway members of the **Irish Centre for Human Rights** of the National University of Ireland (NUI). On that occasion, Adrien-Claude Zoller gave on 11 February a lecture to the students of the Irish Centre on the *recent trends in the Human Rights Council*. This lunchtime seminar was opened by Prof. O'Flaherty. Adrien-Claude Zoller spoke on the diplomatic trends, civil society participation, the mechanisms of the HR-Council, and on various country situations. Maria Teresa Tienda Rivera introduced GHR Internship and Fellowship Programme.

Dutch Panel on the role of Theo Van Boven
(Geneva, 14 March 2014)

Presenting the film on Dutch expert Theo Van Boven, former Director of the UN Human Rights Centre, the Dutch delegation at the UN-Geneva convened a Panel, in which Adrien-Claude Zoller spoke of the basic qualities required for the next High Commissioner for Human Rights (14 March).

Conference of German Churches on Development
(Arnoldshain, 10-11 April 2014)

Theme of the 2014 Conference of (German) Protestant Churches and Agencies was: '*civil society between repression and political participation: how can the work for human rights and development cooperation counter the restrictions to the rights to demonstration and participation*'. It was organized by *Bread for the World* and the *United Evangelical Churches* (UEM). Adrien-Claude Zoller presented a communication on '*Defenders at risk*'.

FES – OHCHR Course for NHRI staff
(Geneva, 9 May 2014)

From 5 to 9 May, the *Ebert Foundation* and the *OHCHR* conducted a Course for the staff of national human rights institutions (NHRI). Adrien-Claude Zoller animated the session on '*Charter-based bodies, in particular the mechanisms of the HR-Council*'.

Course for students of the University of Padova
(Geneva, 12 May 2014)

GHR gave a Course to twenty students of the *University of Padova* having a one-week study trip in Geneva. The Course focused on the international context in the decision-making of the (former) Commission of Human Rights and HR-Council, the diplomatic significance of the UPR mechanism, the new role of the *OHCHR*, the challenges for NGOs, and the need to better listen to victims in order to prioritize implementation.

Course at the Geneva School for Diplomacy
(Geneva, 7 July 2014)

Adrien-Claude Zoller gave the Course on Human Rights and Humanitarian Law for students of the *Geneva School for Diplomacy*. First part concerned the theory of intergovernmental organizations. The second part dealt with the human rights standard setting.

Course for students of the Luzern Akademy
(Geneva, 21 July 2014)

GHR contributed to the study trip of about forty students of the *Luzern Akademy* led by Prof. Alexander Morawa. In his Course, Adrien-Claude Zoller explained the functioning of the UN,

the main political trends since the end of the Cold War, and the UN Reform process. The discussion focused on the role of the civil society and the consultative status for NGOs.

German partners' Conference on the HR-Council
(Berlin, 6 - 7 October 2014)

GHR participated in the (annual) International Conference of the *Ebert Foundation*, the *Forum Human Rights* and the *German Institute for Human Rights*. Theme was: 'Protection of Human Right is Indispensable. German Policy in the UN Human Rights Council'. This expert meeting analyzed not only the HR-Council's efficiency, but also the main challenges for a possible German Presidency of the HR-Council.

Adrien-Claude Zoller contributed to the opening Panel with a communication on the majorities and regional groups in the HR-Council. He also chaired the Working group on minorities and peoples. Danica Finger also attended the conference and visited partners.

Training for OHCHR on Minorities
(Geneva, 5 November 2014)

Adrien-Claude Zoller gave GHR annual Course to OHCHR staff and twenty Minority Fellows on: 'Minority rights in the international system'. He reviewed the different strategies followed by the international community to protect minorities, in the League of Nations and then in the UN. He also referred to the standard-setting process in the UN and to the current mechanisms of the HR-Council and of the treaty bodies regarding minorities.

The participants were Dalits (Nepal), Indigenous from the Costa Atlantica (Nicaragua), minorities in Pakistan, and Mauritania, Armenians (Syria and Georgia), Copt (Egypt), Azidis and Kurds (Iraq), Russian minority (Estonia), Uzbekh (Kyrgyzstan), as well as students from Hungary, Spain, Italy, Brazil and the USA.

Other TSS contributions in 2014

- Side-event prepared by German partners on 'Discrimination by Law - Armed Forces (Special Powers) Act of India' (25 March, meeting chaired by Adrien-Claude Zoller);
- Briefing to the staff of the *International Service for Human Rights* on the origins, objectives and achievements of ISHR (Adrien-Claude Zoller, 3 July);
- Adrien-Claude Zoller chaired the side-event convened by *Misereor* on 'Preventing Religious Violence in India: Challenges and Prospects of Managing Diversity' with the participation of Prof. Heiner Bielefeldt, UN Special Rapporteur on Freedom of Religion or Belief and experts from the main religions in India (16 September 2014);
- Danica Finger presented GHR programmes during the Ebert Foundation Course for defenders from the Middle East and North Africa (7 November).

**DEPARTMENT OF
HUMAN RIGHTS POLICY STUDIES**

The HPS Department supports all GHR training activities. It **monitors** international human rights negotiations, **covers** all meetings of UN human rights bodies, **analyzes** the main trends, and **informs** our trainers and partners in the field. Logically, HPS is entrusted with the preparation of *GHR* brainstorming sessions and Expert Seminars.

1. UNITED NATIONS MONITORING (UNM)

In 2014, HPS monitored all the ordinary and special sessions of the HR-Council and its mechanisms, treaty bodies and the briefings organized by OHCHR. The Department drafted analytical summaries of the UN sessions and compilations for GHR Courses. HPS also issued documentation kits for the *Geneva Courses* and the In-Country Courses.

2. GHR EXPERT SEMINARS IN GENEVA (GSS)

Defenders and NGOs in the regions work under difficult conditions. Our 1997 consultation process with partners in the regions highlighted their demand for immediate implementation of the international standards, and their **specific concerns** for humanitarian law; macroeconomic issues (economic system as source of violations); the struggle against impunity; and the protection of defenders. Other main concerns emerged more recently in our working relations with partners: indigenous peoples' rights and violence against women. All these issues are critical in all GHR Courses and Seminars.

To sensitize actors at the HR-Council on such issues, GHR convened since 2009 **Expert Seminars in Geneva** on Caste Discrimination (2009), International Humanitarian Law (September 2010, June 2011), Trends in the HR-Council (March 2011), Transitional Justice (September 2011), Minorities (November 2011), Enforced Disappearances (Nov. 2012, Nov. 2013), Religious Freedom (December 2012), Business and Human Rights (May and December 2013), and the Anniversary of the World Conference (June 2013).

In 2014, GHR Expert Seminars concerned Indigenous Peoples, Criminal Law, Enforced Disappearances, and Business and Human Rights.

Expert Seminar on Indigenous Peoples (Geneva, Club Suisse de la Presse, 19 March 2014)

To contribute to the preparation of the World Conference on Indigenous Peoples, scheduled to take place on 22 and 23 September 2014 in New York, GHR convened an Expert Seminar under the title: 'Indigenous Peoples: Towards the World Conference'.

Co-sponsored by the Permanent Missions of **Guatemala, Mexico and Norway**, the Seminar took place in the *Swiss Press Club* on Wednesday 19 March 2014. 72 persons attended. The event was co-chaired by DOCIP Director David Matthey-Doret and GHR President Adrien-Claude Zoller.

The World Conference on Indigenous Peoples

To facilitate the talks on modalities and arrangements for the World Conference, the 66th Assembly's President appointed Ambassador Luis Alfonso de Alba (Mexico) and Mr. John Henriksen (Representative of the Sami Parliament, Norway). The two facilitators negotiated proposals, which were adopted by the Assembly (Resolution 66/296 of 17 September 2012).

Indigenous organizations and networks created a Global Coordinating Group composed by the seven indigenous-identified social and cultural regions of the world and by the indigenous youth and indigenous women's caucus (January 2012), and held their Global Indigenous Preparatory Conference in Alta, Norway (10 - 12 June 2013). They nominated John Henriksen as a co-facilitator to continue with the practice established during the 66th Assembly. However, at the beginning of 2014, many questions were still pending, and several States (Russia and Asian States) opposed the appointment of an indigenous co-facilitator. On 26 February 2014, the Assembly President took several restrictive decisions which many indigenous organizations considered as not acceptable.

Proceedings of the Expert Seminar

The Seminar was opened by the Ambassador of Guatemala and Representatives from Mexico and Norway. The **key-note address** was delivered by Dr. Olav Fykse Tveit, General Secretary of the *World Council of Churches (WCC)*. He recalled the initiatives taken since the WCC convened the 1977 main Global Conference of indigenous organizations to accompany people in the struggle for their rights. The debate focused on climate change, extractive industries, full participation of indigenous communities in the decisions affecting them (prior, informed consent), and the need to broaden the space for indigenous peoples to fully participate in the Conference.

Introducing the **First Round-Table**, David Matthey-Doret described the history of indigenous representatives in the international fora. Four experts took the floor: Ms. Ana Paula de Souza (OHCHR) on existing UN mandates and mechanisms and OHCHR studies; Ms. Penny Parker (*Advocates for Human Rights*) on treaty bodies and indigenous peoples (in particular the CERD); Ms. Lola García-Alix (Executive Director IWGIA, Copenhagen) on the challenges for UN bodies and standards; and the Representative from the International Labour Organisation on ILO conventions and mechanisms.

Indigenous defenders from Malaysia (Borneo), Sri Lanka, Chad, Kenya, Papua and Hawai participated in the discussion with delegates from Malaysia, Guatemala and Mexico.

Chaired by Suhas Chakma (Director ACHR, Dehli), the **second panel** dealt with the *preparatory process of the Conference*. John Henriksen summarized the process and the current impasse in the negotiations. He highlighted the Alta Document proposed by indigenous organizations as a final outcome for the Conference. The Ambassador of Mexico, Raul Heredia, said that Mexico supported the inclusion and full participation of indigenous peoples. He considered the Alta Document as a potential outcome of the Conference.

In the discussion, the Norwegian Delegate shared the position of Mexico. He called for a broader cross-regional Group of friendly countries. Ronald Barnes (*First Nations*) explained that his organization decided to withdraw from the process. Several participants expressed their hope for renewed talks to find a solution. Concluding the debate, Suhas Chakma summed-up some elements for consensus: indigenous organizations should remain open for further consultations; indigenous peoples are not NGOs; the Alta Document should be considered as a draft final outcome for the Conference.

David Matthey-Doret chaired the **third panel** on the *gaps*. Suhas Chakma called for a UN financial commitment and for more focus on enforcement at national level. Jeffrey Bomay (indigenous Representative, Papua) recalled the history of abuses and discrimination suffered by indigenous peoples in Papua since the so-called '*act of free choice*' (1969). He called for help from the international community. Deenabandhu Manchala (*Indigenous Affairs*, WCC) recalled that the WCC policy had always been to create space for indigenous to speak-out themselves. He also referred to the situation in India and explained that indigenous communities suffered systemic violations.

Comments were made about the States' responsibility, the voluntary funds, the role of treaty bodies, churches and social media, national implementation plans, and initiatives to be taken during the Conference. The co-Chair summed-up **elements of consensus**. Priority issues were dignity of indigenous peoples, access to land, to justice and activities of extractive companies. In the Preparatory process and in the Conference itself, one had to recognize that indigenous peoples were peoples, and not simply NGOs. The World Conference should take place, but the President of the General Assembly should re-consider his decisions about the preparatory process. And the final outcome of the Conference should definitively focus on implementation, reason why the Alta Document should be considered as the draft final outcome. Exchanges continued during the brainstorming dinner.

Expert Seminar on International Criminal Law **(Geneva International Conference Centre, 14 May 2014)**

Entitled '*Facing Gross Violations and International Crimes*', the Seminar was co-organized with the University of Padova. It took place in the *Geneva International Conference Centre* (CICG) on 14 May 2014.

The HR-Council is confronted to series of human rights crisis. Member States adopt increasingly resolutions and create mechanisms applying International Criminal Law (*ICL*). Aim of the Seminar was to review the UN response to gross human rights violations and to international crimes, in particular in the HR-Council, with a focus on the fight against impunity, the right to compensation for victims, States' accountability, Commissions of Inquiry; and to sensitize those participating in the HR-Council to relevant international standards and to the legal provisions regarding international crimes.

Proceedings of the Expert Seminar

The co-Chairs, Prof. Paolo De Stefani (*Human Rights Centre, Padova University*) and Adrien-Claude Zoller welcomed the participants.

H.E. Ms. Patricia O'Brien, Ambassador of Ireland and former Legal Council of the UN, opened the Seminar. In her **key-note speech**, she highlighted the developments in the field of international criminal justice, including the role of the International Criminal Court (*ICC*). She pointed out that there was a gradual domestication of ICL, that the various developments should inform and influence the work in Geneva, and that the work of the HR-Council needed to focus on justice when dealing with post-conflict situations.

Three experts addressed the **First Panel** on *International Criminal Law*. Prof. Claudio Grossman (Chile, President of the Committee Against Torture), gave the **key-note address**. He assessed that the purpose of deterrence was to prevent crimes from being committed

and that the use of ICL and universal jurisdiction constantly increased. He explained the importance of the mechanisms of the Convention Against Torture. Prof. Gerhard Fiolka (University of Fribourg) spoke of universal jurisdiction, non-applicability of statutory limitations and need for political will. And Prof. Olivier de Frouville (France, member of the UN Working Group on Enforced or Involuntary Disappearances) explained the action of his Group. Concluding the debate, Prof. de Stefani stressed that ICL should focus on victims and be embedded nationally and internationally; that the complementarity principle should be used wisely; and that vigilance was key in the progressive development of ICL.

The **Second Panel**, on *Priorities of States*, was opened by the Ambassador of Argentina, Alberto Pedro D'Alotto. He stressed the importance of the issue for Argentina, where many persons had been victims of the military dictatorship. The Ambassador of Italy, Maurizio Enrico Luigi Serra, defined two approaches to ICL, and explained that ICL was useful for reconciliation between peace and justice. Calling for more cooperation between New York and Geneva, the Human Rights Ambassador of Hungary, Istan Lakatos, focused on the Genocide Convention and on the Responsibility to Protect. Tim Morris Schmidt (Mission of France) described the French priority on enforced disappearances. And Paul Peters (Mission of The Netherlands), highlighted the developments in regards to accountability and the importance of UPR and of the ICC in combating impunity.

Theme of the **Third Panel** was '*States Accountability and Victims*'. Ms. Lucie Viersma (OHCHR) made the **key-note address** on transitional justice. She recalled the OHCHR guidelines: all work must be in compliance with and guided by ICL and the centrality of the victims. Mr. Matt Pollard (*International Commission of Jurists*) spoke of the principles and guidelines for protection and promotion of human rights in combating impunity. Ms. Maria Laura Marinozzi (*Budapest Centre for the International Prevention of Genocide and Mass Atrocities*) stressed the importance of prevention as a tool for the Rule of Law and transitional justice. Ms. Valérie Paulet (TRIAL) explained the legal cases of her organisation on prevention and on pursuing war criminals and international crimes. Local NGOs have networks, connections and access to witnesses that prosecutors do not have. They play a critical role in for universal jurisdiction. Andreas Schüller (*European Center for Constitutional and Human Rights, ECCHR*, Berlin), described ECCHR work on international crimes, illustrated by the prosecution against Sri Lankan criminals and by their submission to the ICC, which led to the re-opening of cases of torture in Iraq by British soldiers.

The Seminar concluded by a round of questions and follow-up remarks and a brief synthesis presented by Prof. de Stefani.

Third Expert Seminar on Enforced Disappearances *(Geneva, Palais des Nations, 17 September 2014)*

In its *Cycle Nicolas Joffre*, GHR Third Expert Seminar on Enforced Disappearances took place on Wednesday 17 September 2014. It was organized jointly with the Permanent Missions of **Argentina** and **France**, and sponsored by the **German** Foreign Office.

The Expert Seminar assessed how the Committee on Enforced Disappearances (CED), the UN Working Group on Enforced or Involuntary Disappearances (WGEID) and other UN mechanisms **deal with the variety of communications regarding enforced disappearances**: on individual cases, on obstacles to the implementation of the Declaration (WGEID), on allegations of a widespread practice in the country (CED).

The deliberations started on the morning with a pre-sessional Course of GHR in the Residence Carlton on the *UN and enforced disappearances*. The Seminar itself took place from 13:00 to 18:00 in the Palais des Nations and was co-chaired by the Ambassador of Argentina, Alberto Pedro D'Alotto, and GHR President, Adrien-Claude Zoller.

Proceedings of the Expert Seminar

Opening the **First session** on '*The Working Group and the Committee dealing with communications*', Ambassador d'Alotto recalled the role of Argentinian NGOs, in particular the Mothers and Grandmothers of Plaza de Mayo in the creation of the WGEID, the drafting of the International Declaration and Convention, and in the creation of the Committee. Prof. Emmanuel Decaux (France, CED President) and Prof. Ariel Dulitzky (Argentina, President WGEID) described the variety of procedures of their bodies. Prof. Olivier de Frouville (France, WGEID member) analyzed the complementarity between the two. He stressed that the efficiency of the protection provided was closely linked to the construction of the memory.

Other members of the CED, Prof. Santiago Corcuera (Mexico), Rainer Huhle (Germany), and Prof. Kimio Yakushiji (Japan), also intervened. This first panel was concluded by Ambassador Alberto d'Alotto: the two mechanisms have to serve the victims and to reinforce each other through their complementary mandates.

Theme of the **Second session** was '*The crime of enforced disappearances and communications to the UN bodies*'. **Key-note address** was made by Ms. Anna-Karin Holmlund (*International Advocacy, Amnesty International*). She detailed the communication procedures in the WGEID and the CED. Amnesty dealt with thousands of cases. She referred to concrete difficulties, such as the length of the procedure, the loss of contact, political change, destroyed evidence. Amnesty called the WGEID to undertake country visits, also by sending general allegations.

Phil Lynch (Director, *International Service for Human Rights*), spoke on the situation of human rights defenders. He recalled that the WGEID report expressed strong concerns about the number of defenders disappeared in countries such as Bangladesh, China, Sri Lanka or India. Focal points on reprisals should be created within each treaty body. Because of the responsibility of States in the reprisals, the UN mechanisms had to offer protection.

Adrien-Claude Zöller highlighted that the disappearance of human rights defenders working on land, environmental and corporate issues was gaining increasing attention. As GHR also considers victims and defenders as experts for such deliberations (they have the unique capacity to explain the patterns of abuses they suffer), he introduced the next speakers, all defenders from the regions, who explained their situation: Nixon Alonzo (*Regional Institution for Human Rights, Mindanao, Philippines*), Ms. Selma Korjenic (*TRIAL Sarajevo, Bosnia and Herzegovina*), Ms. Natalia Okhotnikova (*Kharkiv Human Rights Protection Group, Ukraine*), Chris Biantoro (*KONTRAS, Indonesia*), Ms. Mariat Imaeva (*Chechnya, a relative of disappeared persons herself*), Ms. Nimalka Fernando (*IMADR, Sri Lanka*), and Ms. Neetu Pokharel (*ASD, Nepal*).

Deux experts presented elements for the synthesis. Ms. Tanja Florath (*Irish Centre for Human Rights*) commented on the presentations of defenders from the region. She described the work of the Human Rights Committee, including for crimes committed by non-State actors. She also referred to the European Court. Ms. Anna-Karin Holmlund stressed three elements: the security of human rights defenders (special procedures and OHCHR should pressure governments for a better reporting); the lack of implementation of the UN mechanisms' recommendations; and the dialogue mechanisms of the WGEID still facing problems with States' cooperation. Adrien-Claude Zoller concluded the Seminar.

The debate during the brainstorming dinner concerned the cooperation between the WGEID, the CED and OHCHR; the serious gaps in the translation of complaints and of cases; the need to update the website and the submission forms; the increasing number of cases of reprisals against defenders and relatives. The UN has to elaborate more efficient protection measures. All recognized the value of such events and the positive impact it can have in raising awareness among civil society as to the communication procedures.

Brainstorming Session on Business and Human Rights *(Geneva, CICG, Thursday 11 December 2014)*

Background

Following the study of its Sub-Commission, the UN Commission on Human Rights requested the UN Secretary General to appoint a Special Representative on the issue of human rights and transnational corporations and other business enterprises, to prepare guiding principles (2005). The expert appointed, Prof. John Ruggie, submitted his final report with the 'Guiding Principles on Business and Human Rights'. By Resolution 17/4 of 16 June 2011, the HR-Council adopted the Guidelines and created a Forum on Business and Human Rights, and a special procedure: the Working Group on the issue of human rights and transnational corporations and other business enterprises.

But there are still many practical and legal obstacles for the access to justice and remedy for victims of corporate human rights abuses. In this UN process, a **key development** took place on 25 June 2014, when the HR-Council decided to elaborate an 'international legally binding instrument on transnational corporations and other business enterprises with respect to human rights' (HR-Council Resolution 26/9).

It was the **first time** that the member States **did not reach the consensus** on this issue. Resolution 26/9 was adopted by 20 votes (Algeria, Benin, Burkina Faso, China, Congo, Ivory Coast, Cuba, Ethiopia, India, Indonesia, Kazakhstan, Kenya, Morocco,

Namibia, Pakistan, Philippines, Russia, South Africa, Venezuela, Vietnam), against 14 (Austria, Czech Republic, Estonia, France, Germany, Ireland, Italy, Japan, Montenegro, South Korea, Romania, Macedonia, United Kingdom, USA), with 13 abstentions (Argentina, Botswana, Brazil, Chile, Costa Rica, Gabon, Kuwait, Maldives, Mexico, Peru, Saudi Arabia, Sierra Leone, United Arab Emirates).

In May 2013, GHR and the *International Commission of Jurists* already conducted a 'Legal seminar 'Corporate complicity, access to Justice and the international legal framework for corporate accountability', followed by a broad gathering at the UN. Legal problems of communities trying to obtain justice were reviewed with victims from Ecuador, Uganda and Palestine. Moreover, for the 2nd session of the UN Forum (December 2013), GHR animated a briefing for the eighteen representatives from civil society organizations (human rights NGOs, national institutions, trade unionists) brought to Geneva by the *Ebert Foundation*.

Proceedings of the session

This time, to promote informal exchanges on the forthcoming negotiations on a '*binding instrument*', GHR convened a **Brainstorming Session** the week after the 3rd Forum on Business and Human Rights. The event took place on **Thursday 11 December 2014** in the *Geneva International Conference Centre*. It was chaired by Ms. Penny Parker (*Advocates for Human Rights* and member GHR Executive Council). The public discussion was followed by a private brainstorming dinner for experts, diplomats and NGOs concerned.

41 persons attended: diplomats from 18 Permanent Missions (Botswana, South Africa, Argentina, Chile, Ecuador, Guatemala, Mexico, France, Germany, Italy, Liechtenstein, the Netherlands, Switzerland, the Czech Republic, Hungary, Poland, the European Union, the Council of Europe), the Special Rapporteur on toxic wastes, two OHCHR Representatives, 10 NGOs and 6 scholars.

Adrien-Claude Zoller chaired the First Round-Table on '*The tools of the HR-Council and the elaboration of the binding instrument*'. Two experts intervened, Ms. Lene Wendlandt (OHCHR) and Prof. Chip Pitts (*Stanford Law School*). Governmental delegations participated in the exchanges of this Round-Table, in particular the European Union, Ecuador, South Africa, Italy, Chile, the Netherlands. The two experts concluded this first exchange.

The Second Round-Table on *Civil Society Perspectives* was chaired by Carlos Lopez (Head Business & Human Rights, ICJ). Those speaking were Benedict de Moerloose (Legal Advisor TRIAL), Felix Kirchmeier (Head Human Rights, *Ebert Foundation*), Ms. Ana Maria Suarez Franco (FIAN), and Gerald Staberock (Director, OMCT).

After the last comments by Ms. Lene Wendlandt and Prof. Chip Pitts, the Chair, Ms. Penny Parker, presented several concluding remarks: both processes had to be seen in their complementarity; all speakers had stressed that the elaboration of a binding instrument should not undermine the Guiding Principles; the complex subject had to be well defined before drafting a text which should respond to the needs; standard-setting was requiring transparency, inclusion, and learning from other treaty drafting initiatives; all referred to the victims' perspectives and many said it would be too narrow to limit the instrument to transnational companies only; many said that the selection of the Chair would be critical.

3. INTERNSHIP & FELLOWSHIP PROGRAMME (IFP)

HPS has a multidisciplinary and cross-regional team. Unpaid Internships and fellowships are from 3 to 6 months. GHR selects students and graduates in international relations, international law, human rights, political science and economics, who are motivated in the promotion and protection of human rights and social justice.

GHR considers internships as a **training**. The interns participate in the weekly study meetings and in the *Geneva Courses*. In addition, long-term interns are assigned specific study projects corresponding, where possible, to the theme of their forthcoming *thesis*, and coinciding with *GHR* thematic priorities. GHR also ensures the necessary follow-up to these long-term internships, by facilitating their placement in specialized institutes for their PhD and their search for jobs. In 2014, *HPS* welcomed the following 30 interns and fellows:

a) Interns from the regions:

Melissa May Pena (Colombia), Ana Clara Segura de Avezedo (Brazil), Raquel de Oliveira (Brazil), Luis Feijoo (Venezuela), Laeticia Monnet (Ivory Coast), Mega Rohani (Singapore),

Rachel Nadia Goh (Singapore), Reuben Wende Lim (Singapore), Sahar Alyasiri (Iraq), Julia Hasani (Albania), Anastasia Tsyhanok (Ukraine), Roopa Mathews (India-Switzerland), Dylan Saba (Palestine-USA), Annis Saniee (Iran-USA), Jasmine Elbarbary (Iraq-USA), Aouatif Stitou (Morocco-Spain).

b) Interns from Northern countries:

Aoife Staunton (Ireland), Camille Giraut (France), Casey Danahue (USA), Chiara Cosentino (Italy), Ines Crosas Remon (Spain), János Drienyovszki (Hungary), Jessica Gerken (Germany), Lorena Menes (Spain), Manon Garin (France), Marta Bautista (Spain), Monica Masola (Italy), Sophie Hansen (Denmark), Valeria Bellelli (Italy), Victoria Nordli (Norway).

Since January 2012, Ms. Maria Teresa Tienda Rivera (Spain) coordinated the Department. As she left GHR to continue her studies at the Duke University, she was replaced at the beginning of July by a Consultant, Ms. Danica Finger (Germany).

THE ORGANISATION OF GHR

As an International Association under Swiss law (in conformity with articles 60 *et al.* of the Swiss Civil Code), *GHR* obtained tax exemption status from the State of Geneva as from the financial year 2005 onwards. On 10 November 2010, the State of Geneva renewed this status for a period of 10 years. On 27 July 2009, *GHR* obtained Consultative Status with the Economic and Social Council of the United Nations (*ECOSOC*).

1. GHR GENERAL ASSEMBLY

On 31 December 2014, the Association was composed of 46 individual **members** and 4 observers¹. Twenty-two of them are trainers or teachers. Many participate *pro bono* in *GHR* training activities. New members have been welcomed over the last eighteen months, in particular Sébastien Coquoz (Switzerland, trainer in the Geneva Courses, former member SMT); Prof. Theo Van Boven (Netherlands, former Special Rapporteur on Torture, former member CERD); Thomas McCarthy (Ireland, former advisor OHCHR); Prof. Paolo de Stefani (Italia, Human Rights Institute and Faculty of Political Science of the University of Padova); Prof. Michael O'Flaherty (Ireland, professor at the University of Galway); and Félix Kirchmeier (Germany, Human Rights Officer Ebert Foundation).

GHR General Assembly holds its ordinary session once a year. The most recent Assemblies took place on 12 January 2006, 29 March 2007, 13 March 2008, 6 March 2009, 19 March 2010, 19 September 2010, 10 March 2011, 8 March 2012, 7 March 2013.

Ms. Penny Parker chaired the General Assembly of 6 March 2014. The Assembly examined and approved the Narrative report 2013, the Action Plan for 2014, the Financial report 2013 audited by *Comtesas + Gerficom*, and the Budget for 2014 and 2015. The mandate of the Executive Council members was extended.

2. GHR EXECUTIVE COUNCIL

In 2014, the Executive Council was composed of Suhas Chakma (India), Alain Dick (France), Jean-Pierre Huber (Switzerland, Treasurer), Ms. Penny Parker (United States of America), Prof. Bertrand Ramcharan (Guyana), Eric Revillet (Switzerland), and Adrien-Claude Zoller (Switzerland, President). In its 6 March meeting, the Council adopted administrative and financial measures prepared by its Bureau. In its meeting of 11 December, the Council reviewed the narrative and financial reports of the year and adopted the draft Budgets and Action Plan for 2015. Throughout the year, the Council members received many proposals of its Bureau and took decisions by E-mails.

¹ Nationalities of the members: Congo (1), Senegal (1), India (2), Armenia (1), Russian Federation (2); Colombia (2), Haiti (1), Guyana (1), Canada (1), United States of America (1), Malta (1), Germany (2), Belgium (1), Finland (1), Ireland (4), Italy (1), France (1), Netherlands (2), United Kingdom (1), Switzerland (19). Nationality of the observers: Timor Leste (1), Russian Federation (1), Bolivia (1), Switzerland (1).

In 2014, the Bureau of the Executive Council (Alain Dick, Eric Revillet, Jean-Pierre Huber and Adrien-Claude Zoller) met in January (in Bern) and in May. In between the meetings of the Bureau, the President and the Treasurer met weekly to prepare proposals for the Bureau on all the financial matters. Rule is that all Bureau decisions have to be taken by consensus, including when decisions are taken by E-mails exchanges.

3. GHR SECRETARIAT

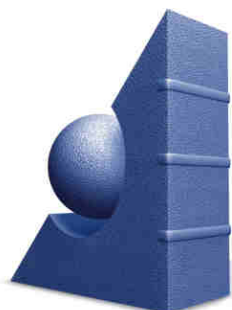
GHR Secretariat has three Departments: the Global Training Department (GTP), the Department of Human Rights Policy Studies (HPS) and the Technical Department. Since 2010, the **bookkeeping** is entrusted to an external accountant, Mr. Cesar Mercado.

Senior Management Team

Since 2008, GHR Secretariat is directed under the authority of the Bureau by the Senior Management Team (SMT), which meets once a week. The SMT is composed of the Head of the Departments and a few selected long-term interns. In 2014, the permanent SMT members were Adrien-Claude Zoller (Coordinator GTP), Maria Teresa Tienda Rivera (Spain, Secretariat Coordinator until 30 June), Danica Finger (Germany short-term Consultant appointed to replace Maria Tienda since 1 July) and Nicolas Zoller (IT-Officer).

The following interns joined the SMT in 2014: Monica Masola (Italy, February - March), Rachel Nadia Goh (Singapore, July - September), Manon Garin (France, July - October), Chiara Cosentino (Italy, November - December), János György Drienyovszki (Hungary, November - December).

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GENEVA FOR HUMAN RIGHTS Global Training

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