

fidh

International Federation for Human Rights



Civil Society Institute

37TH CONGRESS - FORUM JUSTICE, THE NEW CHALLENGES YEREVAN - ARMENIA, 6-8 APRIL 2010

Conscious that all peoples are united by common bonds, their cultures pieced together in a shared heritage, and concerned that this delicate mosaic may be shattered at any time, Mindful that during this century millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of humanity, Recognizing that such grave crimes threaten the peace, security and well-being of the world, Affirming that the most serious crimes of concern to the international community as a whole must not go unpunished and that their

ensured by level and

effective prosecution must be taking measures at the national by enhancing international



The Right to an Effective Remedy

The FIDH Forum, organised in partnership with FIDH Armenian member organisation, Civil Society Institute will bring together representatives of the 155 member organisations of FIDH, from over 100 countries, along with partner organisations and experts from all over the world, in particular, representatives of international criminal tribunals and regional courts.

FIDH will have the honour of welcoming representatives from the Armenian authorities, international institutions and internationally recognised experts in matters of international law such as the Prosecutor of the International Criminal Court, Luis Moreno-Ocampo, Françoise Tulkens, Judge of the European Court of Human Rights or the Nobel Peace Prize winner Iranian Lawyer Shirin Ebadi.

This Forum will bring together in Yerevan a community of more than 250 persons of varied geographical and cultural horizons, all committed to the defence of human rights and engaged in the fight against impunity.

Day 1: Tuesday, 6 April 2010

(subject to changes)

2:00 – 4:00 pm : Opening Ceremony

- **Mr. Serzh Sargsyan**, President of the Republic of Armenia (TBC)
- **Mrs. Souhayr Belhassen**, President, FIDH
- **Mr. Artak Kirakosyan**, Chairman of the Board, Civil Society Institute (CSI)
- **Mr. Abdou Diouf**, General Secretary, International Organisation of Francophonie
- **Mr. Janez Lenarcic**, Director, Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe

4:30 – 6:30 pm : Opening of the Forum

- Master of ceremonies: **Ms. Soraya Gutierrez Arguello**, Vice-President, FIDH, and **Mr. Sidiki Kaba**, Honorary President, FIDH
- **Mr. Gevorg Danielyan**, Minister of Justice of Armenia, “Administration of Justice and the challenges of the National Reforms” (TBC)
- **Ms. Shirin Ebadi**, « Independence of justice and separation of powers »
- **Ms. Françoise Tulkens**, Judge, European Court of Human Rights, “The Role of the Regional Protection Systems in the enforcement of National Justice Systems/ The role of the Universal Jurisdiction”
- **Ms. Tatiana Kasatkina**, Executive Director, Memorial, “The Victims’ Search for Justice”
- **Mr. Luis Moreno-Ocampo**, Prosecutor, International Criminal Court “International and National Justice: The use of the ICC Complementarity Principle”
- **Mr. Patrick Baudouin**, Honorary President, FIDH, “Objectives and methodology of the Forum”

7:00 pm : Reception

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International Federation for Human Rights

It is currently a **federation of 155 member organizations** in over 100 countries around the world. FIDH is the only international human rights NGO with a federalist structure, acting through and for its local member and partner organisations.

This “bottom up” approach governs all aspects of decision-making, action and operation of FIDH. We provide daily support to our local member and partner organisations, in order to respond effectively to human rights violations in their countries and to strengthen their capacity to act and enhance their impact.

Working with a mandate to assure the respect of all rights set out in the Universal Declaration of Human Rights, the International Federation for Human Rights (FIDH) was established in 1922.

FIDH main activities:

- **Establishing the facts: investigative and trial observation missions**

Through activities ranging from sending trial observers to organizing international fact finding missions, FIDH has over the past fifty years and more, developed rigorous and impartial procedures to establish the facts and identify those responsible for human rights violations. FIDH has conducted more than 1 500 missions in over 100 countries in the past 25 years. These activities reinforce FIDH’s alert and advocacy campaigns.

- **Supporting civil society: training and exchange**

FIDH organizes numerous activities in partnership with its organizations aiming to strengthen the influence and capacity of human rights activists to boost changes at the local level.

- **Mobilising the community of States:**

Permanent lobbying of inter-governmental bodies

FIDH has representation offices at the UN, EU, Arab League, African Union, ASEAN, ICC in order to support its member organisations in their

Yerevan - Armenia

6 – 8 April 2010

before an Independent Tribunal

The Forum will be the occasion for debates, exchanges of experience and analyses on various themes related to the right to an effective remedy before an independent jurisdiction, at national level as well as accessing regional and international justice systems. A special focus will be given to the new challenges to build on FIDH and its member organisations' expertise and impact on future strategies of action.

This Forum will take place in the days preceding the commemoration of the 95th anniversary of the Armenian Genocide and falls within the context of the effective pursuit of dialogue between Turkey and Armenia. The Forum will constitute an opportunity to work on the question of the prevention of genocide and other international crimes on the basis of exchanges and experiences provided by the NGOs present and originating from different continents. It is anticipated that a joint event will be organised with the Armenian Genocide Memorial.

Day 2: Wednesday, 7 April 2010

9:00 - 10:30 am : Panel I - International Justice: A tool for domination or for progress?

Moderator: **Mr. Manuel Ollé** (President, APDHE / Spain)

10:45 - 12:30 am : Parallel Workshops

- A) Triggering national justice
- B) Measuring the capacity and the willingness of national justice systems

12:30 - 2:00 pm : Keynote lunch address

Filling the protection gap for human rights defenders fighting impunity
Mr. Osman Hummida (Sudan), **Ms. Vilma Nuñez** (Vice-President, FIDH, President, CENIDH / Nicaragua)

2:00 - 3:30 pm : Panel III - Obtaining truth, justice and reparation: complementary systems to criminal justice

Moderator : **Mr. Gaston Chillier** (Director, CELS / Argentina)

3:45 - 5:45 pm : Parallel Workshops

- E) The role of regional human rights protection systems in the reinforcement of national justice
- F) The establishment of the truth: a strategic issue

9:00 - 10:30 am : Panel II - The challenges of national judicial systems:

Moderator: **Mr. Driss El Yazami** (Secrétaire Général, FIDH / Maroc)

- C) The needed involvement of victims between participation and other ways for victims to contribute to justice
- D) Extraterritorial Jurisdiction

2:00 - 3:30 pm : Panel IV - Justice and the responsibility of non-state actors

Moderator: **Ms. Alice Mogwe** (DITSHWANELO / Botswana)

- G) Respect of Human Rights in the fight against terrorism
- H) Accountability of multinationals: the need for common strategies

Day 3 : Thursday, 8 April 2010

9:00 - 10:20 am : Plenary Session

Moderator: **Mr. Karim Lahidji** (Vice-President, FIDH, Iran)

- A) Triggering national justice
- B) Measuring the capacity and the willingness of national justice systems
- C) The needed involvement of victims
- D) Extraterritorial Jurisdiction

10:40 am – 12:00 pm : Plenary Session

Moderator : **Ms. Fatimata Mbaye** (Vice-Présidente, FIDH / AMDH Mauritania)

- E) The role of regional human rights protection systems in the reinforcement of national justice
- F) The establishment of the truth: a strategic issue
- G) Respect of Human Rights in the fight against terrorism
- H) Accountability of multinationals : the need for common strategies

12:30 pm - Conclusion

Mr. Ales Bialatski (Vice-President, FIDH / Viasna, Belarus)

advocacy before the intergovernmental organisations. It alerts the international bodies to violations of human rights and refers specific cases to them. It takes part in the development of international legal instruments and develops strategies on both thematic issues, such as universal jurisdiction or death penalty, alongside strategies on specific countries, such as Burma and Iran.

• **Informing and reporting: mobilizing public opinion**

FIDH informs and mobilizes public opinion through the production of press releases, press conferences, open letters to authorities, mission reports, urgent appeals petitions, campaigns, website... FIDH makes full use of all means of communication to raise awareness of human rights violations across the globe.

FIDH publications are available at the following link:<http://www.fidh.org/-Human-Rights-News->

FIDH - 37th Congress

JUSTICE, THE NEW CHALLENGES

The Right to an Effective Remedy before an Independent Tribunal

Some keynote speakers :

Luis Moreno-Ocampo, Prosecutor of the International Criminal Court (ICC)



On 21 April 2003, the Assembly of States Parties to the Rome Statute of the International Criminal Court, meeting in its second resumed first session, unanimously elected Mr. Luis Moreno-Ocampo of Argentina as first Prosecutor of the Court. Between 1984-92, as a Prosecutor in Argentina, Mr. Moreno-Ocampo was involved in precedent-setting prosecutions of top military commanders for mass killings and other large-scale human rights abuses.

1992, Mr. Moreno-Ocampo resigned as Prosecutor of the Federal Criminal Court of Buenos Aires, and established a private law firm, Moreno-Ocampo & Wortman Jofre, which specializes in corruption control programs for large firms and organisations, criminal and human rights law. Until his election as Prosecutor of the International Criminal Court, Mr. Moreno-Ocampo worked as lawyer and as Private Inspector General for large companies. He also took on a number of pro bono activities, among others as legal representative for the victims in the extradition of former Nazi officer Erich Priebke to Italy, the trial of the chief of the Chilean secret police for

the murder of General Carlos Prats, and several cases concerning political bribery, journalists' protection and freedom of expression.

Françoise Tulkens, Judge of the European Court of Human Rights



Françoise Tulkens is one of the world's foremost penal law experts. Early in her career, she became a member of the bar in Brussels, was named research fellow at the Fonds National de la Recherche Scientifique and, subsequently, professor in the law faculty of the Université Catholique de Louvain.

Throughout her years of dedicated work, she earned an enviable reputation through her articles and reference volumes, and her collaboration with academic colleagues on research projects dealing with penal law and immigration. In fact, the University of Ottawa has had the pleasure of receiving her several times as an invited professor.

In 1998, she moved to Strasbourg as a member of the panel of the European Court of Human Rights. She became President of section in 2007.

Shirin Ebadi, Nobel Peace Prize, 2003



Shirin Ebadi was awarded the Nobel Peace Prize for her significant and pioneering efforts for democracy and human rights, especially women's, children's, and refugee rights.

She is the first woman in the history of Iranian justice to have served as a judge. But following the victory of the Islamic Revolution in February 1979, she was dismissed from her duties and became a clerk in the very court she once presided over.

After protests, all former female judges, including Ms. Ebadi, have been "promoted" to the position of "experts" in the Justice Department. She requested for an early retirement.

Since the Bar Association had remained closed for some time since the revolution and was being managed by the Judiciary, her application for practising law was turned down.

Finally, in 1992 she succeeded in obtaining a lawyer's licence and set up her own practice, defending many cases, including the representation of the families of the serial murders victims (the family of Dariush and Parvaneh Foruhar) and Ezzat Ebrahimejad, who were killed during the attack on the university dormitory, the mother of Mrs Zahra Kazemi, a photojournalist killed in Iran etc.

Shirin Ebadi has also established two non-governmental organizations in Iran with western funding, the Society for Protecting the Rights of the Child (SPRC) and the Defenders of Human Rights Center (DHRC).

Further information
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THE FORUM IS ORGANISED IN PARTNERSHIP WITH THE INTERNATIONAL ORGANISATION OF THE FRANCOPHONIE (OIF), THE ORGANISATION FOR THE SECURITY AND COOPERATION IN EUROPE (OSCE), AND WITH THE COOPERATION OF THE INTERNATIONAL CRIMINAL COURT, AND HARVARD UNIVERSITY (THE HAUSER CENTER).