



ISHR NEWSLETTER

September 2018

IMPORTANT DATES

5 September

Int. Day of Charity

8 September

Int. Literacy Day
(UNESCO)

11 September

9/11 National Day of
Remembrance (U.S.)

15 September

Int. Day of Democracy

21 September

Int. Day of Peace

CONTENTS

From the President	1
Water is a human right	1
From the Sections	1
ISHR Guatemala	
<i>Peacebuilding in prisons, education for indigenous children</i>	1
ISHR Iraq	
<i>Activity report: Addressing crimes of ISIS, genocide of Yazidis</i>	2
ISHR Ukraine	
<i>New report on violations of the rights of attorneys in Ukraine</i>	3
Current Developments	4
Colombia	
<i>'Without Borders' – On the Venezuelan refugee crisis, the largest in the history of Latin America</i>	4
Myanmar	
<i>UN Reports: Military officials in Myanmar should be charged with genocide of Rohingya</i>	5
ISHR Events	6
Thomas Schirrmacher and Richard Howell deliver reports on discrimination of religious minorities in India to Pope Francis	6

PROMOTING LITERACY & PEACE

As the world celebrates the international days of peace and literacy this month, ISHR Guatemala is delivering school books to underprivileged indigenous children and training prisoners in peacebuilding as a part of their ongoing work. Meanwhile, ISHR Ukraine and ISHR Iraq push for justice in their countries and ISHR Colombia reports on the Venezuelan refugee crisis. Read on to find out more!

"For everyone, everywhere, literacy is, along with education in general, a basic human right.... Literacy is, finally, the road to human progress and the means through which every man, woman and child can realize their full potential" – Kofi Annan



Mayan girls hold up their school books delivered by ISHR Guatemala

FROM THE PRESIDENT

Water is a human right

Safe drinking water is an individual human right which correlates precisely with the public duty of civic authorities to provide clean drinking water. In order to fulfill that right, an individual can very rarely ensure it on his own; safe water must be provided by public authorities, regardless of whether those authorities are called a clan, tribe, or government. It is a justice duty of public authorities to assure that their people have access to clean water to drink. Providing drinking water is a joint duty, a duty at the local government level, as well as regionally and nationally. And since lakes, rivers, rain, and groundwater do not hold to national



Thomas Schirrmacher informing himself on the water situation in Livingstone, Zambia

borders, it is an interstate and international duty.

Because those in responsible positions in government are not always able to fulfill their water duties, international charities have a crucial role to play in developing and providing the needed technologies and know-how. If public officials are unable to assure that their people have sufficient clean water, they have a moral duty to request assistance from international sources. Such international assistance is in the realm of mercy. Ethical obligations in relation to water have been considered by morally sensitive people since antiquity.

In 2008 the United Nations Human Rights Council mandated Ms. Catarina de Albuquerque as an independent expert and rapporteur on the human rights obligations related to access to safe drinking water and sanitation. From her reports, the road leads directly to July 28, 2010, when the General Assembly of the UN and 122 member countries formally accepted the human right called “a right to water.”

*Thomas Schirrmacher
President of the International Council of ISHR*

FROM THE SECTIONS

ISHR Guatemala

Peacebuilding in prisons, improving education for indigenous children

ISHR Guatemala is currently active in the development of two programs: *Constructores de Paz* (Peace Makers) and education for Mayan indigenous children. The *Constructores de Paz* program has been developed in prisons in Guatemala with the help of *Confraternidad Carcelaria de Guatemala* (Prison Fellowship of Guatemala). Trainings have been carried out to teach the leaders of prisons and schools how to implement the program. At present, 400 people have received training and work as volunteers in schools and prisons. ISHR Guatemala has received a donation of *Constructores de Paz* books and for the cost of training. Of the ten trainings, three have been carried out in prisons, in which prisoners were trained in techniques for dialogue and peacebuilding within the prison campuses.

The penitentiary system in Guatemala has 22 prisons that house approximately 20,000 inmates. One of the most challenging problems that Guatemala faces is the fight against youth gangs, called "Maras" (e.g. MS-13). These gangs control organized crime in Guatemala and are very violent. So far, 400 young Maras in prison have taken part in the *Constructores de Paz* course. Among the prisons are:

La Granja Canadá: This is a jail located 60 km from the capital in Escuintla. It has suffered from conflicts within the prison population. One of the major problems is that the jail is designed to house 600 prisoners, but there are currently 3,000 inmates. Among the inmates are murderers, kidnappers, rapists, and gang leaders ("Paisas y cholos").

In 2015, there was a riot among the prisoners that was due to these extremely overcrowded living conditions combined with rivalry between gangs, leaving 17 dead.

Confraternidad Carcelaria de Guatemala and ISHR Guatemala have sought ways to help support peace between the prisoners and help them in their living conditions within the prisons. The *Constructores de Paz* program that has been very successful in helping to resolve conflicts without violence. In this prison, 40 inmates received training, who in turn trained other prisoners in the program. ISHR Guatemala gave the *Constructores de Paz* books to *Confraternidad Carcelaria de Guatemala* so that the program could be further developed in the jail. *Confraternidad* officials hope that this program will help ease tension among inmates.

Preventive Center for Men in Zone 18: This prison is located in the capital and was built to house 80 prisoners, but currently has approximately 600. Most of the inmates belong to rival gangs and the prison environment is very violent. *Confraternidad Carcelaria de Guatemala* asked us for the *Constructores de Paz* program to be developed in the prison center and the ISHR Guatemala gave a seminar to 60 prisoners and donated books on peacebuilding.

Maximum Security Prison of Guatemala: It was built for a maximum capacity of 960 inmates, but there are currently approximately 2,000 inmates located there. This prison is considered to be one of the most violent in Guatemala. *Confraternidad Carcelaria de Guatemala* began with the peace building training of 200 inmates through the *Constructores de Paz* program, so that they can train other prisoners in turn.

Educational support for indigenous areas

ISHR Guatemala received a donation of 60,000 educational books for the rural, largely Mayan area of Guatemala. The books are titled ‘*Alphabet and Phonetic Primer*’ and ‘*Numbers, Concepts and Geometric figures*’. These books were donated to rural schools in the poorest areas of the country, where the majority of children are indigenous Mayans, who are disadvantaged and often face discrimination.

Both projects were led by representatives of ISHR Guatemala, Maria Renee Bobadilla and Alexandra Marin.



Mayan school children in rural Guatemala hold up their new books. Photo: ISHR Guatemala

Prepared by: *Haydee Marin, ISHR Vice President
Coordinator of the ISHR Latin America Committee*

ISHR Iraq



ISHR Iraq attended the commemoration events of the 4th anniversary of the IS attack on Shingal. Aug. 3, 2018.

Activity report: Addressing crimes of ISIS, seeking accountability for Yazidi genocide

The following is an overview of the activities of ISHR Iraq undertaken from July through August this year. At the beginning of July, ISHR Iraq took part in a training of Syrian refugees in Erbil, northern Iraq, on the topics of negotiation, conflict resolution, and peace efforts in a culture of non-violence. The participants included 25 political leaders of Syrian refugees currently living as refugees under the Kurdistan Regional Government (KRG).

On July 9, we were represented at a meeting of the KRG member committee on the crimes committed by ISIS crimes against Yazidis and Christians to be recognized as genocide. During the meeting, the international conference on ISIS crimes in Erbil was planned and organized, in which ISHR Iraq also took part. On July 16, the author of this report (Krmanj Othman, Director of ISHR Iraq), was interviewed on the satellite channel 'Zagros' in Arabic, to discuss international humanitarian law regarding the protection of civilian and refugee rights in Iraq and Kurdistan. The following week, a meeting was held with the Deputy Consul of Germany regarding the current situation of IDPs and refugees in Kurdistan.

At the very beginning of August, the author was interviewed by Kurdistan TV regarding the genocide of Yazidis, as well as on supporting IDPs with reconstruction efforts at the locations destroyed by ISIS. We also attended the 31st anniversary in northern Erbil in commemoration of the Barzan genocide committed by the Saddam Hussein's regime on August 1.

Furthermore, we attended the commemoration of the 4th anniversary of the ISIS attack on Shingal in Dohuk on August 3. Two days later, a meeting with experts from the International Commission on Missing Persons (ICMP) regarding accountability for ISIS and investigation into mass graves was held in Duhok. ISHR Iraq then met with staff from the Dutch NGO 'PAX' regarding activities in Yazidi IDP camps, among other topics. On August 10, we discussed the possible exchange of experience between Kurdistan and the Balkans regarding investigation of mass graves with PAX senior advisor, Mr. Dion van den Berg.



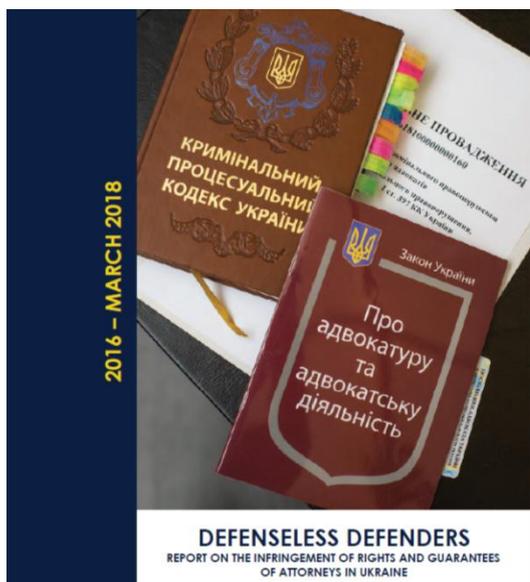
Director of ISHR Iraq, Krmanj Othman (4th from right), attends a meeting on investigating mass graves with ICMP. Aug. 5, 2018.

Finally, on August 14, the author met with 2 international experts on child and juvenile protection from UNICEF to arrange possible training in IDP camps and presented a legal paper on ISIS crimes and the genocide of Christian and Yazidis in the first international conference on ISIS crimes in Erbil.

*Krmanj Othman
Director of ISHR Iraq*

ISHR Ukraine

New report on violations of the rights and safety of attorneys in Ukraine



Cover of the report. PDF available upon request.

In past three years in Ukraine, there were 34 cases of attacks on lawyers. Five of them were killed as a result of such attacks. These are Yuri Grabovsky, Victor Loiko, Tatyana Popova, Valery Rybalchenko and Irina Nozdrovskaya. This information is contained in a report published by the Ukrainian Section of the International Society for Human Rights together with the Initiative Group for Protection of Rights of Attorneys.

According to the report, most of the attacks on lawyers are carried out by representatives of the police, Secret Service, tax authorities and other government agencies along with members of the Parliament, radical groups and "unidentified individuals." Human rights defenders openly express concern about this situation: it is becoming more dangerous to be a lawyer. Moreover, even the most resonant cases are either not considered by the courts for unknown reasons or put on hold, because of the inaction of the prosecution.

Major tendencies in violation of the rights of lawyers identified in the report include:

- Identification of an attorney with a client (e.g. detention of attorneys; pressure on attorneys from politicians and public.);
- Extrajudicial instruments of influence on attorneys (e.g. murder, physical attacks, damage to property, and threats);
- Criminal and disciplinary prosecution of attorneys or threats of persecution (e.g. involvement of an attorney as a witness in a process; searches in offices and premises of attorneys; criminal prosecution of attorneys for lawful actions);
- Failure to provide attorneys with access to their clients and removal of an attorney from court proceedings (non-fulfilment of duties related to a client delivery to participate in a court session; abuse of the right to engage a public defender);
- Violation of basic principles of legal proceedings (suppression of evidence; interference in interrogation of witnesses; lack of possibility to confidential communication with a client).

All tendencies of infringement of the rights of attorneys have a single motive – preventing an attorney from fulfilling his/her functions as a defense counsel in a trial. Initiators of these processes try to prevent unbiased judicial proceedings, and aim to obtain a favorable to them court decision at any cost.

In general, every case of violation of the rights of an attorney requires close attention from public authorities, civil society and international institutions. It should be regarded as an attack on democratic values, including human rights and the rule of law, since it violates not only the individual rights of an attorney, but also seriously weakens ability lawyers to perform their profession in protecting these values.

Anton Alekseyev
Executive Director of ISHR Ukraine

CURRENT DEVELOPMENTS

Colombia

‘Without Borders’: On the Venezuelan refugee crisis, the largest in the history of Latin America



Venezuelan family entering Colombia after emigrating from their native country. June 2018. Source: Voice of America

Despite the recent pronouncements of several South American governments to regulate the entry or passage of Venezuelans to their territories, I was pleased to hear that the current president of Colombia has decided not to impose any kind of restriction on those who arrive from its neighbor, Venezuela; this means no visa and no passport will be required to enter, and they will not have to guarantee a minimum income.

The country today reflects a more humanitarian vision of the situation of those fleeing from an absolute tyranny that has co-opted all branches of power, which is trying to control an economy that it has devastated and maintain an international image through its own grotesque pronouncements - a regime like that of Nicolás Maduro.

According to figures from the United Nations, an estimated 2.3 million Venezuelans have left Venezuela as of June 2018, fleeing mainly to Colombia, Ecuador, Peru, Brazil, and Chile.

Colombia undoubtedly has experience of people fleeing based on our own history, including in what this uprooting entails for those who leave and those who are left behind due to one circumstance or the other. Therefore, the country is prepared for the migrating Venezuelan who leaves behind his mother, the children who mourn the absence of their parents, the brothers who sacrifice themselves for the family, the heroes who are each of these migrants uprooted from their land and their family by the interests of inhumane politicians who are busy exploiting such a beautiful land. Perhaps all of our history has strengthened us as a country and better prepared us to receive them, than those who have not lived a forced migration.

Today in Colombia you can see many people in transit who are tired in their bodies with pain in their souls; you can see in their faces the tragedy and the burden they carry on their shoulders as they are the only hope for their families, who are imprisoned by the fear and hatred of the dictatorship. But you also see happy faces when they receive help from individuals or the Colombian state, fanning the hopeful flame of an entire Latin America that has historically been resilient and supportive. Although some requirements for income are imposed in some countries, the top levels of diplomacy can be heard designating Nicolás Maduro as an indolent dictator of his countrymen, who not only has hurt in his country, but has forced his people into self-exile on a basis no less serious than any that of any refugee of the wars and famines in the world.



Colombian National Police leading Venezuelans across the border into Colombia. Feb. 2018. Source: Policia Nacional de Colombia

While no oppressor in history has generated growth for his people, the pain, anguish, and misery that Nicolás Maduro has managed to bring to his country is worthy of the greatest tyrants, because in addition to imposing it in his homeland, he has forced his people to drag it throughout the continent; they are not just migrants in search of a better present or future, they are human beings who are closer to the state of a soul in distress seeking peace. This is why I applaud the Colombian government's position of receiving them as what they are; human beings with rights. Despite Colombia being a developing country itself, with many internal problems, it has not forgotten the most most essential thing, the person.

Diego Alejandro Marin Cifuentes
ISHR Colombia

Myanmar

UN Reports: Military officials in Myanmar should be charged with genocide of Rohingya



A Rohingya mother takes her child to be checked for diphtheria in the Kutupalong refugee camp in Bangladesh. Jan. 2018. Source: Russel Watkins, DFID. Edited by: Maya Robinson. License: CC BY-ND 2.0

The UN Human Rights Council published the findings of its ‘Independent International Fact-Finding Mission in Myanmar’ in a report released on August 27, which identifies ‘genocidal intent’ of the military in Myanmar (called the Tatmadaw) in committing heinous acts of systematic violence against the Rohingya minority in its Rakhine state. It calls for an investigation of six top army officials for crimes under international law, such as genocide, crimes against humanity and war crimes committed in Rakhine, Shan, and Kachin states. Though in-country access was not granted by Myanmar for the mission, it carried out over 875 interviews with victims and eye-witnesses who had fled the country.

The report found the estimate of 10,000 deaths of Rohingya killed by security forces during ‘clearance operations’ in Myanmar from August 25, 2017 to be ‘very conservative’; a separate report from ASEAN from January stated that 43,000 Rohingya have been reported lost and are presumed dead. Importantly, the UN report identifies that these operations had required advance time and planning to implement, and were not merely a spontaneous reaction to the attacks by the militant Rohingya group (ARSA) on police outposts, as the state claimed. During these operations, Commander-in-Chief, Senior-General Min Aung Hlaing stated: “The Bengali problem (referring to the Rohingya) was a long-standing one which has become an unfinished job...the government in office is taking great care in solving the problem”, according to the report. The Commander-in-Chief is among the six army generals named who should be investigated and prosecuted for crimes under international law, up to and including genocide.

The Tatmadaw was also identified as the primary perpetrator of the horrific scale of sexual violence, including mass gang rape, including of pregnant women and girls as young as 13. Children were also victims of violence and were often brutally killed in front of their parents and vice versa. Children make up 60% of the Rohingya refugees in Bangladesh, numbering about 500,000; many of their parents were killed, or they became separated from their families, and are now vulnerable to human traffickers. The IOM has reported at least 78 confirmed cases of trafficking, stressing that this is only a fraction of the true number.



Fatema, a Rohingya refugee who fled to Bangladesh after her oldest son was shot dead by security forces in Myanmar.

Nov. 2017. Source: Russel Watkins, DFID. License: CC BY-ND 2.0

Back in the spring of 2017, the ISHR Germany welcomed the formation of this fact-finding mission in an article published in the annual ‘Religious Freedom 2017’ book and the ISHR Human Rights Magazine, as well as expressed our hope that the international community would continue to investigate and seek justice for these monstrous crimes. It is encouraging that this inquiry has been undertaken as a first step, and that concrete recommendations have been established for the steps to be taken by the international community.

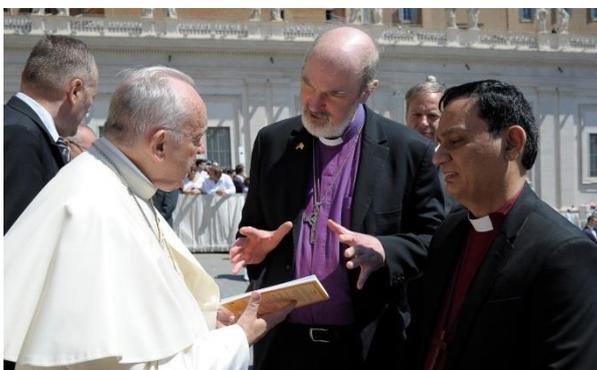
These include, among others, that the UN Security Council should refer the case to the International Criminal Court (ICC) or create an ad-hoc tribunal. The ICC has since announced that it may be able to prosecute Myanmar for the crime of deportation; though Myanmar is not party to the Rome Statute, Bangladesh is, to which most of the Rohingya were forced to flee. Furthermore, the report asks that targeted sanctions be set up, that travel bans and asset freezes be established for implicated officials, and for an arms embargo to be instated against the country. The report also calls for a trust fund for victim support, and for the EU and ASEAN to support strategies to ensure the accountability of perpetrators, among others. To gain a more complete understanding of the background and complexity of the crimes committed against the Rohingya and the way forward towards justice, please read the full report here:

<https://www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/ReportoftheMyanmarFFM.aspx>.

*Maya Robinson
ISHR Germany*

ISHR EVENTS

Thomas Schirmmacher and Richard Howell deliver reports on discrimination of religious minorities in India to Pope Francis



Howell and Schirmmacher handing over the reports to Pope Francis © Osservatore Romano

Dr. Richard Howell of the National United Christian Forum (it comprises the Catholic Bishops’ Conference of India, the National Council of Churches in India and the Evangelical Fellowship of India) and Thomas Schirmmacher, President of the International Council of the International Society for Human Rights, handed over several reports on the discrimination and persecution of religious and ethnic minorities in India to Pope Francis. The text included ‘The Annual Report on Hate Crimes against Christians in India in 2017 the 2017’, a report by the Catholic Bishop’s Conference of India.

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