**Table of Contents**

- Female Genital Mutilation, p.2
- Tibet, where the fury of Chinese dragons lies, p.3
- Book Review - Twelve Patients: Life and Death at Bellevue Hospital - A Commentary on the Place of Healthcare and Human Rights in the US, p.6
- The Cycle of Child Soldiers, p.9
- Right to housing in Brazil – A Utopia?, p.10
- Mandela’s Heritage - A tribute to Nelson Mandela’s life and its message for today’s politics, p.11
- Proportionality in Operation Protective Edge: Did the Ends Justify the Means?, p.14
- Human Trafficking, p.16
- Is the intervention of the European Court of Human Rights in areas of sexual activity, marriage and procreation justified?, p.17
- The Universal Periodic Review, p.19

**Editorial**

The 21st century sees human rights crises affecting millions of individuals, *Human Writes* serves to address a number of these topical incidences. In this issue, a selection of King’s College London’s most passionate human rights activists have come together to discuss injustices they feel are particularly compelling.

The perspectives and settings vary, however, one theme endures: the eradication or reduction of oppression and inequality is not only a matter of moral propriety, it enhances us as a race.

Each and every development and enforcement of human rights is necessarily preceded by plight becoming sufficiently recognised. It is therefore essential that *Human Writes* supports the effective dissemination of information so that action is encouraged.

It is my great pleasure to welcome you to this edition and thank you for your interest. Together we can make a difference.

*Elisabeth Kömives,*  
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*Editor-In-Chief*
Female Genital Mutilation

by Kate Sabin, Politics, Philosophy & Law LL.B. — 1st year

FGM is an epidemic; roughly 100 million women and girls across the world are suffering with the consequences of female genital mutilation (FGM). This equates to 5 girls mutilated every minute. The procedure can range from a comparatively simple clitoridectomy to a “full infibulation”; whereby all female external genitalia are removed, followed by the remaining parts to be sewn together leaving a small, pin hold sized hole facilitating urination, menstruation and sexual intercourse. Typically conducted between the ages of 4-15, this process often leads to drastic complications such as haemorrhages, obstetric tears, a 55% death rate amongst babies born to victims of FGM, not to mention unfathomable psychological and physical trauma. Often performed without antiseptics or anaesthesia and without adequate medical instruments, cases have been reported of the use of glass and fingernails, the process is intrinsic to the maintenance of tradition amongst cultures conducive of subservience amongst women.

This violent form of extreme misogyny amongst a rigid and archaic mode of living creates an unfamiliar image to the Western, white eye of a far off country with issues felt only by its population. This arguably contributes to an ethnocentric attitude to this abhorrent breach of international law and fundamental rights under the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), Convention on the Elimination on all forms of Discrimination Against Women (CEDAW) (1979) and the European Convention of Human Rights (1950), creating a culture barrier to understanding and combating FGM. This closed view falls short of the reality that surrounds us; 16,000 girls in the UK are at risk of infibulation and recent statistics show that 1,700 women have been treated by the NHS for it since April 2014. Although it is often women that arrange these procedures, it is uncommon that a woman would desire to inflict such pain on their loved ones out of fully informed reason. These women have themselves been subjugated to the torture of FGM and have been indoctrinated by their patriarchal culture to conform to the traditions upheld in their tribe; for example, a study conducted on Sudanese tribes revealed that this process is believed to distinguish the honourable women of the community from the prostitutes and slaves, despite it being illegal under Sudanese law. The day of a girl’s infibulation is paramount; without it she cannot fulfil her intended role as a wife and producer of legitimate sons for the husband. One could argue that these women are simply acting out of a pressure originating in age old philosophy and established behaviour of obedience, as well as a care for these young girls to ensure marriage and security.

However, Widney Brown’s, Senior Director of Law & Policy at Amnesty International, combats the culture barrier we face by suggesting that “societies are dynamic, but when men come to power who wish to ensure a continued disadvantage to women they suddenly claim and ossify a culture”. The understanding that women are inferior beings lies at the most fundamental level in these cultures, often those with a strong Islamic community. FGM actually has very limited, if any, religious backing; although it is praised in several hadith (sayings attributed to Muhammad) as noble but not necessary, there is no explicit reference to the benefits of FGM in the Qur’an or the Bible or any other form of religious scripture, suggesting that the primary reason is sourced in a conformity to a tradition of gender discrimination. Even though FGM is practically unheard of in Western society one could contend that the attitudes between these two cultural styles is not as polarised as we would like to believe; it is common within our own social sphere to speak derogatively of
women and to engage in ‘slut shaming’. Although there is an extreme dichotomy between the manifestations of this attitude and those of cultures promoting FGM, they originate from the same fundamental idea that the hierarchal differences between the sexes must be maintained to a high degree. This lends weight to Brown's idea the static nature of women's rights; the UK, arguably one of the most advanced liberal democracies in the world, who consistently worked to abolish slavery and introduced the programme of universal benefits to combat wealth inequality in 1911, still has a pay gap of up to 55% and will not hold its first prosecution of FGM in crown court until May 2015, despite being illegal since 1985.

It was only comparatively recently that the UK itself performed FGM legally; in 1866, a similar time to the introduction of Mary Wollstonecraft and her ‘Vindication of the Rights of Women’, Isaac Baker Brown was expelled from the Royal College of Surgeons after publishing a book on this “harmless operative procedure” for cases such as masturbation, lesbianism and hysteria. However, Brown was not thrown out for conducting the operations, but for revealing that it was commonly performed by other surgeons. This expulsion exemplifies a shame in performing these procedures, almost like a denial of facts that are blatant and documented, suggesting an acknowledgement that exposing this acts would create distress but the act itself is admissible and would have presumably carried on otherwise.

But all hope is not lost. The government has amended its legislation to encourage victims to come forward and give evidence by offering lifelong anonymity, as well as imposing a maximum 14 year prison sentence to anyone convicted of performing, or assisting, female genital mutilation. In addition, the UK has provided a £6.5 million campaign under the Department of International Development to raise awareness of the damaging consequences of FGM which has been supported by Michael Gove's collection of 230,000 signatures to put education at the heart of tackling this epidemic. This initiative is key in helping these girls; young children grow up torn between a desire to become integrated into the liberal 21st century way of life and an obligation to respect and uphold their parent culture which often holds a stronger presence in their life. The traditions established in their cultures are typically a lot more rigid and imposing that young girls are helpless too, especially given the lack of education of the processes they are forced into accepting. By combining the dynamic approach in Western education of social progress, to alleviate the misunderstanding of both those under threat of infibulation and those who practice it, with a broadening of our understanding of how these cultures work and the importance they hold in tradition, we can work together to bring an end to FGM, not through imposition of Western ideals that may create a cultural clash and potentially an aggressive backlash, but through education and progression of age old ideals that is far more sustainable in the long term.

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**Tibet, where the fury of Chinese dragons lies**

by Cécile Goubault-Larrecq, English Law & French Law LL.B. — 1st year

Tibet, the country that that explorers and travellers were once dreaming of, is nowadays to be seen as the former stronghold of Dalai Lamas and the pride of Chinese settlers. In 1950 Tibet was incorporated by the People's Republic of China (hereafter designated as PRC). Isolated from the rest of the world and long considered inaccessible, Tibet is a country out of time where modern issues about human rights are to be raised urgently.
These issues are hardly to be demarcated because of the restrictions operated by Chinese authorities on information coming in and out of Tibet. Foreign reporters are seldom allowed to enter Tibet, and when they are, journalists are closely monitored and prohibited from expressing any criticism in their reports. This even extends outside China: the Chinese government exerted pressure on the French television channel France 24 to prevent a 7-minute report on Tibet from being broadcast on May 30, 2013. Foreign journalists are so rare in Tibet that Professor Carole McGranahan, a University of Colorado professor and Tibet scholar, claimed that they are more numerous in North Korea than there are in Tibet.

Conversely, Tibetan nationals have little access to information. Even when they have access to it, there is little doubt that it is mostly heavily edited. Access to TV, radio, and the Internet is restricted: only broadcasters based in China can provide news services in Tibet. These measures are part of a policy called “The Four Stabilities” announced by China’s leader Hu Jintao in March 2012 in an internal speech. This programme is performed under the slogan “stability overrides all”, aiming to “keep a tight hand on the struggle against separatism, ... to effectively purify the public opinion environment [...] and to strike hard at separatist elements entering Tibet to carry out effective propaganda”.

Let us examine the situation in Tibet, with a particular eye on international principles of law. Contrary to article 19 of the Universal Declaration on Human Rights, which received a favorable vote from PRC for its adoption on 10 December 1948, Tibetan citizens have no freedom to receive and impart information or ideas without interference by public authority and regardless of frontiers. Neither do they have freedom of expression or to hold an opinion. Even peaceful demonstrations are received with strong military crackdowns. As sole means of protest left to them, Tibetans resort to self-immolation increasingly often. In 2009, 133 Tibetans set themselves on fire as a last means of protest. Among them, over two thirds are below 25, and eight were under 18. The upsurge of self-immolation protests, and the disclosure of pictures and videos of Tibetan suicides by fire outside of Tibet led the Chinese authorities to attempt to impose even tighter control over Tibet.

The 14th Dalai Lama alleged that 1.2 million Tibetans were killed under Chinese occupation. When they are not directly killed while protesting, Tibetan insurgents are put in jail, where they are tortured and sometimes killed. Two fundamental human rights are completely denied here. First, the “right to life” is violated, according to Article 3 of the Universal Declaration on Human Rights. Second, Article 5 of ibid. prohibits acts of torture: “no one shall be subjected to torture or to inhuman or degrading treatment or punishment”. This is no anecdotal evidence: a 2008 UN report found that the use of torture in Tibet was «widespread» and «routine».

More controversially, China is also alleged with committing genocide all over Tibet. Reports claim that China is compelling Tibetans to submit to a birth control program that includes forced abortions, sterilizations and infanticide. In 1992, Paul Ingram, speaking on behalf of an NGO group for the Convention on the Rights of the Child went as far as qualifying this policy of sterilization and abortion was «Nazi-like».

A general principle of international law is that there should be no punishment without law. In other words, punishment should follow a criminal offence under international law. According to Article 6 of the Universal Declaration on Human Rights: “Everyone has the right to recognition everywhere as a person before the law”. However, Tibetans can be sent to jail for merely having the Tibetan flag or the picture of the Dalai Lama in their possession, praying the Dalai Lama in public, distributing leaflets, sending information abroad among other activities.

Consider the case of Gedhun Choekyi Nyima, who was abducted at age 6 in May 1995, effectively making him the world’s youngest
political prisoner. His crime? He was designated the new Panchen Lama — the second highest rank behind Dalai Lama in Tibetan buddhist lineage — by the Dalai Lama in exile. The Panchen Lama is the one in charge to nominate the new Dalai Lama when the previous one dies. Shortly after Gedhun Choekyi Nyima’s abduction, the Chinese government announced Gyancain Norby as the new Panchen Lama on 11 November 1995. This gave the Chinese communist party the power to decide for the highest religious authority in, infringing on the right of religious freedom.

According to Article 18 of the Universal Declaration on Human Rights, everyone is entitled to be free of “thought, conscience and religion”. Buddhism is central to Tibet and the Dalai Lama is its religious and political leader. In contradiction with this, PRC Foreign Minister Yang Jiechi held in a March 2009 press conference that the Dalai Lama is “by no means a religious figure but a political figure”. In Tibet, it is forbidden to own a portrait of the Dalai Lama, as we have already said. Monks and nuns are under constant surveillance. They are submitted to ‘re-education programmes’ where they are forced to read anti-Dalai Lama Chinese literature. Besides the physical genocide operated by Chinese authorities, lies also a cultural genocide.

This cultural genocide not only contradicts the Universal Declaration on Human Rights, but also the Convention on the Rights of Children, ratified by the PRC in 1992. Under article 29 of the latter, Tibetan children have a right to learn the Tibetan language and culture. This right is denied to them: according to a 2005 UN report, primary school attendance in Tibet is much lower than the one in China and Tibet had at that point of time the highest illiteracy rates of all region in China: 44%, while the illiteracy rate in China was 10.3%. Reports are that this is no accident, and proceeds from a deliberate policy of making Tibetan children ‘second-class citizens’. This also infringed Article 28 of the Convention on the Rights of Children, which requires children to “be encouraged to reach the highest level of education of which they are capable”. Children, who are in every nation of the world the face of its future, receive an education disconnected with the Tibetan culture, for those who are lucky enough to have access to education at all.

We have mentioned two international texts of law, the Universal Declaration on Human Rights and the Convention on the Rights of Children, both ratified by the PRC, and we have seen that they were, evidently and forcefully, violated in Tibet. It is not clear that there would be any legal mechanism, apart from UN processes, that would be available to hold China to account on its human rights records. Such processes were used in 2014 for the last time, when the Committee on Economic, Cultural and Social Rights of the United Nations put the Chinese authorities under pressure.

The situation in Tibet has unchanged for more than half of a century now and still is not a priority to those who have the power to change things, despite the repeated calls for help of the well-known 14th and current Dalai Lama Tenzin Gyatso, since his setting up of the Government of Tibet in Exile in Dharamshala, India in 1959. As always in our world, where economic interests are not directly in jeopardy, fundamental issues pertaining to the respect of human rights are postponed. Shouldn’t human rights come first?
In *Twelve Patients*, Manheimer recounts a number of cases he has seen during his time as a doctor, patient and chief medical officer at Bellevue Hospital. Bellevue is a particularly interesting case study in itself as it is the oldest hospital in the United States with a number of historically ground-breaking practices to its name. It is a public hospital that treats everyone from the felons on Riker’s Island to visiting heads of states. Manheimer gives insight in the chaotic nature of the healthcare profession as he and his team seem to be constantly pulled in at least five different directions. As Manheimer introduces the range of patients he has treated through intense characterisation, he shows Bellevue as a physical crossroad among the different social groups of society in a very stratified New York City. He also portrays healthcare as a junction between numerous political and human rights issues like immigration, prison reform, and mental health. He shows how dedicated he and his team are to their patients in cases where he collaborates with social workers to get one of his young patients out of the foster care system and into a loving home or advocates on behalf of a patient with a failing heart and undocumented immigration status to receive a heart transplant. In this book, Manheimer attempts through a combination of his clinical expertise and personal reflection to give the reader a snippet of life in the healthcare system and, from his vantage point, comment on a number of the societal ills that lead his patients to him in the first place.

The scope of what Manheimer wants to achieve through his stories is ambitious; it seems like he wants to provide hard-hitting commentary on how we practise health, both the technical components of how doctors come to their decisions and the limitations they potentially face due to national politics. Yet, this unfocused reach and the number of issues he tries to comment on dilutes the overall strength that this book could have in placing healthcare in the realm of true social commentary.
One of Manheimer’s strengths is his portrayal of each case. He painstakingly humanises each patient—the struggles that they have gone through and continue to face— as well as his relationship with the patient and their family. His dedication to his patient’s story personalises the issues that he is trying to explore but leaves him little room to extrapolate his story to the societal causes behind them. He attempts to provide his commentary by, as Laura Landro writes in her review for the Wall Street Journal, having “his subjects make similar points in speechifying, improbably articulate quotations” (Landro, “The View from Bellevue”). For example, as Dr Manheimer is in Mexico transferring a dying patient into the care of Dr Lazaro-Perez, they fall into a quick conversation comparing recent healthcare initiatives in Mexico and the United States. “When we compared ourselves with other Latin American countries, we had to start doing something. Long live national humiliation,” Dr Lazaro-Perez comments, to which Dr Manheimer responds—“Embarrassment evidently doesn’t work in the States” (Manheimer, Ch. 4). These striking critiques, while they are very provocative sound bytes for these issues, come more as an aside to the stories and aren’t followed through enough to provide commentary on what should be done. While Manheimer’s reflections are an engaging perspective in how healthcare shapes and is shaped by society, I will admit that I wouldn’t expect this book to show up on a reading list for social policy or human rights advocacy.

While the strength of this book does not lie in its direct commentary on social issues, Manheimer does allude to a strong connection between the right to health and other socio-economic rights, which is not being reflected in how we actually approach health in our system. Furthermore, he personalises this issue through his reflections and gives it commercial appeal by marketing his book to a wider audience, not just healthcare professionals. Dr Sederer, a public health advocate, writes after reflecting on this book how “we [the reader/the public] confront, like the staff at Bellevue does every day, how the poor are the last in line in the food chain of medical care” (Sederer, “Book Review”). Article 25 of the Universal Declaration of Human Rights codifies these rights together by stating that: “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control” (emphasis mine).

Yet, the way that we approach implementing the rights that stem from this article diverge in potentially ineffective ways. Right to health initiatives in the US have popularly been focused on right to access (i.e. universal insurance coverage and access to GPs/necessary medicine). This is undoubtedly one of the largest problems that the US faces in its healthcare system and is “a human rights crisis that deprives a large number of people of the health care they need” (“Healthcare in the United States”). Yet, as Rishi Manchanda argues, this focus still does not treat upstream problems, like adequate housing or access to social services, which funnel people into the healthcare system (“What Makes Us Sick?”). Furthermore, doctors that may not have Manheimer’s approach to patient care could be working under an informal “Don't Ask Don't Tell” policy of not asking patients about their living situations beyond medical protocol. Both Onie and Manchanda allude to this practice as stemming not from a lack of caring about patients outside of their current medical problems but from a paralyzing inability to help patients with issues outside of the medical scope. Manheimer’s reflection on his work in the healthcare system in a more general sense does provide a provoking starting point for public debate in how the practice of health should be refocused in treating patients holistically as people rather than as cases.

In Twelve Patients, Manheimer is critical of how society perceives the practice of healthcare as
somehow outside of other societal and humanitarian issues, but he does not provide much insight into what he would see as a solution to this disconnect. A number of organisations have started providing options though that give physicians and practices more ability to holistically take care of their patients. Dr Manchanda, who stresses the importance of healthcare being involved in finding upstream solutions for medical issues, helped to found HealthBegins. Through education workshops and public advocacy, HealthBegins aims to empower and market the role of upstreamists, defined as “healthcare professionals who solve clinical problems by addressing the social and environmental conditions that make people sick” (“Moving Healthcare Upstream”). While Manchanda’s work focuses on reform within the healthcare profession, another interesting organisation, Health Leads, incorporates the expertise of various local social organisations and the work ethic of university students to fulfil its mission to bring back the improvement of health in a system that only seems to manage the sick (Onie, “What If Our Healthcare System Kept Us Healthy?”). Health Leads is the middleman between the physicians, who can prescribe resources like heat or legal representation for adequate housing, and organisations that can provide these resources. An inspiring impact of the Health Leads model lies within how they extensively train university students to “fill these prescriptions” and act as the link between the patient and the social organisations. 76% of these students from Health Leads continue to work in the health care industry (“Our Impact”). Through the perspective that working with Health Leads has given them, this new group of rising health care leaders could gradually recreate what the provision of healthcare in the United States means. These two examples of organisations that work to redefine healthcare as a more holistic and patient-centred practice give an inspiring starting point in developing initiatives for the issues that Manheimer points out in his view of the health care system in general.

While Twelve Patients isn’t directly focused on delving into human rights issues, Manheimer does include an interestingly personal perspective into the US healthcare system and provokes a conversation about where healthcare lies within politics and in relation to other basic services. As the Commonwealth Fund states in its report summary, “many U.S. hospitals and health systems are dedicated to improving the process of care to achieve better safety and quality,” but the US needs to be innovative to truly bring about significant reform (Davis, “Mirror Mirror on the Wall 2014 Update”). As the US continues to implement initiatives related to healthcare reform, hospital organisations should actively promote the consideration of health issues through a holistic perspective that includes a human rights approach in understanding what is lacking in patient’s lives outside of the scope of medicine. This approach reinforces the aim that practising health should also return to one of the basic goals of humanity—ultimately treating patients as people with dignity, an overall theme that can be seen in every interaction throughout Twelve Patients.
The Cycle of Child Soldiers

by Julia Terradot, International Peace & Security MA — postgraduate student
Right to housing in Brazil – A Utopia?

by Alicia Pastor y Camarasa, Master of Laws LL.M. – postgraduate student

More than 20$ billions spent on the FIFA World Cup and yet, thousands families cannot afford housing due to housing speculation. In Belo Horizonte alone (3 million inhabitants), more than 150 000 family housing is lacking. Indeed, while earning the monthly minimum wage of 724 R$, it is impossible for these working families to pay the rent of 500 R$. This issue has not been tackled effectively by political authorities and therefore forced more than 20.000 families to occupy empty lands that belong to landowners who left for housing speculation.

One of those urban occupations, Isidoro, has been summoned by judicial decision in February 2014 to return the land to its landlord. These 9000 families living in sheet metal houses, where obvious lack of basic public services such as water, education or health saw their precariousness further deepen. In the aftermath, the Public Prosecutor challenged the decision before the Superior Tribunal of Minas Gerais, as well as to the Inter-American Commission on Human Rights. For now, 18.000 people among which a majority of children, women and elderly have to suffer additional violation of their rights to already existing denial of their right to housing.

Since the judicial decision ordering the expulsion, the Military Police, using the same methods than Israel Militaries with Palestinian Occupied Territories, is flying over and sending out pamphlet warning most vulnerable population to free the territory implying that the evacuation will be violent and adding psychological pressure in the already rough conditions of the occupants. Adding to that that they are denied health care in the close hospital and recently they have been denied water by the COPASA, a public entity.

Indeed, those rights are recognised in many international human right legal instruments, nevertheless the battle for their actual enforcement remains. Undoubtedly, some improvements can be acknowledged: even if not set out as such in the Inter-American Convention on Human Rights, the Court has recognised the right to housing in construing the right to property including violent removal of squatter communities, destruction of personal possession or temporary shelter.

The distinction between civil and political rights and socio-economical rights is still vivid. It is argued that these second-generation rights should not be justiciable because they imply positive obligation for the States; they are expensive and finally their justiciability could affect the separation of power giving that the Court would assess public policies.. It is not the point here to go in such deep details but to put a long story short, civil and political right can be expensive too and imply positive obligation; for instance, the right to a fair trial implies positive obligations such as a fully functioning judicial system, legal aid ... Vice-versa, socio-economical rights can be protected by fulfilling negative obligation, for instance concerning the right to housing by adopting regulations preventing housing speculation in areas with limited resources.

We therefore need to shift our perspective from this approach that has been used to serve ideological misgivings. Socio-economical rights require the same level of protection and enforcement by the State that civil and political rights enjoy. How to ensure proper protection of the right to free speech, or the right to vote if no proper education has been offered to you? Civil and political rights were utopia at the time they were adopted, we need to look forward. States have to be made accountable of their public policies choices to ensure that the welfare of their citizen is not disregarded and to make the Law an effective tool to ensure social justice and correct
inequalities stemming from historical forms of oppression such as racial discrimination or gender.

MANDELA’S HERITAGE

A tribute to Nelson Mandela’s life and its message for today’s politics

by Gwinyai Machona, English Law & German Law — 1st year

Nelson Rolihlahla Mandela passed away one year ago on the 5th of December 2013 after dedicating his life to the struggle of the South African people and the nation of South Africa, which he influenced in such a unique manner. Mandela was more than one of all those political prisoners in South Africa. Mandela was more than simply the first democratically elected president of South Africa. Mandela was the personification of the freedom struggle and the father of a new nation full of hope. The inspiring person Nelson Mandela has left the South African people. But what did he leave behind? What is his heritage to his people?

Somehow everybody knows that it is a moral message, a symbol for something good and just. But what exactly is this moral heritage? And where does it come from?

To understand the moral message of Nelson Mandela’s life, we have to look as far back as to the 1940’s and to the circumstances in which Mandela and all non-white South Africans lived under the Apartheid regime. The word “Apartheid” (separation or segregation), derives from Afrikaans, a language mainly spoken by the white minority in South Africa. The theory of Apartheid or race segregation was applied in every legislation and the ultimate goal of the Afrikaans white government was to create separate societies for the different ethnic groups, such as the various South African tribes, the Indian migrants and the white Europeans. The results were extremely discriminatory laws, everyday discrimination and open racism. Now, why is this relevant to Nelson Mandela, who was president after the times of Apartheid? Well, it is the key to understand the significance of Nelson Mandela’s achievements. We have to try to imagine how everyday life was in these days for most South Africans, including Mandela. What feelings should one develop when white colleagues refuse to drink out of the same type of cups as you and your fellow black workers in your coffee break? How would you resist the feeling of deep anticipation when your children are forced to learn the language of another people? What else but hate would you feel when you could be forced to present your passport at any time just because of the colour of your skin?

This everyday discrimination is what all back, Indian, coloured and other mixed ethnic minorities had to experience for years and years without any perspective of improvement, yet only with the perspective of worst and more discriminatory legislation and force. This development amounted in cruel slaughtering of protestors in the South-Western Township, known as Soweto, as well as in Alexandra and other townships, where the black majority of South Africans had to live. Men and women, young and old, but mainly schoolchildren and youths, who started the uprisings in order to protest against the school policy of teaching in
their suppressor’s language Afrikaans, got shot dead and wounded. According to the Apartheid regime of the time, 176 people died in the Soweto uprising, however *The Times* estimated later that only in the so-called “Soweto-uprising” up to 700 South Africans had died in 1976. There can only be guesses of how many protestors got wounded, but we can imagine very well how much pain the losses of family members and friends have caused and how much time these wounds would need to heal. Hate and the desire for revenge was the natural overall reaction to these unjust sufferings.

And indeed, violent conflicts between the state forces, white nationalists, black radicals and black moderate groups broke out, once the Apartheid regime could not withstand the domestic and international pressure. When Nelson Mandela and others were released in 1990 and restrictions on non-white South Africans were lifted chaos broke out. The situation was extremely explosive. It was not any longer just a question of black or white. Now additional conflicts arose in-between the ethnic groups about what route to choose for South Africa. White extreme nationalists attacked state authorities, such as policemen, as they did not accept the releases of political prisoners and lifts of restrictions on non-whites. On the other side black extremists saw any kind of mercy and corporation with whites as a betrayal. The practice of necklacing increased in the black townships. This was a “penalty sentence” of independent township jurisdiction for apparent “collaborators”, such as black policemen. When found guilty by the community, they burned their fellow black South Africans to death lighting car tires filled with fuel, which were around the necks and arms. The state authorities, unable to cope with the situation and without a clear political leadership, randomly arrested and fired at protestors. It is Nelson Mandela’s great achievement, along with others, such as our very own Desmond Tutu, that these cruel and bloody conflicts did not develop into a violent civil war between the opposed ideologies.

In May 1994 Nelson Mandela, as the newly elected President, made it clear: He was from his election on not the leader of the African National Congress (ANC), a mostly black party, but the president for all, for a rainbow country with all kinds of races, cultures and believes. He took the fear of those who saw themselves threatened by a new black domination and possible revenge. At the end of his inauguration speech Mandela assured: “Never, never and never again shall it be that this beautiful land will again experience the oppression of one by another and suffer the indignity of being the skunk of the world. Let freedom reign!”

It is this very massage Nelson Mandela sent out to his countrymen, regardless of their skin colour, religion or political believes. He sent this massage not only by powerful words, but by living according to his ideals. For a political leader this is essential. The greater the political task is, the more the leader has to stick to his or her very own ideals. Exemplary, Mandela and his fellow prisoners used to regularly invite their former prison guards for a *braai*, a typical South African barbeque. To be honest, not many of us would have the same greatness of mind to not only forgive the very same people that insulted and mistreated us, but to build up friendly relations to these people. But Nelson Mandela lived his massage of forgiving and building a future together. That is why the South African people respected his policy and followed it. This role model, Mandala has grown to, will always remain for political leaders across the globe.

Let us hope that politicians understand this part of Mandela’s heritage and stick to their own values and political ideas. Nothing is more devastating than a president or prime minister that preaches justice and equality for all social classes, but loses himself in money and power, ending up being corrupt and craving for power. Nelson Mandela resisted these threats and until his end lived the ideals of reconciliation, freedom and equality. His African counterparts, however, too often got lost on their way and turned into dictators without any empathy for
their own people they once fought for. Such an example can be examined just across the South African border in today’s Zimbabwe, where Robert Mugabe has turned from one of Africa’s greatest freedom fighters into Africa’s most ruthless dictator, turning his country from one of Africa’s greatest hopes into Africa’s most hopeless country. A political leader, like Mugabe or Mandela, needs to remain down-to-earth and rational, regardless of his popularity and past achievements. That is what Africa’s dictators were not able or willing to understand and this is what we learned from Nelson Mandela.

Obviously this is more difficult after a sudden political change in a past-conflict country than in a stable political system. However this is exactly where a strong political leader with profile and moral values is needed. And this is where Mandela’s heritage should be applied in its complete moral extend. The true achievement of Nelson Mandela and the South African people is, that they converted their country, once under one of the world’s most unjust rules, to a nation of hope and multicultural peace. Admittedly, until today South Africa is surely not the paradise on earth. Just now, after Mandela’s death, the country starts waking up and realises that a transition to social justice cannot be managed by one individual or one party alone and overnight. However the important lesson we learn is that a country torn by a heavy and multi-dimensional ethnical conflict can forgive and include all parts of society in the process of rebuilding the nation.

This concept must be applied in all peace processes. We have witnessed too often that a political regime can indeed be removed, whereas hatred and the desire for revenge often remains and overwhelms. In those cases one unjust system is replaced by another. An example of such a failed reconciliation process is the development Egypt took from their military regime to their democratically elected Muslim brotherhood government back to a military rule. As the Muslim brotherhood used to be banned under the rule of Hosni Mubarak, once they came to power they were not willing to have any mercy with moderate Muslims and former Mubarak followers. Then again, after the protests against the elected government were successful, the political leaders could not include the Muslim brotherhood in building a nation, they rather started to execute their followers. It is clear, however, that democracy cannot function where revenge and absolute idealism threatens the rights of minorities, especially those that used to be protected by the former regime. Instead we need politicians and diplomats that are able to guide a post-conflict nation on their way to reconciliation and true democracy, which includes the rights of minorities, not only the rule of majorities.

Nelson Mandela understood that and led his nation to a multicultural rainbow nation with the same rights for all ethnic groups. When leaving the office as president, Mandela reminded his people that “South Africans must recall the terrible past so that we can deal with it, forgiving where forgiveness is necessary but never forgetting” Of course there are still people that see the source of their poverty in the past, and apparently still ongoing, white domination and thus commit crimes on racist grounds. Of course there is still injustice and a lack of education, especially for the black population. But what can we expect from such a young country with such burdens on its shoulders? This nation shall not give up after its great achievements. The freedom struggle might be over, but the fight for a just society has just begun. And indeed, it gave hope to see how everybody throughout all social and ethical classes celebrated Nelson Mandela and his life one year ago during the time of his funeral after the first sorrow had passed. It was as is a whole nation reassured itself that everybody is still believing in Mandela’s heritage: This exemplary life dedicated to humanity, reconciliation and equality for all.

Let us, as individuals, not only hope but fight for political systems dedicated to these very same principles all across the world, because “What counts in life is not the mere fact that we have lived. It is what difference we have
made to the lives of others that will determine the significance of the life we lead.” Let us make a difference and always remember Nelson Mandela’s great heritage!

Proportionality in Operation Protective Edge: Did the Ends Justify the Means?

by Kendal Younghblood, English Law LL.B. — 1st year

In the ongoing struggle between Israel and Palestine, the moral high-ground has long since been bombed out of existence – that is, if it ever existed at all. The situation provides very few black and white answers, and outsiders often struggle to find viable frameworks to properly analyse the conflict. For example, when tensions erupted into violence in the summer of 2014, the world watched Palestinian civilian casualties mount rapidly, while Israeli civilians and soldiers seemingly remained almost untouched. Certainly, the IDF had a right to launch Operation Protective Edge in response to Hamas’s indiscriminate rocket attacks. We cannot realistically stop nations from engaging in armed conflict; we can, however, place restrictions on acceptable conduct in war and demand that combatants place an extremely high value on human beings’ right to life. Our concern should be determining the appropriate level of force in the context it was used in. To answer this question, we can draw on the principle of proportionality, a concept originating in international humanitarian law that has become extremely important in judging Israeli military tactics.

Article 51 of Additional Protocol I defines the proportionality principle. An attack is determined to be disproportionate if it is “expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated”. Though Israel is not a party to the Additional Protocol, the Israeli Supreme Court, or the High Court of Justice, nevertheless regards it as a rule of customary law by which Israel should abide. Their use of the proportionality principle exemplifies its importance in regulating military conduct, and thus we may find it highly useful in judging the most recent outbreak of violence between Israel and Gaza.

The proportionality principle involves a three-pronged test, described in the Supreme Court’s Beit Sourik decision. The HCJ considers this test essential to balancing military needs with humanitarian considerations. First, the objective must be related to the means used to achieve it. Second, the means must injure the individual to the least extent possible; if there are alternative means which do not involve significantly higher risks, then those alternatives must be used. Third, the damage caused to the individual must be of the proper proportion. It would be disproportionate, for example, to bomb an entire village just because there is a suspicion that the enemy is hiding a few of their personnel there. That is an extreme example though, where the proper conduct is obvious. Most armed encounters between Israeli and Palestinian combatants are not so clear-cut, and this is where the proportionality test sometimes falters.

Of course, in a conflict such as the one between Israel and Palestine, civilian casualties are essentially inevitable. To ensure civilians are not harmed, Israel would have to either stop fighting insurgents altogether or suffer extreme losses within their own forces. We should remember that in cases like the previous example of insurgents launching rockets from the school, it would be the insurgents that put civilians in harm’s way first. Bombing a school would warrant international scrutiny and concern, but surely the greater burden of responsibility should be shouldered by the insurgents. It is never acceptable to
intentionally use civilians as shields. Our emphasis, as those with the power to scrutinise, should be on ensuring all parties to the conflict act within the confines of international law and give a great deal of respect to human life, something that has been lacking on both sides of the Israel-Palestine conflict.

It is with all of this in mind that we may determine the proportionality, or lack thereof, in Israel's conduct of Operation Protective Edge. If we look at the numbers by themselves, it would be difficult to label Israel's actions as proportional. According to the UN's report, there were approximately 2200 Palestinians killed in the conflict, 1473 of whom were civilians. To put this in perspective, almost a million Americans would have died if a similar proportion of its population were killed. In contrast, only 77 Israelis died in the conflict, 66 of whom were civilians. The international community has been right to look at this dramatically lopsided death toll and question the tactics used by the IDF. But let us look deeper before we pass our judgement of proportionality. What has Israel gained, and was it worth the lives of so many human beings?

As the more economically developed and militarily advanced country, Israel bears the burden of proof for justifying every civilian death. Before the start of Operation Protective Edge, Israel faced a formidable threat from terrorist groups in Gaza. Hamas buried rocket launchers to conceal them from view, triggering them remotely. Insurgents dug dozens and dozens of kilometres in underground tunnels, with 14 tunnels actually extending into Israeli territory. Hamas launched thousands of rockets into Israel indiscriminately; their missiles could not be guided and thus could not distinguish between civilians and combatants. Israel undoubtedly needed to do something to protect its citizens, but we must still question whether Israel had less deadly means of defending itself at its disposal.

The answer is yes. The truth is that the threat Gaza posed to Israel largely lacked substance. Insurgents may have lobbed thousands of rockets at Israel, but thanks to the Iron Dome's 87% success rate and the general inaccuracy of Gaza's rockets, few managed to hit Israel. Greater emphasis should have been on using ground forces instead of indiscriminate airstrikes. Hamas's greatest power is its ability to instil fear in millions of Israelis; fear does not justify over a thousand civilian deaths. To be sure, Palestinian insurgents commit grievous breaches of international humanitarian law every time it intentionally launches rockets or hides its operatives in civilian areas; this should not be forgotten. But such conduct does not justify a similarly irresponsible response. In a famous HCJ decision, Aharon Barak wrote it is the “destiny of a democracy...not all means are acceptable to it, and not all practices employed by its enemies are open before it”. Israel had in the summer of 2014 a golden opportunity to show its humanitarian values by meeting gross violations of law with civility and restraint. Instead it merely perpetuated the cycle of violence.

We cannot say that Israel's response was proportional. The reality is that neither side has gained anything. Rockets have stopped falling on Israel, and economic sanctions on Gaza have been eased, but efforts to create real changes have so far been fruitless. Political leaders in both nations have dug in their heels and refused compromises, while survivors of this conflict can only wait and hope their luck holds out through the next one.
Human Trafficking

by Chenuksbi Ratwatte, English Law LL.B. — 3rd year
The European Court of Human Rights (ECtHR) was set up as an international court in 1959 to adjudicate alleged violations of the civil and political rights set out in the European Convention on Human Rights (the Convention). However, throughout its existence, there have been persistent deliberations and disagreements as to the justified extent of interference regarding state government legislation and actions. A controversial topic of discussion relates to the highly sensitive issues of sexual activity, marriage and procreation. These issues, it may be argued, should be regulated solely by national parliaments rather than permitting involvement by the ECtHR. However, as will become clear in the ensuing analysis, these issues are of particular significance to the ECtHR, whose interference with national regulations on such matters is not only justifiable but also necessary.

Furthermore, particular rights related to sexual activity, marriage and procreation are considered to be fundamental human rights and thus require utmost protection on an international level. In Dudgeon, for example, freedom to engage in sexual activity appears to be entitled to protection as a human right. Furthermore, in Christine Goodwin, the ECtHR held that “the exercise of the right to marry gives rise to social, personal and legal consequences” and the court found no justification, in any circumstances, from preventing a transsexual from enjoying the right to marry. Nonetheless, the ECtHR has still maintained that national regulations limiting rights relating to sexual activity, marriage, and procreation may in certain circumstances be permitted or even required.

In Laskey, Jaggard & Brown, the ECtHR stated that “not every sexual activity carried out behind closed doors necessarily falls within the scope of article 8” and that the state is entitled to regulate activities involving infliction of physical harm, even if this occurs in the course of sexual activities. Hence, the court limited its
own powers in the area of sexual activity. In Schalk & Kopf, the ECtHR held that, in line with articles 9 of the Charter of Fundamental Rights and 12 of the Convention, the decision as to same-sex marriage is left to regulation by national law. Furthermore, it accepted the status of alternative means of recognition of same-sex partnerships as falling within a State’s margin of appreciation, so as not to constitute discrimination within the scope of article 14 of the Convention. Finally, in the Vo case, the ECtHR left the question of whether the unborn was a person for the purposes of Article 2 of the Convention to the national government, so that it would be equally legitimate for a State to choose to consider the unborn to be such a person and aim to protect that life.

Furthermore, in Dudgeon, the ECtHR clearly stated that “some degree of regulation of... sexual conduct, by means of the criminal law can be justified as “necessary in a democratic society”, and that this may even extend “to consensual acts committed in private” for the protection of public morality. Where the issue concerns the protection of morals, the ECtHR has maintained that the national authorities’ margin of appreciation to legislate and restrict the right to privacy regarding sexual activity will be most extensive. In this regard, the ECtHR has acknowledged that state authorities are generally in a better position to provide an opinion on the content of moral requirements in their country and the necessity of a restriction intended to meet them, due to their “direct and continuous contact with the vital forces of their countries”. In Karner, for example the court considered that protection of the traditional sense of the “family” constitutes a “legitimate reason which might justify a difference in treatment” between same-sex and different sex-couples. Thus, the ECtHR notes that particular values within a country may be of great significance for legislation and treatment of individuals with regards to sexual activity, marriage and procreation. However, whilst the public’s moral attitudes must be taken into account, the ECtHR has held that, on its own, this will not suffice to justify an interference with the private life of an individual. This has been criticised by the dissenting Judge Zekia, in Dudgeon, and poses a valid criticism of the ECtHR’s intervention.

The court also employs European and international consensus as a legitimising method of reasoning. “Consensus is shared not only by specialists and European elites, but also, ideally, by all citizens”, hence, there is a strong argument favouring the use of the ECtHR to enforce public views and guarantee that national legislation is in-line with public consensus. It is certainly arguable that the ECtHR is in a better position and potentially more willing to achieve this than national parliaments may be. However, this argument in favour of ECtHR intervention may be criticised in terms of its relevance to individual states, as well as the potential for manipulation of research into consensus. On the one hand, ratification of the Convention need not necessarily mean that each state should guarantee the rights thereunder in the exact same way or that states share some kind of overarching consensus. Moreover, there has been substantial criticism relating to suspicion that the ECtHR in its selection of data to establish the European consensus on particular issues is looking for “friends in a crowd”. Nevertheless, it should be repeated, that consensus is not the decisive factor, and where there is no consensus or where the state must strike a balance between competing private and public interests or Convention rights, the margin of appreciation accorded to a member state in its treatment of the issue at hand is wider.

A further argument favouring the permissibility and justifiability of the ECtHR to adjudicate in matters relating to sexual activity, marriage and procreation, is that ECtHR decisions may be a driving force towards changes and modernisation of legislation. This can be seen from legislation such as the UK Gender Recognition Act 2004, which provides legal recognition for gender changes and through
this enables transsexuals to marry, as was held to be their right under article 12 of the Convention in the ECtHR Christine Goodwin judgment. Similarly, The Irish government enacted the Regulation of Information (Services outside the State for Termination of Pregnancies Act, 1995) which it considered would prevent any future violations as found in Open Door, and in 2013, Ireland amended its abortion law, adoption the Protection of Life During Pregnancy Act, in part, to respond to ECtHR decision in the 2010 case A, B, and C where the Court held that Ireland had not provided a clear, accessible procedure by which a woman could obtain a legally authoritative determination regarding whether Irish law permits abortion in her circumstance.

In conclusion, one must ask at what point to draw the line in terms of which issues should be regulated by national parliaments and which issues should permit ECtHR “interference”. Issues of high sensitivity are arguably exactly those that should be of considerable concern to - and include adjudication of the ECtHR, due to the involvement of fundamental rights. The rights enshrined by the Convention should be accorded to all individuals in the member states signed up to the treaty. As a result, and in accordance with the foregoing analysis, issues concerning sexual activity, marriage and procreation must enable adjudication by the ECtHR in order to guarantee state adherence to the convention’s principles, rather than merely leaving the issues to the national parliaments themselves. The ultimate justification of the ECtHR’s so-called “interference” stems directly from the Member States’ accession to the Council of Europe and thus to the Convention.

THE UNIVERSAL PERIODIC REVIEW

by Anna Orellana Closa, Master of Laws LL.M. — postgraduate student

What is the UPR?

The Universal Periodic Review (UPR) is a mechanism established in 2007 by the Human Rights Council of the UN. It is a process through which the Council checks whether the 193 member states of the UN have fulfilled their human rights obligations and commitments. It is a process regulated by the resolution 5/1 of the Human Rights Council. According to this resolution, in cycles of 4 years, all the states are going to be examined. The first cycle started in 2008 and finished in 2012. Therefore, all the states have been reviewed at least once by now.

The General Assembly of the UN created the Human Rights Council through its resolution 60/251, on March 15th 2006. This resolution said that the Council had to undertake a “Universal Periodic Review”. However, resolution 60/251 did not describe the functioning of the UPR in detail. For this reason, the Council, following the mandate of the General Assembly, established the mechanism through its resolution 5/1, on 18th June 2007. According to this resolution, the UPR's objectives are:

• Improvement of the human rights situation;
• Fulfilment of the state’s human rights obligations and commitments and assessment of developments and challenges;
• Enhancement of the capacity of the state to protect human rights;
• Sharing of best practices among states;
• Cooperation in the promotion and protection of human rights;
Encouragement of full cooperation with the Council, its mechanisms and other UN human rights bodies like the Office of the High Commissioner for Human Rights (OHCHR).

One of the main goals of the UPR is to check if the states have fulfilled their human rights obligations. So, the first thing we have to ask is: what are these obligations? According to resolution 5/1 of the Council, the legal framework on which the UPR is based consists of:

- The UN Charter;
- The Universal Declaration of Human Rights;
- Human rights instruments to which the state is a party;
- Voluntary pledges and commitments by the state;
- Applicable international humanitarian law.

In order to check if countries comply with the legal obligations established in these instruments, according to resolution 5/1, the information comes from 3 different sources, and the review will be based on:

- A national report prepared by the state under review.
- A compilation, prepared by the OHCHR, of information contained in reports of the treaty bodies, Special Procedures and other relevant UN bodies.
- A summary of additional “credible and reliable information” provided by other stakeholders, e.g. submissions by NGOs, women’s groups, national human rights institutions, labor unions, etc. This summary is also prepared by the OHCHR.

The process

The review of all UN Member states takes place in 3 annual sessions of the UPR Working Group, composed of the 47 Members of the Human Rights Council, and chaired by the President of the Council. Three rapporteurs, a Troika, are selected from among the 47 Members of the Council, to facilitate each review. Despite the creation of the role of the Troika, the review is carried out by those states that take the floor during the interactive dialogue or submit questions in advance to the state under review. The functions of the Troika are: relaying questions submitted in advance to the state under review; drafting the report of the interactive dialogue in the Working Group, presenting the draft report to the UPR Working Group.

The state prepares a national report (maximum 20 pages) for the review, after consulting with civil society groups, national human rights institutions and other stakeholders. The OHCHR prepares two documents: 1) a compilation of information from the treaty bodies, Special Procedures and other UN bodies; 2) a summary of other “credible and reliable information”, e.g. from NGOs and national human rights institutions.

Meanwhile, the Troika collects issues and questions that are transmitted to the state under review. The state under review can address these questions during its presentation to the UPR Working Group. Once all these documents are ready, the next step is a three-hour interactive dialogue between the state under review and the other UN Member states. The Troika prepares a report compiling the results of the review made in the Working Group. The content of the report includes a summary of the proceedings and recommendations made by Member states to the state under review during the dialogue.

The report of the outcome of the review is adopted by consensus in the UPR Working Group. Thirty minutes are allocated for the adoption of each report in the Working Group. The reviewed state can express which recommendations it accepts and these will be identified as such in the report. The review outcome report is submitted to the next regular session of the Council for adoption. The state concerned, Members of the Council, Observer states, and other relevant stakeholders, including NGOs may express their views on the outcome before the Council.
plenary acts on it. The outcome of the review has to be implemented by the state concerned and other relevant stakeholders. The state of implementation of the review will be assessed in the next review of a state (four years later).

What is the result of the first cycle of the UPR?

The first conclusion is the extraordinary quality of the national reports. In general, they provide a lot of information, they are very detailed and they show the willingness of the states to cooperate. Most countries mention in their national reports that they hope that the UPR will help them to improve the human rights situation. The acceptance of the recommendations is another positive point. In most countries the number of recommendations accepted is higher than the number of recommendations rejected.

These two facts show that the state’s participation has been good. Resolution 5/1 establishes that “After exhausting all efforts to encourage a State to cooperate with the universal periodic review mechanism, the Council will address [...] the cases of persistent non-cooperation with the mechanism”. During the first cycle, the Council has not been forced to take any measure to make countries cooperate. Thus, the principle of universality has been strictly followed, and all the countries have been reviewed through the UPR mechanism with no exception.

The second positive conclusion that I have found is the different points of view that are presented in the three documents used for the UPR of each state. The national reports usually present the “positive side” of the human rights situation, while the summary and the collection of information prepared by the OHCHR tend to expose the problems and the negative aspects. I consider that this is very positive for the UPR process, because the different documents complement each other. With different points of view about human rights matters it is easier to assess the situation of a given country. Therefore, I think that the UPR has achieved the objective of assessing the human rights situation, which is one of the most important objectives.

The third conclusion is the low percentage of recommendations that have been implemented by the states. The number of recommendations that states receive varies from 100 to 250, but the average number of implemented recommendations is 14 (if we only take into account fully implemented recommendations) or 45 (if we take into account partially and fully implemented recommendations). These are not very good results. But in every country there has been some change (even if limited) after going through the UPR. In the reports and also in the national reports of the second cycle one can clearly see changes and improvements, even if small. I think that this is already an achievement considering the characteristics of the UPR. For example, in Spain, there has been a reform of the Penal Code in 2010 in order to punish human trafficking after going through the UPR.

Countries know that they will not get sanctions if they do not implement the recommendations, but still they have applied some of them, even if only a few. The aim of the UPR is to encourage countries to comply with norms, not to impose norms. For this reason, I consider that the fact that the countries have applied some recommendations is a success, since no one has obliged the countries to take any measure. I think that due to this moral character of the UPR, we can't evaluate the efficacy of the mechanism as if it were a juridical mechanism imposing sanctions. I am sure that when the UPR was established, many people thought that it would not work. However, it has worked to some extent, countries have taken actions to apply recommendations and they have not ignored them completely. Furthermore, the implementation does not always depend 100% on the state’s will, because financial resources are needed. And finally, due to the general character of some recommendations, it is often difficult to assess whether they have been implemented.
For these reasons, I believe that the results of the first cycle of the UPR have been satisfactory. But in my opinion, the most important success of the first cycle of the UPR is that it has allowed the Council and the states to assess the human rights situation. We might have doubts about the effectiveness of the UPR in improving the human rights situation because the implementation level of recommendations is low. However, reading the documents, I have been able to get an idea about the problems related to human rights that exist in every state, as well as the improvements achieved in recent years. Therefore, the assessment has clearly been done, and this was one of the important objectives of the UPR. On the other hand, states have indeed shared best practices, which is also a relevant achievement.

Human Rights Watch published an article stating: “The Universal Periodic Review is the greatest innovation within the council, and provides a welcome opportunity to address human rights abuses wherever they occur. However, the process approved by the council seems more intent on not offending the country under review than it does on addressing human rights abuses. It remains to be seen whether states will be willing to use this system to take real steps to end such abuses”. I have to say that after my analysis, I agree with this statement, and I have the same perception, especially when checking the comments of the states in the reviews of other states. This is definitely one aspect that has to improve in the future. If we really want the UPR to be an effective mechanism, we need the states to be more critical with each other, leaving politics aside.

David Fraizer’s article summarizes what I have explained. He says that: “I believe that the UPR has been effective in promoting human rights in the short term. It has helped to highlight serious human rights violations and has done so in a public forum that allows debate to occur on the best way to address those problems. The UPR has also helped to give countries specific guidance, and individualized, achievable goals to meet in progressing respect for human rights; goals which many countries have met or are in the process of meeting. However, in the long run, the UPRs success is far more uncertain”.

The Human Rights Project would like to thank the readers, writers and volunteers. We hope that all of you will be supporting our next issue!

Currently, we have number of opportunities for you to get involved with the project. We invite all of you to apply to the internship with Kids Company, a non governmental organisation that aims to help children from vulnerable backgrounds. The internship will provide you with the opportunity to work in the fields of housing law, immigration law and public law.

We are also looking forward to your applications to our Human Rights Moot, which is sponsored by Landmark Chambers.

Best wishes,

Elisabeth Kömives