

ICJ FUTURE PROGRAMMES IN THE ASIAN REGION

1. Main challenges

1.1 To establish a network of persons interested in and supportive for the ICJ.

1.2 To establish Sections in countries of the region.

1.3 To coordinate work towards an Asia/Pacific Human Rights Commission and/or Court.

1.4 To provide missions to countries accused of breaching human rights and trial observance.

1.5 To have an effective Asia Desk at the Secretariat in Geneva.

1.6 To extend influence to the newly independent countries of the CIS in Asia and to assist those countries in building the institutions for the rule of law, protection of human rights and the independence of the judiciary.

1.7 To have an Asia ICJ Newsletter.

1.8 To fund interns from the region and personnel exchanges.

2. Priority issues

All of the above are important. But the top priority should be institutional. If we can get our network, desk officer(s) and funding for a truly effective ICJ push into Asia that would be a considerable achievement.

3. Countries

Virtually all of the countries of the region need monitoring, investigation and/or support. But those which should have priority include:

3.1 Cambodia.

3.2 Burma.

3.3 Vietnam.

3.4 Malaysia and Singapore.

4. Strengthening activities

4.1 There should be more of such missions etc. Given its population, importance and many derogations from human rights, the Asia/Pacific region needs more attention than they have had. In the past attention has tended to be focussed on Europe, Africa and Latin America.

4.2 There should be more use of Asian human rights leaders in our activities in the region, to lend credibility and to build up the culture of human rights leadership.

5. Strategy

Some of the strategies are listed above. An important strategy would be cooperation with other bodies working in the region including:

5.1 Amnesty International.

5.2 International Alert.

5.3 Asia Human Rights Watch.

5.4 International Lawyers' Group (Washington).

5.5 International Bar Association Human Rights Initiative.

Although there is a place for all of these bodies in the region, a measure of coordination and cooperation would be desirable to avoid re-inventing the wheel and unnecessary duplication.

To be frank, the ICJ's initiatives from the Secretariat have been weakened by the absence of a desk officer. Long-term and even medium-term strategies should await the appointment of an effective desk officer who would consult with the region and devise strategies that will be helpful to the region, as perceived by people living in it. I think that this response to grass roots is more important than ideas

from on high proposed by people living outside the Asian mainland. One question is whether Oceania (the Pacific, including Australia, New Zealand, Papua-New Guinea, Fiji etc) should be hived off and treated as a separate region of the world. In some respects I think it is more likely that there could be an initiative for a Human Rights Commission/Court in Oceania than in the rather more oppressive regimes of Asia proper.

6. ICJ members

Once the desk officer is in place, consideration could be given to a regional seminar as a means of consultation with human rights activists in the Asia region upon which a programme of initiatives could be based.

7. Personal initiatives

In my capacity of President of the ICJ, I have been involved in various representations in the region. These have mostly centred on issues relevant to the current litigation concerning Dato' Param Cumaraswamy in Malaysia and the position of the Tibetan people in relation to China. My previous appointment as Special Representative of the Secretary General for Human Rights in Cambodia has placed me in contact with human rights groups in Cambodia. I have also had close and regular contact with the Asian Human Rights Commission in Hong Kong. I recommend consultation with that Commission to secure ideas for the work of the ICJ in the region. The address of the Asia Human Rights Commission is Unit D, 7th Floor, Mongkok Commercial Centre, 16-16B Argyle Street, Kowloon, Hong Kong (fax +852 2698 6367).

8. Secretariat assistance

The ICJ Secretariat needs strengthening as to its administration. The replacement of the Executive Secretary is an urgent priority. The provision of administrative support for desk officers and for follow-through of ICJ initiatives is imperative. All of this depends upon a good funding base.

9. Regional office

There are no other regional offices of the ICJ Secretariat as such. In principle it might be better to build a local Section (or contribute to its expenses) and then look to it for support for ICJ activities. A natural

venue for such an initiative might be Malaysia, given the role there of Dato' Param Cumaraswamy. I tend to favour the decentralised initiatives of the ICJ. Given the likely shortage of funds it would seem preferable to work in this way rather than to establish a regional centre.

10. Other approaches

I have already mentioned a network of personnel and strengthening of Sections in the region. Tapping into other human rights initiatives could also help.

11. Collaboration

Joint campaigns and programmes are to be encouraged. ICJ and Amnesty conducted joint trial observance in Singapore recently. Joint activities of this kind should be promoted. I saw a lot of overlap of human rights activities during my service in Cambodia.

12. Cooperative organisations

I have listed these above.

13. Other suggestions

I think it is imperative to consult human rights activists in the region, to identify the particular concerns of the ICJ and to get suggestions from the region as to what the ICJ should be doing. In that way the avoidance of duplication and activities within the ICJ's own special field of competence would be achieved.

It would be desirable that you produce a Discussion Paper on the basis of your consultation, circulate this with a further questionnaire to secure responses based upon the collation of the many suggestions you will receive and your own assessment of them.