THE 2012 UN DECLARATION ON THE RULE OF LAW AND ITS PROJECTIONS

This panel was convened at 9:00 am, Saturday, April 6, by its moderator, Ambassador Hans Corell, former Under-Secretary for Legal Affairs of the United Nations, who introduced the panelists: Simon Chesterman of the National University of Singapore Faculty of Law; Erika de Wet of the Institute for International and Comparative Law in Africa, University of Pretoria; Clemens Feinäugle of the Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law; August Reinisch of the University of Vienna Faculty of Law; and Sheelagh Stewart of the Bureau for Crisis Prevention and Recovery of the United Nations Development Programme.[*]

Summary of Panel

Hans Corell, former Under-Secretary for Legal Affairs and Legal Counsel of the United Nations, and former Sweden Ministry of Foreign Affairs Ambassador, introduced the subject and the panelists of what resulted in a high-level and thought-provoking session of highly qualified professors and practitioners of international law.

The first panelist, Simon Chesterman, Dean of the Faculty of Law of the National University of Singapore, began the session by identifying the three basic elements of the rule of law. First, public power should not be exercised arbitrarily. This incorporates the rejection of ''rule of man'' and requires that laws be prospective, accessible, and clear. In the domestic context, this can be understood to mean a *government of laws*. Second, the law must apply also to the public authority itself, with an independent institution such as a judiciary to apply the law to specific cases. This implies a distinction from ''rule by law'' and can be abbreviated to the idea of the *supremacy of the law*. Third, the law must apply to all persons equally, offering equal protection without prejudicial discrimination. The law should be of general application and consistent implementation; it should be capable of being obeyed. This means *equality before the law*.

The ''international rule of law'' may be understood as the application of these principles to relations between states, as well as other subjects and objects of international law. But the concepts cannot be translated directly. At the national level, the rule of law regulates subjects in a vertical relation to the sovereign; at the international level it regulates entities that are theoretically equal in a horizontal relationship. It can be helpful, in this context, not to think of what the rule of law means, so much as what it is intended to do. Based on the above elements, each can be understood as having a specific function that is applicable both domestically and internationally: first, *to strengthen predictability of behavior*; second, *to prevent arbitrariness*; and third, *to ensure basic fairness*.

In this light, added Dean Chesterman, these principles raised questions with regard to the legitimacy of certain Security Council activities, in particular when it passed resolutions of a law-making character—counterterrorism and proliferation of WMD—or targeted sanctions against named individuals, as in the Al Qaeda/Taliban sanctions regime, without clarity as to the appropriate process for listing and de-listing.

The next panelist, Clemens A. Feinäugle, Senior Research Fellow and Coordinator of Scientific Research at the Max Planck Institute Luxembourg for International, European

[*] The panel was sponsored by the UN21 Interest Group and cosponsored by the Government Attorneys Interest Group, the Transitional Justice and Rule of Law Interest Group, and the International Criminal Law Interest Group. What appears here is a summary of the panelists' transcribed remarks.

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and Regulatory Procedural Law, delivered his remarks, entitled ''Strengthening the Rule of Law in the UN—Do We Need a New Approach to UN Targeted Sanctions?'' He started explaining that the ''Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels''[1] was adopted by the General Assembly on September 24, 2012 in a meeting that was called a ''milestone meeting.''[2] It crowned a debate on the rule of law which has been continuing in the UN over the last several years.[3] As the first official and comprehensive Declaration of a High-level Meeting on the topic and supported by a broad majority of states, it is meant to form the basis for the rule of law as a principle that applies to the everyday work of the UN and also its specialized agencies.[4]

About the legal foundation and content of the rule of law in the UN Declaration, he added that the UN Declaration does not expressly tell the legal reason why the rule of law—a concept known from the domestic level—should apply to the United Nations. The Preamble states that the rule of law was the ''foundation of friendly and equitable relations between states,'' while Paragraph 1 names it as one of the indispensable foundations for a more peaceful, prosperous, and just world. Paragraph 5 is a bit more precise as it states that the rule of law belongs to the universal and indivisible core values and principles of the UN. This seems to imply a constitutionalist understanding of the rule of law in the UN.

Professor Feinäugle declared that, with regard to precise contents of the rule of law, it must be kept in mind that the UN Declaration addresses the rule of law at the international and national levels. It lacks a clear differentiation here as to the applicability: while Paragraph 2 names both levels, Paragraphs 11 and the following paragraphs in the same section (I.) seem to speak specifically about the national level. Section II addresses UN bodies and in Paragraph 29 encourages the Security Council with regard to sanctions ''to ensure that sanctions are carefully targeted, in support of clear objectives and designed carefully so as to minimize possible adverse consequences, and that fair and clear procedures are maintained and further developed.'' This can be read as the elements of a proportionality requirement which applies to the administration of targeted sanctions.[5] Also of relevance for the rule of law in the context of sanctions is Paragraph 2 of the UN Declaration which addresses states and international organizations, including the UN, and says that ''respect for and promotion of the rule of law and justice should guide all of their activities and accord predictability and legitimacy to their actions.'' Thus, rather than providing a clear-cut list of precise rule of law contents, this important link to predictability and legitimacy speaks about the result, about what the observation of the rule of law should achieve. This rather general approach is, nevertheless, plausible since the rule of law shall apply to the three pillars of the UN, as the Preamble says,

[1] G.A. Res. 67/1 (Nov. 30, 2012).

[2] Press Release, General Assembly, UN Press Release GA/11290 (Sept. 24, 2012).

[3] Among important documents in that regard are the United Nations Millennium Declaration, G.A. Res. 55/2; the reports of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies, S/2004/616 & S/2011/634; the 2005 World Summit Outcome, G.A. Res. 60/1; and various reports of the Secretary-General on strengthening and coordinating United Nations rule of law activities, A/63/226, A/64/298, A/65/318, A/66/133, A/67/290. *See also* Simon Chesterman, *The UN Security Council and the Rule of Law*, UN General Assembly Security Council, UN Doc. A/63/69-S/2008/270, 2008; NYU School of Law, Public Law Research Paper No. 08-57.

[4] *Cf.* G.A. Res. 67/1, para. 2 (Nov. 30, 2012).

[5] For the elements of proportionality in public international law, see Emily Crawford, *Proportionality, in* Max Planck Encyclopedia Pub. Int'l L. (Rüdiger Wolfrum ed., 2008).

i.e., international peace and security, human rights, and development. These are quite diverse contexts. The rule of law is thus a guiding principle for the work of the UN whose contents have to be developed in the context of its respective field of application.

About the significance for the 1267/1989 Sanctions Regime, Professor Feinäugle asserted that the rule of law is so far a ''work in progress'' which can be demonstrated by looking at the 1267 sanctions regime in which several improvements have been made in that regard over the last years. For example, in 2002, exceptions for the release of funds were introduced[6]—trying to find a balance between the fight against terrorism and human rights protection, i.e., as a matter of proportionality. In 2005, the definition of the ''associated with'' standard was introduced—necessary for fair and clear procedures and predictability.[7] In 2006, the ''focal point'' was established to receive de-listing requests—thus, the time-consuming and rarely successful means of diplomatic protection could be avoided.[8] Also, the cover sheet for listings must be used, in the interest of more transparency and a better basis for the listings (''carefully targeted'').[9] In 2008, the ''narrative summary of reasons'' for the listing was introduced, which serves the right to be informed and thus a fair procedure.[10] In 2009, the office of the Ombudsperson was invented. The Ombudsperson receives de-listing requests and prepares an independent report for the Sanctions Committee,[11] which also fosters fair and clear procedures. Thus, in many respects the UN Declaration only describes what has already been achieved in the 1267 sanctions regime. While some aspects of it might still have to be improved, the named developments in this sanctions regime follow the idea of the rule of law. Hence, a whole new approach to targeted sanctions—at least in this sanctions regime, while in other sanctions regimes, like the one on Iraq,[12] fair and clear procedures are hardly developed—is not needed, according to an examination under the rule of law standard as prescribed by the new UN Declaration.

The often-discussed question remains, however, whether we need an international court for targeted individuals as one feature of the rule of law. It would certainly hardly be politically feasible to establish such a court. A realist approach to UN sanctions administration and the UN Declaration's emphasis on the legitimacy requirement might explain how the rule of law could work in that regard on the international level. The Ombudsperson's procedure today provides direct access for the individual to the international level, a careful preparation of the case, and the report and recommendation by the independent and impartial Ombudsperson to the Sanctions Committee.[13] In case the Ombudsperson recommends de-listing, the de-listing will automatically take effect within a specific period of time—even if some members of the Sanctions Committee object—unless all Committee members object to the de-listing (or the case is submitted to the SC[14]). This shows, on the one hand, the importance of procedural safeguards for the protection of the individual. On the other hand, it is interesting to note that also in view

[6] S.C. Res. 1452, para. 1 (Dec. 20, 2002).
[7] S.C. Res. 1617, para. 2 (July 29, 2005).
[8] S.C. Res. 1730, para. 1 (Dec. 19, 2006).
[9] S.C. Res. 1735, para. 7 (Dec. 22, 2006).
[10] S.C. Res. 1822, para. 13 (June 30, 2008).
[11] S.C. Res. 1904, para. 20 (Dec. 17, 2009).
[12] Under Security Council Resolutions 1483 (May 22, 2003) and 1518 (Nov. 24, 2003).
[13] *See* S.C. Res. 2083, para. 19 (Dec. 17, 2012).
[14] *See id.* para. 21.

of these improvements, the Advocate General in the case *Kadi II* argues in his recent Opinion against the full review conducted by the ECJ in *Kadi I*. He suggests a ''limited'' review of the merits of the statement of reason that checks only whether the statement was manifestly inadequate or erroneous.[15] The improvements in the sanctions regime lead him to suggest the presumption that the decisions taken by the UN sanctions committee are, as a rule, justified.[16]

This could be seen as a proof—even if it remains to be seen, of course, whether the ECJ will follow the Opinion of the Advocate General—that the listings by the 1267 Sanctions Committee are, as a rule, accepted by the EU level as being legitimate in the sense of the UN Declaration's rule of law standard.

Concluding his contribution, Professor Feinäugle expressed that for the rule of law in the UN, there is not a simple list of clear-cut contents; rather, it is a principle which has the function of attaching legitimacy and predictability to the work of the UN and the Security Council. Achieving the rule of law in the UN is thus a ''work in progress'' towards legitimacy and predictability. Procedural law and procedural safeguards play a major role for the rule of law in the context of UN sanctions and must also be further examined in other fields of UN activity. In sanctions regimes, for example, automatic de-listings after the expiry of a fixed time limit for a decision of the sanctions committee improve the protection of the targeted individual and thus the acceptance of the sanctions regime considerably. The multi-level aspect is also important for the functioning of the rule of law at the international level: decisions are taken at the international level by international bodies, but those bodies are dependent on the national and/or European level for the implementation of such decisions. The decisions must therefore be accepted by the implementing levels as legitimate. The Advocate General in *Kadi II* gives an excellent example when arguing that the improvements to the listing and de-listing procedure should strengthen the confidence of the EU level in the decisions taken by the Sanctions Committee and that they can be presumed to be justified.[17] This hints at the cooperation between the different levels that, since it is indispensable for the functioning of a multi-level system, could be called the obligation of ''EU/UN loyalty,'' i.e., an obligation of cooperation and mutual respect between the UN level and the EU and national levels.[18]

Erika de Wet, Co-Director of the Institute for International and Comparative Law in Africa, Professor of International Law at the University of Pretoria, and Extraordinary Professor, Universiteit van Amsterdam, the Netherlands, addressed ''The Role of Regional and Domestic Courts in Strengthening the Security Council's Adherence to International Human Rights Standards.'' She explained that recent decisions of the European Court of Human Rights and domestic courts in Europe reflect interesting techniques of interpretation, aimed at reconciling United Nations Security Council obligations and international human rights standards. The current contribution focuses on three decisions that illustrate that while the United Nations Security Council (UNSC) is not bound by these court

[15] In re European Commission, Council of the European Union, United Kingdom of Great Britain and Northern Ireland v. Yassin Abdullah Kadi, Joined Cases C-584/10 P, C-593/10 P & C-595/10 P, Opinion of the Advocate General of 19 March 2013, para. 89.

[16] *Id.* para. 87.

[17] *Id.* paras. 86, 87.

[18] *See* Clemens A. Feinäugle, The Exercise of Public Authority in International Law 358, 359 (2011). For the relationship between the EU level and EU member states, such an obligation is provided for in Article 4(3) TEU.

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decisions, it cannot entirely ignore them. These decisions generate a bottom-up pressure on the UNSC to give due consideration to international human rights standards when adopting binding measures under Chapter VII of the United Nations Charter. Sustained bottom-up pressure of this nature is likely to increase in European courts until such a time as the United Nations itself provides for independent review procedures for those affected by certain types of targeted sanctions. The decision of the European Court of Human Rights (ECtHR) in *Al Jedda v. United Kingdom*[19] constituted the first decision in which the ECtHR expressed its reluctance to assume that the UNSC intends to suspend human rights through sanctions regimes or other restrictive measures.[20] The case concerned the issue of whether the detention without trial of a British/Iraqi national by British forces in Iraq in 2004, on the basis of SC Resolution 1546, violated the right to liberty and security of person in Article 5(1) of the European Convention of Human Rights (ECHR). The then House of Lords accepted the argument of the British government that the authorization to use ''all necessary means'' against Iraq in SC Resolution 1546 (2004) served as a legal basis for internment, despite the fact that this ground of detention was not covered by the exhaustive list contained in ECHR Article 5(1). SC Resolution 1546 (2004) would therefore constitute a justification for deviating from the ECHR.

The ECtHR found this reasoning to be in violation of ECHR Article 5(1). Although the ECtHR seemed to accept that obligations under the United Nations Charter prevailed over conflicting obligations under any other international obligation, it did not accept that in this instance such a conflict indeed existed. In fact, it adopted a strong presumption in favor of a human rights-friendly intention on the part of the Security Council. It was unwilling to accept that the Council intended a suspension of ECHR Article 5(1), in light of the fact that the promotion of human rights constitutes one of the purposes of the United Nations. This presumption creates a high threshold, and it is unlikely that the ECtHR will accept the suspension or disproportionate limitation of rights in the ECHR, unless the wording of a particular Security Council resolution leaves no room for a human rights-friendly interpretation.

The question arises of what the concrete implications of this presumption would be, if applied by a domestic or regional court to a targeted sanctions regime that results in severe limitations (or even suspension) of, inter alia, the right to a fair hearing. The ECtHR was confronted with this question in the case of *Nada v. Switzerland*,[21] which concerned the listing of an individual in accordance with the sanctions regime established under UNSC Resolution 1267[22] and subsequent resolutions. In addition to the freezing of his assets without recourse to judicial review, Mr. Nada was subjected to stringent travel restrictions which effectively confined him to an Italian enclave in Switzerland, complicating, inter alia, his access to medical care outside of the enclave. At the domestic level, the Swiss Federal Tribunal acknowledged that the de-listing procedure foreseen by the sanctions regime resulting from UNSC Resolution 1267 was not compatible with Article 6(1) of the ECHR that protects the right to a fair hearing. However, it also referred to Switzerland's obligation under Article 103 of the Charter to give precedence

[19] In re *Al-Jedda v. United Kingdom,* Application No. 27021/087, ECtHR, Judgment (Grand Chamber), July 7, 2011.
[20] *Id.*
[21] Appl. No. 10593/08, ECtHR, Judgment (Grand Chamber), Sept. 12, 2012.
[22] Oct. 15, 1999.

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to UNSC obligations in case of a conflict with other obligations under international law. The Swiss Federal Tribunal claimed that the de-listing procedure left no room for interpretation, as a result of which Mr. Nada's right to a fair hearing in Article 6(1) ECHR was necessarily suspended.[23]

Professor de Wet added that, for its part, the ECtHR concluded that that the Swiss measures implementing the relevant UNSC resolutions violated Article 8(1) which protects the right to private and family life, as well as Article 13(1) which guarantees the right to a remedy. While acknowledging the clear restrictive language of the relevant UNSC resolutions, it did not accept that Switzerland had no discretion of any kind when implementing these measures. The ECtHR's point of departure was whether Switzerland had done everything within its power to minimize the conflict between UNSC resolutions and the obligations resulting from the ECHR (and concluded that this had not been the case). Among other things, it underscored that Switzerland interpreted the humanitarian exceptions in the respective UNSC resolutions too restrictively, as a result of which Mr. Nada had too limited an opportunity to travel for medical reasons. The *Nada* case also reflects that the ECtHR is extremely unwilling to accept that a UNSC resolution intends to exclude access to a judicial remedy on the domestic level, even where it seems that states are left with hardly any discretion in this regard. The ECtHR determined that Switzerland should have provided for review of the domestic measures that implemented the respective UNSC resolution, in order to enable Mr. Nada to clear his name and be exempted from these measures. This would effectively have led to a ''limping'' situation in which domestically a person was de-listed (''untargeted''), while remaining listed (''targeted'') by the respective United Nations Sanctions Committee. However, in the case of Mr. Nada, he has since been de-listed at the United Nations level, so a ''limping'' situation will not occur.

The influence of the *Nada* case on the so-called *Iranian Nationals* case, decided by the Dutch Supreme Court in late 2012, was clearly visible.[24] The case concerned the domestic measures implementing UNSC Resolution 1737.[25] Paragraph 17 of this resolution called on ''all States to exercise vigilance and prevent specialized teaching or training of Iranian nationals, within their territories or by their nationals, of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems.'' According to the government of the Netherlands, this requirement left them no other choice but to refuse access of Iranian nationals to certain specialized areas of education and training in member states. The Dutch Supreme Court rejected this argument, concluding that the implementing measure constituted discrimination on the basis of nationality and therefore violated Article 26 of the International Covenant on Civil and Political Rights, which was directly applicable in the Dutch legal order. Following the line of reasoning in the *Nada* case, the Dutch Supreme Court underscored the obligation on the state to harmonize human rights obligations with UNSC resolutions as far as possible. It concluded that this had not occurred in this instance and that the differentiation on the basis of nationality was inappropriate for preventing the transfer of specialized nuclear knowledge to Iran. The state could instead have opted, for example, for a general screening of students and did not explain why it did not do so.

[23] Youssef Mustapha Nada v. Staatssekretariat für Wirtschaft, Case No. 1A 45/2007, BGE 133 II 450, also available at ILDC 461 (CH 2007), http://opil.ouplaw.com/home/oril.

[24] Netherlands v. A and Others [2012] LJN: BX8351.

[25] Dec. 23, 2006.

The great advantage of the technique of human rights-friendly interpretation followed in the decisions under consideration, concluded Professor de Wet, is that it prevents an open rejection of UNSC resolutions, which could result in undermining a unified system for the protection of international peace and security. States remain bound to give effect to UNSC resolutions, even though the scope of these obligations is limited by human rights obligations through creative interpretation. From a textual perspective, such a balancing exercise may sometimes appear unconvincing in instances where the text at first glance leaves very limited room for interpretation (as seems the case in relation to the UNSC Resolution 1267 sanctions regime). Some may lament the fact that it is an approach that shies away from acknowledging any human rights-based norm hierarchy in international law. Even when the result reached through harmonious interpretation is a human rights-friendly one, it is done without an open acknowledgment of the superiority of human rights obligations vis-à-vis other international obligations. Even so, the approach of systemic integration (as harmonious interpretation is sometimes referred to) has the advantage of finding solutions for norm conflicts within the international legal order itself, while sustaining the unity of the international legal order. Moreover, until such a time as the United Nations itself provides for independent review procedures for those affected by certain types of targeted sanctions, the role of domestic and regional courts in safeguarding the rights of individuals will remain necessary. This is so, not in the least, to remind the United Nations that a commitment to the rule of law in the twenty-first century requires a commitment by its own organs to international human rights standards—if the organization wants to preserve its own legitimacy and efficacy.

In his presentation August Reinisch, Professor of International Law at the University of Vienna School of Law, spoke on ''Internalizing the Rule of Law—The UN's Unfinished Tasks,'' focusing on the specific access to justice aspect of the rule of law. Vis-à-vis the UN and other international organizations, this demand to have one's rights and obligations determined by an independent and impartial tribunal is regularly impeded by the organizations' immunity from the jurisdiction of national courts. It is for this reason that Section 29 of the 1946 Convention on the Privileges and Immunities of the UN provided that ''the United Nations shall make provisions for appropriate modes of settlement of: (a) disputes arising out of contracts or other disputes of a private law character to which the United Nations is a party [. . .].''

With regard to staff disputes, access to justice is largely guaranteed through the reformed system of the administration of justice in the United Nations, now carried out by the two-tiered protection of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal. With regard to individuals listed by the UN Security Council as terrorists, the Ombudsperson institution has markedly improved the situation, although Paragraph 29 of the 2012 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels suggests that there is still a need for reform when it ''encourage[s] the Security Council to continue to ensure that [. . .] fair and clear procedures are maintained and further developed.''[26]

Finally, Professor Reinisch turned to third parties having contractual or delictual claims against the UN which are normally to be settled by arbitration. He questioned whether this is an adequate remedy under rule of law auspices and voiced concern over three particular aspects. First, arbitration, unless previously agreed upon, is voluntary, so no

[26] A/RES/67/1.

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one can insist on arbitration, and in cases of tort claims there is no possibility to agree in advance. Thus, potential claimants are at the mercy of the UN to accept arbitration, as the recent example of the cholera epidemic in Haiti has demonstrated. Second, arbitration is expensive and will often deter claimants from pursuing their claims. Third, there always remains the requirement of voluntary compliance with an award because of the separate immunity from enforcement measures enjoyed by the UN.

Professor Reinisch concluded his presentation by pointing to the ''internalization'' approach of the ICJ in its Effect of Awards case where it justified the establishment of an administrative tribunal, among others by saying that it would ''[. . .] hardly be consistent with the expressed aim of the Charter to promote freedom and justice for individuals [. . .] that [the United Nations] should afford no judicial or arbitral remedy to its own staff for the settlement of any disputes which may arise between it and them.''

Sheelagh Stewart, Director of Governance and Rule of Law at the United Nations Development Programme's Bureau for Crisis Prevention and Recovery (BCPR), was the panel respondent. She noted the three facets of rule of law detailed by panel members: that no one, including public officials, is above the law; that government should be by law; and that everyone is equal before the law. These elements are detailed in Paragraph 5 of the UN Declaration, which directly links the rule of law to human rights and democracy.

Ms. Stewart went on to note, however, that in states where the rule of law is settled, it is often assumed to be a given. However, a quick look around at the struggles that have shaped humanity—including the Holocaust, which gave birth to the United Nations—tells us that the rule of law and the law themselves are ongoing sites of political struggle and are constantly shaped and reshaped by the context. This is more obvious in crisis contexts—and the period after crisis is the moment when societies negotiate what they want the ''new'' order to look like. These are the contexts in which BCPR works. Its work is about providing the safety that people need to invest in their own futures and the future of the new order. This work ensures that the legacies of violence which haunt these contexts are dealt with through legitimate, transparent, and lawful processes—including through redress and the provision of access to justice—in order to nip conflict (particularly around land, water, and livelihoods) in the bud.

The questions from the audience which followed gave rise to a vivid discussion, limited by the constraints of time, but nevertheless illustrating the broad interest in the rule of law concept and implementation.

The moderator, Ambassador Hans Corell, summed up the session by referring first to his two papers on Security Council reform and the rule of law, that Lilian del Castillo, the UN21 Rule of Law Interest Group Co-Chair, had asked the Secretariat to give out. He added that in those papers he defined the rule of law relatively broadly; in particular, he believed that democracy and human rights are central to a true rule of law. By way of example, he mentioned that when the UN governed Kosovo and East Timor, he had an officer in the UN Office of Legal Affairs vet all draft regulations from a human rights perspective before the Special Representative of the Secretary-General was authorized to issue them. He also referred to his experiences from defending his country, Sweden, before the European Court of Human Rights and the effects of the rulings of this Court on the national legislation in the states that are members of the Council of Europe.

Furthermore, Ambassador Corell mentioned that two institutes in Europe had elaborated a short guide for politicians on the rule of law, *Rule of Law—A Guide for Politicians*, which is freely available on the website of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law. The genesis of the guide was a discussion among members of the InterAction Council of Former Heads of State and Government, in which they pointed to the need to raise the awareness of politicians of the basics of international law and the meaning of the rule of law. Finally, he mentioned that he had just been informed about the Natalia Project, which aims to protect human rights defenders who are at risk of being subjected to arrest and detention and perhaps also inhuman and degrading treatment because of their fully legitimate work in defending human rights and the rule of law.[27]

[27] The following links contained the documents mentioned by Ambassador Hans Corell: Text of letter to PR: http://www.havc.se/res/SelectedMaterial/20121122textoflettertopr.pdf; International Criminal Justice: http://www.havc.se/res/SelectedMaterial/20121112corellkeynoteicj.pdf; A Guide for Politicians: http://rwi.lu.se/what-we-do/academic-activities/pub/rule-of-law-a-guide-for-politicians/; Natalia Project-Civil Rights Defenders: http://natalia.civilrights-defenders.org/.