DEAR READERS,

WELCOME TO THE 60TH ONLINE ISSUE OF THE VIVAT NEWSLETTER!

THESE LAST MONTHS have been full of activities at the UN in New York: the Forum on Indigenous Peoples, the two sessions of the Open Working Group on sustainable development and the High Level Political Forum on the same theme and many others conferences, events, commemorations... At the same time, last June in Geneva, the UN Human Rights Council held its twenty-sixth session.

VIVAT INTERNATIONAL contributed actively to these sessions, sharing our concerns and those of our members working on the ground especially in relation to various violations of human rights. Particularly, we advocated for the right to water and sanitation in the Post-2015 Agenda and also for the implementation of the Social Protection Floor, Eradication of Poverty, etc.

IN THIS ISSUE you will find various articles expressing our commitment and the work of our members and partners all around the world: mining activity in Brazil, the UPR Process in Bolivia, the post-earthquake reconstruction in the Philippines, illegal evictions in Paraguay, and important steps against abuses carried out by Corporations.

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The post-2015 Agenda A Big Challenge

THE SUSTAINABLE DEVELOPMENT GOALS FOR THE NEXT 15 YEARS

AGENDA POST 2015

From 16th to 20th June 2014 and from 14th to 18th July, the Open Working Group on Sustainable Development Goals (SDGs) held two sessions for consultations and adoption of the UN post 2015 Zero Draft. The document will be submitted to the General Assembly in September.

The organizations of civil society – including VIVAT – have participated actively in these sessions and in many side events and meetings. We wanted to be the voice of our members and partners working on the ground, especially in the contexts where they still experience various violations of human rights. We are concerned that a development agenda not explicitly committed to upholding vital human rights may end up undermining them. That’s why we strongly sustain the SDGs be explicitly aligned to the human rights framework.

MAIN CHALLENGES

The post-2015 agenda should be people centered, giving priority to human security and freedom from violence.

The SDGs should include not only the current challenge of poverty, but also climate change and growing inequality.

We strongly stress that human rights and the rights of nature are interdependent.

Gender equality should be a crosscutting issue in all goals and targets.

We believe that we must also address unsustainable consumption and life style by a tiny population mostly in the Global North.

VIVAT’S ACTIONS

In response to the exclusion of the human right to water from the Zero Draft, we contributed to the campaign titled, “The urgent need to protect and promote the human right to water and sanitation in the UN SDGs.” The letter was endorsed by more than 300 other organizations. For the Post-2015 development agenda to reach its objective of being just, people-centered, and sustainable, the goals must prioritize the human right to water for health, life, food, and culture over other demands on water resources. This is even more critical given the key role of water for achieving other sustainable development objectives such as sustainable energy and food production, gender equality, and climate change mitigation. The letter was shared with the UN Open Working Group on SDGs (www.miningwg.com)
IN MANY PARTS OF THE WORLD SOCIAL PROGRESS IS UNEVEN AND SLOW

«MORE THAN» 70 per cent of the world population is not adequately covered by social protection», says a new Report by the International Labour Organization (ILO), published last June (www.Ilo.org).

According to the Global Coalition for Social Protection Floors, that means that «well into the 21th century, the world remains an unfair, unequal, insecure and unhealthy place for the majority of people. At the global level, four out of five persons do not have access to comprehensive social protection».

THE GLOBAL COALITION for Social Protection Floors is a coalition of more than 70 civil society and trade union organizations. VIVAT International is one of the members. All together they are trying to create more awareness around the world about the importance of promoting social protection for everyone as a guarantee of a universal rights-based development goal. At the same time, the Coalition would like to push the States to take their responsibilities in doing ILO Recommendation No 202 concerning national floors for social protection.

Unfortunately, most of the global population is still living in social insecurity. About 30 per cent of the global population have no access to adequate health care. Every second child is poor and millions of children die every year from preventable causes. Millions of older persons face poverty, hardship and disease at the end of their lives.

Inequality is increasing in many parts of the world. Social progress is uneven, modest and slow.

According to the ILO Report, «social protection policies play a critical role in realizing the human right to social security for all, reducing poverty and inequality, and promoting inclusive growth – by boosting human capital and productivity, and by supporting domestic demand and structural transformation of national economies.»

That’s why the Global Coalition for Social Protection Floors asks for the human right to social security, defined at least as guaranteed basic income security and access to essential health care, to be realized by 2030 – the next target date for the global development agenda.

THE SOCIAL PROTECTION Floors are a key instruments to achieve the overarching social goal of the global development agenda. Social protection is one of the foundations for inclusive, equitable and sustainable development.
A FEW YEARS AGO Forbes magazine published a list of the top 100 economies in the world. I was expecting to see the hundred richest countries in the world on the list. Not so. In fact, fifty of those listed among the top-flyers in the rich club were Big Companies. This is not surprising as many of these enterprises are just that – BIG, very Big and even bigger Businesses. So, the 50 largest Corporations are worth more financially than 143 countries.

We can understand why many countries feel powerless in the face of such giants. All governments do not have the same capacity to survey, mine and exploit the natural resources of their territory so that the citizens of their land may benefit equally. Hence they are beholden to these companies to do this work and in the process some people benefit and some jobs are created. But, the State is dependent on the technology and know-how that the private operators possess.

We might ask what has been happening at the level of inter-governmental organisations to address the human rights issues that arise in connection with the development and conduct of these large enterprises. Here, I briefly present an outline of some of the efforts to address the issue. This is not an exhaustive treatment of the subject. It is a summary of developments in the area.

Going back to the 1960s, we see that the topic of business and human rights has been discussed within the context of the United Nations. The debate which began in New York was linked to multinationals. When Transnational companies appeared on the scene, we had a change in the title of the topic without any development in the standards to be applied to them. During the Cold War the topic continued to be debated within the ILO, while the UN had other concerns and left this topic aside.

AT THIS TIME the ILO was the first and only inter-Government organisation, with worldwide membership to monitor activities of multinational corporations and to develop some norms concerning their behaviour. Based on this initial work, in 1977, the ILO adopted a non-binding Declaration on Multinational enterprises. They continued to review this declaration on a yearly basis and it remained the only existing framework for many years.

Between 1980 and 2000, research was conducted, within the academic world, in an attempt to clarify the problems regarding multinational companies and to look at standards and possible rules to govern their activities. In 1998, a working group was set up by the Commission on Human rights to develop norms on the responsibilities of TNCs and other business enterprises with regard to human rights. The outcome of this process was a draft of guiding principles.

IN MARCH 2005 the commission adopted a resolution to appoint a Special Rapporteur of the Secretary General to negotiate these “guiding principles”. In June 2005, Professor John Ruggie was appointed. Each year he gave a progress report. In 2011 he presented his final report. After many regional conferences and much debate The Guiding Principles were adopted. In addition to this instrument the Human Rights Council has a working group to address the issue of implementation of the Guiding principles. Also in 2011 the HRC decided to have a forum on Business and Human Rights. This is now an annual event and is held at the beginning of December for three days.

Edward Flynn Csp
written with material supplied by Geneva for human Rights
ON JUNE 26TH, a resolution was adopted in the UN Human Rights Council that will begin the process of elaborating an international legally binding instrument on business and human rights.

Despite strong opposition from the EU and US, the resolution received affirmative votes from 20 member States on the Human Rights Council, while 13 States abstained.

This adoption will result in the establishment of an open-ended intergovernmental working group that will have the mandate of elaborating a binding instrument to regulate the activities of Transnational Corporations (TNCs) and Other Business Enterprises.

VIVAT International and many other civil society organizations have worked for years for binding standards to hold corporations accountable where and when they commit environmental crimes and human rights violations. More than eighty nations and 610 civil society organizations supported the treaty movement, which could bring about a legally binding treaty on human rights and multinational companies.

According to Friends of the Earth International, one of the leading organizations, “defenders of the environment” often face terrible consequences for their actions, suffering rights violations and violence. TNCs are often directly or indirectly involved in these violations. Environmental defenders deserve and demand a legally binding treaty to bring corporations to justice. But they also demand community access to justice, the right to protest, reparation and restoration of damaged environments and livelihoods, and criminal liability for corporate offenders.

THE HUMAN RIGHTS COUNCIL AGREES TO TAKE ACTION AGAINST MULTINATIONALS

THE RESULTS OF THE VOTE

The vote was 20 for, 14 against and 13 abstentions in the 47-member HRC. The United States and EU members, including France, Germany, UK, Italy, Ireland, Austria, Estonia and the Czech Republic, along with South Korea and Japan, voted against the resolution.

Spearheaded by Ecuador and South Africa, the resolution received positive votes from China, India, Indonesia, Kenya, Pakistan, Philippines and Algeria, amongst others.

The Arab nations, including Saudi Arabia, the United Arab Emirates and Kuwait, along with Mexico, Peru and the Maldives, abstained.

A Multinational Corporation (MNC) is a corporation with extensive ties in international operations in more than one foreign country. Examples are General Electric, Exxon, Wal-Mart, Mitsubishi, Daimler Chrysler, etc...

A Transnational Corporation is a MNC that operates worldwide without being identified with a national home base. It is said to operate on a border less basis.
AS A PART OF the Brazilian government’s Accelerated Growth Program, which focuses on economic stimulation, there has been considerable effort to improve the country’s infrastructure through such projects as roads and dams. One of these dams is the Belo Monte dam in the Xingu River in the Amazon which is projected to be the third largest in the world, with an energy output of 11,233 megawatts. While this may seem like an energy breakthrough for the nation, its human rights violations far outweigh the estimated benefits.

To begin, there are over 20,000 people living in the Altamira region of Para in the northern part of Brazil where the dam is being built and even more will be forced to leave their homes when the river levels rise past the point of habitable conditions. In the meantime, there has been a population explosion to nearly 100,000 people in the region with construction workers arriving as part of the dam project. Violence, traffic, and living costs have soared because of this and police forces and hospitals have been unable to accommodate this population influx. It is a scene of chaos and complete disruption. For the indigenous populations such as the Arara, Asurini, and Xikrin, the anthropological foundation on which their culture is built is being shattered. The dam will cause flooding in some regions and drought in others which will affect fishing stocks and devastate the rainforest on which these groups depend for their livelihood.

Norte Energia, the state-owned company responsible for the construction of the dam, responds to this crisis by “buying out” the Indian people with food baskets and money, negating the need to plant crops. With more money and no crops to harvest, there has been an increase in alcohol consumption and related violence, as well as a loss of Indian culture. Villages received “Voadeiras” which are aluminum boats with 90 horsepower outboard motors - a juxtaposition that is threatening the deep-rooted traditions of the indigenous people.

INTERESTINGLY, however, the International Labour Organization’s Convention 169, which focuses on indigenous rights and to which Brazil is a signatory, stipulates that indigenous populations must be consulted on these projects which exploit indigenous lands. The exact methods for doing so, however, are unclear, which leads many to question if the indigenous people are being consulted properly at all. In 2011, various Indian groups filed a legal complaint regarding Belo Monte and the Inter-American Commission on Human Rights requested that the Brazilian government halt construction until this legal issue had been sorted out. The government flatly refused, calling the complaint “precipitate and unjustified.” Even the argument that construction of the Belo Monte dam will create jobs is unfounded. Construction jobs are temporary, meaning that upon completion, these jobs will no longer exist. Workers receive between R$800 and R$1,200 which is between $1,770 and $2,655. That is hardly enough to save during a temporary job. Living conditions for workers are far from ideal with employees residing in dormitories and reports of brothels nearby.

When one considers the multitude of human rights violations occurring as a result of this dam construction, one would certainly ask whether the potential environmental progress outweighs the negative “costs.” The flow of the Xingu River varies according to the season, that means that on average, Belo Monte will only produce 4,500 megawatts - 40% of its projected output. In its driest months, however, it will barely produce 1,000 megawatts. Clearly, the glowing claims of infrastructure advancement and economic stimulation obscure a deeper, hidden truth of negative socioeconomic impacts and human rights violations on an immense scale.
Over the last few months the members of the Y’apo community, belonging to the Ava Guaraní people have become victims of several abuses which include violent and brutal eviction from their ancestral lands, demolition of their shelters as well as physical torture. Since time immemorial, the community occupies this land, which is situated in the province of Canindeyú, and specifically the places called Pindoty Porá, Yvyarova and Laguna San Antonio where they live according to their ancestral patterns of life.

On the 20th of May, more than 100 houses, the ancestral and sacred places, including the traditional sacred shrine, were profaned, torched and burned to ashes by the police. The police also destroyed all the belongings of the indigenous people found at the place. That was carried out by a force of approximately 300 policemen, in a totally arbitrary manner, purporting to execute a judicial order in flagrant violation and disregard of the customary law and of the rights of the indigenous peoples, both nationally and internationally. The members of the community were forced to flee into the forests to avoid other serious abuses. The missionary sisters involved in Pastoral Ministry to the Indigenous Peoples in that area were eye witnesses to this sad episode.

Because the police couldn’t achieve this terrible mission in the first attempt, the Company Laguna S.A., hired armed private guards, who went to the indigenous community on Sunday, 15 June 2014, and started to shoot with guns at its members, leaving more than one dozen wounded, some of them in a critical condition. The private guards claimed that they decided to intervene because of the inaction of the police force. Actually, with this attack, they have violated not only the rights of indigenous peoples but the national law. Nobody can take the law into their own hands.

There is no doubt that the land where Y’apo is situated is part of the ancestral territory of the Ava Guaraní, known as Yvyarova. Several studies: historical and anthropological researches certify that this people have shown that there exists a deep connection with this land and its religious beliefs. In this land the indigenous people have the graves of their ancestors who lived here and even sacrificed their lives defending this territory.

IT’S THE RESPONSIBILITY of the Paraguayan States to protect this human right enshrined in the national Constitution and also safeguard the respect for the law, consequently sanctioning all those that intend to deprive the indigenous people of this land which is legally theirs! The high level of awareness of the indigenous community of their territorial rights is helping them defend their rights. We – the Missionary Sisters Servants of the Holy Spirit (SSpS) and CONAPI (National Coordination of the Apostolate to the Indigenous of the Paraguayan Bishop’s Conference) – have no alternative except to continue our struggle supporting the indigenous people in spite of the dangers and challenges involved.

Raquel Peralta, SSpS
National Coordinator of CONAPI
EAST KALIMANTAN is the second largest province in Indonesia and one of the richest in terms of natural resources such as oil, natural gas, coal, timber and it has great biodiversity with thousands of species of, flora and fauna.

Since the Governments of districts and cities (PEMDA) has licensed industries to invest in mining, palm oil plantation and the plantation forest industry, the region has seriously risked environmental destruction. Ecological crisis and poverty are two key problems being faced by the people of Province of East Kalimantan. The environmental damages are primarily caused by three main factors: mining, plantation and forestry, which have had prominent preferences of economic development conducted by the Indonesian Government egregiously given preference as means for economic development since the 1960s. In addition, the deforestation is also caused by logging and illegal logging.

Social and Ecological Concerns
Looking closely at the business of extractive industries, lots of social and ecological concerns come out. Those concerns directly affect people’s lives and livelihoods.

1. An immense reduction of biodiversity;
2. Change of geographical structure of lands and land disputes;
3. Increase of floods;
4. Water pollution and diseases;
5. Damage of public infrastructure;
6. Prostitution.

The destruction of the environment in East Kalimantan is continuing to take in a massive scale. At least, 70% of the region became an area of mining concessions, that have been overlapped by other concessions. In the year 2007 the Governments of Districts/Cities has given 633 licenses for coal mining of 1.7 million ha. In 2009 the area increased remarkably to cover 1,180 of 3.1 million ha. In addition, there are 33 corporations directly receiving coal mining licenses from the central Government for 1.3 million ha. Besides coal there are a number of projects for gas and mineral extraction in three sudistricts (Aggana, Samboja and Muara Jawa) of the Kutai Kartanegara District, which is situated along the delta of the Mahakam River, over an area of 5,200 km². Mining operations have been in place since the 1970s both along the seashore and on land, including the delta of Mahakam.

2020: The End of Kalimantan?
As we look at the continuing damage of forests, land and, water caused by the mining industry, plantations and forestry, Kalimantan is probably going to collapse in the next decade. If deforestation and the coal mining business continue, Kalimantan is will become a wild desert.

Paul Rahmat SVD
PHILIPPINES Earthquake

ON OCTOBER 15, 2013, a 7.2 magnitude earthquake struck the Province of Bohol, Philippines. The Special Issue of OCHA (UN Office for the Coordination of Humanitarian Affairs) Humanitarian Bulletin of February 2014 on the Bohol Earthquake stated that: “The earthquake destroyed or damaged the homes of 367,760 people. A total of 1,910 people remain in official evacuation centers as of February.”

Humanitarian efforts have been carried out by the NGOs and GOs, in collaboration with the local government. This emergency situation has rendered women and children, especially those living in makeshift tents and temporary shelters, more vulnerable.

SSpS WINGS (Women Interacting for New Growth and Services) for JPIC, the social development arm of the SSpS Philippine South Province sought to address the heightened need for protection of the women and children and the prevention of gender-based violence (GBV) and trafficking, by partnering with UNFPA (United Nations Fund for Population). The project is called: Protection and Prevention Project for Women and Children Against Gender-based Violence, Sex Trafficking and other Gender-related Abuses in Earthquake Affected Areas of Bohol particularly in the Municipalities of Loon, Sagbayan, Catigbian and San Isidro. This project was implemented within three months (January 15-April 15, 2014).

Its key strategies included establishing preventive measures for community-based GBV, and forming or strengthening community structures and mechanisms to ensure the provision of an effective and quick response.

One hundred twenty (120) volunteer community advocates who came from the four partner municipalities were given training on Philippine Laws: the Anti-Sexual Harassment Act, the Anti-Rape Act, the Anti-Trafficking of Persons Act, and the Anti-Violence against Women and Children Act.

A VICTIM-FOCUSED Community Referral Pathway was also presented to them in cases of GBV and trafficking. This referral pathway was drafted by members of the Protection Cluster which included the UNFPA (United Nations Fund for Population Activities), SSpS WINGS for JPIC, Global Protection Cluster, Province of Bohol Government, Department of Social Welfare and Development (DSWD), UNICEF, CFSI (Community and Family Services International), Save the Children, IOM, MERLIN (Medical Emergency Relief International), BIDLISIW Foundation, Inc (a local NGO) and the PNP (Philippine National Police). It was designed for immediate and effective response to GBV and trafficking incidents in this humanitarian situation. A number of unreported GBV cases have surfaced in the discussions during the community advocates training.

The Municipal Inter-Agency Council Against Trafficking and Violence Against Women and Children in the four partner municipalities were activated. Using the Executive Orders of their respective municipalities as frameworks, they formulated a program to respond to these cases.

ASIDE FROM the four municipalities, SSpS WINGS staff made visits to Women Friendly Spaces (WFS) in the Tubigon and Carmen Evacuation Centers. Our visits revealed that increased awareness and massive information were crucial for their safety as they were still in tents. A series of sessions were also conducted with the children on the value of their person, of their physical bodies and on how to determine safe and unsafe touches.

At this moment, Bohol is slowly recovering. Yet, “significant needs in shelter, early recovery and health services remain” (Bulletin Feb. 2014 of OCHA). The SSpS WINGS for JPIC initiative on the protection of women and children still has a long way to go.

Beth, SSpS for SSpS WINGS for JPIC
FOR OVER A YEAR, VIVAT has been collaborating with a coalition of organizations in Cochabamba, Bolivia. This is part of their campaign to use Bolivia’s Universal Periodic Review in an effort to push for structural changes regarding shared concerns.

THROUGH a carefully constructive approach, and by recognizing advances aiming at dialogue with the government, the field and desk research revealed shocking instances of injustice especially affecting children and adolescents: 83 percent of them suffer some form of physical, psychological or sexual violence in their homes or schools; and there are an estimated 848,000 children working in Bolivia.

Another area of concern is the situation of prisoners: more than 80 percent of them have not even been convicted but are being held in long-term pre-trial detention.

As a key part in the strategy, VIVAT assisted the group in preparing a report for the Bolivia’s Universal Periodic Review. First-hand information has been acquired directly through individual interviews with different groups of women and child workers who are members of a Union in Cochabamba. Two community forums helped to elaborate analysis and recommendations for the report to the United Nations.

ONE FORUM convened youth from ten schools to hear and document their opinions and proposals regarding their experiences with families, neighborhoods and schools. Nearly one hundred people participated, including women from several neighborhoods, NGOs, police and governmental institutions fighting violence and discrimination against women, representatives of the Ombudsman’s Office (Defensoría del Pueblo), as well as religious and lay people from Catholic Church.

THE REPORT included detailed analyses of different topics: violence against women and children, child labor, right to health for women and children, gender equality, political violence against indigenous peoples, and the situation of women in detention. The group will continue to advocate at the national and international level leading up to Bolivia’s Periodical Review in October this year.
ONE OF THE OPTIONS to get to Haiti is a stopover in New York. So, this stop has given me the opportunity to learn a little about the work of VIVAT International and our confrere Daniel LeBlanc OMI, who is our “contribution” as an associate member.

We decided to first visit the office of VIVAT, which is in the "Church building", where different religious organizations, but also others such as Amnesty International, have their offices - a great opportunity to meet and plan joint activities: the famous "advocacy".

I already knew the Executive Team: Zelia Cordeiro, a SSpS sister (Brazilian); and Felix Jones, a SVD priest (Indian). Olga, a Comboni Missionary Sister (Mexico) was also there for an internship. Over a cup of tea, I was told, what their "strong themes" are at this time.

Last year, mining with its tremendous effects on the economy and ecology of the countries with natural resources, had been the issue on which more energy was invested. Thanks to the good participation of many congregations a broad picture was achieved about which countries are most affected; with what consequences; by which companies. There was a high level meeting convened by the Vatican, with the participation of representatives of big business and the prospect of reaching more favorable conditions for the affected countries and populations.

Other big issues are human trafficking and migration. VIVAT is involved in the various committees, talking with representatives of countries and trying to influence the decisions of the UN - work of ants!

In the afternoon, we went with Daniel to the UN buildings, passing through several controls. There are many halls, offices, and conference halls, in which different sessions on different topics are taking place at the same time. Once inside, one can enter the rooms. In one, the representative of Pakistan was speaking. But we went to another where it was about having an upcoming summit of all Member Nations, or not.

THE ‘BIG ONES’ (G8) had already spoken out against the summit - except Russia, which - surprisingly - voted in favor. Or perhaps not surprisingly, because the intervention in Ukraine has put the Russian government in question. We still walked into another conference hall, where the theme was "population" (conflictive ethical positions are discussed in that committee)..

All this was a glimpse, an impression, a vague idea how people work at these level. We returned to the VIVAT-office to say goodbye. The next day, we had to travel to Washington, where Daniel was able to participate, in a meeting of the IMF and the World Bank (the president himself was available to listen how best they could help the neediest countries...). For this session, I couldn’t acquire credentials.

Those were very small prints, but enough to convince me of the importance of being also present in the centers of decision-making, precisely just as religious, who are committed to the poor. Thanks for VIVAT’s work. And… it’s worthwhile to support it!

Miguel Fritz OMI
Recent Advocacy Work through UN Human Rights Mechanisms

**NEW SPECIAL RAPPORTEURS**

- **David Kaye** (United States) Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;
- **Danius Puras** (Lithuania) Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;
- **Maria Grazia Giammarinaro** (Italy) Special Rapporteur on trafficking in persons, especially women and children;
- **Baskut Tuncak** (Turkey) Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and waste;
- **Seong-Phil Hong** (Republic of Korea) member of the Working Group on Arbitrary Detention from Asia-Pacific States;
- **Sabelo Gumedze** (South Africa) member of the Working Group on People of African Descent

**EQUALITY & SDGS**

Nearly 350 representatives of civil society, academia, the private sector and inter-governmental organizations gathered at UNCTAD to debate global inequality, and its impact on development.

The theme of the fifth Public Symposium, held on 18 and 19 June, was *A Better World Economic Order for Equality and Sustainable Development Post-2015*

**JUNE**

During the month of June, we participated, followed and intervened in all this session at the UN. Here you can find information and documentation:

- **June 17-18**
  *Human Rights and Rule of Law*

- **June 23-25**
  *ECOSOC Humanitarian Affairs*

- **June 16-20 / July 14-18**
  *Open Working Group on Sustainable Development*

- **June 30 - July 9**
  *High-Level Political Forum*

- **June 10 - 27**
  *26th Session of Human Rights Council - Geneva*

**UPCOMING EVENTS**

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<td>Seminar: Dialogue on Life and Mining, Brazil</td>
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