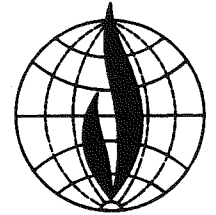


***For the Rule of Law***



*The  
International Commission  
of Jurists*

**Its Objectives, Organisation and Activities**

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J. THIAM HIEN YAP	Attorney at Law, Indonesia

## SECRETARY-GENERAL

NIALL MACDERMOT

## THE INTERNATIONAL COMMISSION OF JURISTS

is a non-governmental and non-political international organisation which has consultative status with the United Nations Economic and Social Council, UNESCO and the Council of Europe. Its headquarters are in Geneva, Switzerland. It draws its support from judges, law teachers, practitioners of law and other members of the legal community and their associations.

## Objectives

The Commission's object is to promote the understanding and observance of the rule of law throughout the world. It has defined this term as:

*The principles, institutions and procedures, not always identical, but broadly similar, which the experience and traditions of lawyers in different countries of the world, often having themselves varying political structures and economic background, have shown to be important to protect the individual from arbitrary government and to enable him to enjoy the dignity of man.*

The Commission's work thus focuses on the legal promotion and protection of human rights and fundamental freedoms. The rule of law is seen as a dynamic concept to be used to advance not only the classical civil and political rights of the individual, but also economic, social and cultural rights, and to promote development policies and social reforms under which he and the community in which he lives may realise their full potentiality.

## Organisation

**Membership.** — The Commission consists of up to 40 eminent jurists dedicated to the service of the rule of law and representative of the different legal systems of the world. Distinguished jurists, including former Members of the Commission, are eligible for election as Honorary Members. The Commission meets triennially and elects an Executive Committee which meets two or three times a year. Other persons and organisations who subscribe to the objectives of the Commission may become Associates. Associates receive all publications. An application form can be found on the last page.

**International Secretariat.** — The Secretariat at Geneva comprises the Secretary-General, supported by a team of Legal Officers and administrative personnel. The present Secretary-General is Mr Niall MacDermot, Q.C., former Minister of State of the United Kingdom.

**National Sections.** — National Sections of the International Commission of Jurists have been established in over 50 countries in order to uphold and strengthen the principles of the rule of law in their respective countries. They supply the International Secretariat with material on legal developments in their respective countries, undertake research on matters of particular concern to their members or their country, hold local and regional meetings, organise public lectures, and occasionally hold joint sessions with other Sections to discuss matters of common interest and engage in other related activities. In a number of countries, they have taken the initiative in putting forward and elaborating proposals for law reform which have subsequently been adopted into the law of their country. Pamphlets and special studies designed to this end are published from time to time. The Commission maintains contact with the legal profession at the local level through its National Sections.

In addition, other lawyers' organisations, such as Bar Associations, and human rights organisations are affiliated to the Commission.

**Centre for the Independence of Judges and Lawyers.** — In 1978 the International Commission of Jurists established a special centre at its headquarters in Geneva to organise support for jurists who are harassed or persecuted in the exercise of their professional duties. The Centre for the Independence of Judges and Lawyers has obtained the cooperation of many legal organisations and individual jurists throughout the world. It publishes twice yearly a Bulletin in English, French and Spanish with case reports, notes and articles on the persecution and harassment of judges and lawyers, and on the promotion and protection of their independence.

## Activities

Among the many activities of the International Commission of Jurists are:

**Organising International Conferences and Seminars** in which the principles underlying the rule of law are examined and elaborated.

Past Conferences include those held in Athens, Greece (1955); Vienna, Austria (1957); New Delhi, India (1959); Lagos, Nigeria (1961); Rio de Janeiro, Brazil (1962); Bangkok, Thailand (1965); Colombo, Sri Lanka (1966); Dakar, Senegal (1967); Stockholm, Sweden (1967); Bangalore, India (1968); Strasbourg, France (1968); Aspen, USA (1971); Vienna, Austria (1977); The Hague, Netherlands (1981).

Seminars on a regional or subregional basis have been organised since 1976 in Dar es Salaam, Tanzania (1976) on Human Rights in a One Party State; Barbados, West Indies (1977) on Human Rights and their Promotion in the Caribbean; Dakar, Senegal (1978) on Le développement et les droits de l'homme; Warsaw, Poland (1979) on the Rights of the Child; Bogota, Colombia (1979) on Human Rights in the Rural Areas of the Andes Region; Kuwait (1980) on Human Rights in Islam; Penang (1981) on Rural Development and Human Rights in S.E. Asia; and Lucknow (1982) on Rural Development and Human Rights in S. Asia.

**Publications.** — These include the twice yearly ICJ Review (in English, French and Spanish), the quarterly ICJ Newsletter (in English), the twice yearly Bulletin of the Centre for the Independence of Judges and Lawyers (in English, French and Spanish), and special studies or reports on conferences and seminars or on the findings of inquiries and investigations. The Review includes sections on Human Rights in the World, Commentaries, Articles and Judicial Application of the Rule of Law. The Newsletter contains a quarterly report on the activities of the ICJ and on recent events relating to the work of the Secretariat.

*A list of publications is available from the Secretariat in Geneva.*

**Inquiries and Reports of Special Missions.** — In cases of special gravity, the ICJ has initiated inquiries on an international scale, and published reports on them. Past reports have included Constitutional Commission on British Guiana (1965), Apartheid in South Africa and South West Africa (1967), Right of Privacy and Rights of the Personality (1967), Torture in Brazil (1970), Report of Mission to Uruguay (1974), The Legal System in Chile (1974), Human Rights and the Legal System in Iran (1976), The Decline of Democracy in the Philippines (1977),

Human Rights in Guatemala (1979), Persecution of Defence Lawyers in South Korea (1979), The Trial of Macias in Equatorial Guinea (1979), Human Rights in Nicaragua (1980), Suriname, Recent Developments Relating to Human Rights (1981), Morocco Trial in Rabat Arising out of Disturbances on 20 and 21 June 1981 (1981), Ethnic Conflict and Violence in Sri Lanka (1981), and Human Rights in Suriname (1983).

**Studies.** — The ICJ has also published studies on situations warranting particular investigation. Past studies have included: South Africa and the Rule of Law (1960), Spain and the Rule of Law (1962), Cuba and the Rule of Law (1962), South West Africa: the International Court's Judgment (1967), The Erosion of the Rule of Law in South Africa (1968), Events in East Pakistan in 1971 (1972), The Application in Latin America of International Declarations and Conventions Relating to Asylum (1975), Racial Discrimination and Repression in Southern Rhodesia (1976), Uganda and Human Rights (1977), How to Make the Convention Against Torture Effective (1979), The West Bank and the Rule of Law (1980), Torture in South Africa (1982).

**'States of Emergency — Their Impact on Human Rights'.** — This 480-page book is the most extensive ICJ study to date. Initially, 158 governments were sent two questionnaires, the texts of which are reproduced in the study. Thereafter, a number of experts were invited to research individual articles on states of emergency in 19 countries and these form the bulk of the book. An extensive final chapter of observations and conclusions discusses the impact of states of emergency on human rights in the light of the country studies and concludes with a set of 37 recommendations for implementation at national level and seven recommendations for implementation at international level.

**Press Statements.** — The Commission's press statements, commenting upon flagrant violations of the rule of law wherever they occur, carry considerable weight. Its pronouncements are resented by authoritarian governments but respected by lawyers throughout the world.

**Observer Missions to Trials.** — The Commission has on many occasions sent observers to trials of major significance. The purpose of these missions is to make clear the international interest in the trials in question and to ascertain the correctness and fairness of the trial procedures and the extent to which the rights of the defence are respected. They have achieved considerable success in ensuring a fair hearing for the accused.

**International Organisations.** — Having consultative status with the UN, UNESCO and the Council of Europe, and being on the ILO Special List, the International Commission of Jurists has been active within these and other international organisations in sponsoring proposals for improved procedures and conventions for the better protection of human rights. It was awarded the First European Human Rights Prize by the Council of Europe in 1980.

## Finances

In order to carry on its work, the International Commission of Jurists, a private organisation, is dependent on contributions, subscriptions, gifts and bequests from Members, National Sections, professional and learned societies, private trusts, foundations and individuals. It has also received grants from a number of governments. The scope of the Commission's activities increases in proportion to the growing appeal and recognition of its work; further contributions are indispensable to maintain and improve its effectiveness. The Commission is grateful to all its friends who give financial assistance and thereby make possible the successful pursuit of its objects.

## Conclusion

Through its Members, National Sections and the staff of its International Secretariat, the International Commission of Jurists is the corporate expression, on a world-wide scale, of the jurist's faith in justice and human liberty under the rule of law. It takes heart from the fact that the principles upon which the rule of law is founded have received universal acceptance, at least in theory if not yet everywhere in practice. The all-important task now is to secure their universal application. For this the Commission needs the help of every enlightened jurist in the world.

*For further information, write:*

International Commission of Jurists  
P.O. Box 120  
CH-1224 Chêne-Bougeries, Geneva  
Switzerland

## Associates of the International Commission of Jurists

If you are in sympathy with the objectives and work of the International Commission of Jurists, you are invited to help their furtherance by becoming an Associate. Associates, who may be either individual or corporate persons, are of three categories:

Contributors,	contributing annually	Swiss Francs	100;
Sponsors,	contributing annually	Swiss Francs	500;
Patrons,	contributing annually	Swiss Francs	1,000.

Associates receive by airmail the ICJ Review, the ICJ Newsletter, the CIJL Bulletin and other special studies and reports by the Secretariat.

You are invited to complete and return the form below.

### APPLICATION FORM FOR ASSOCIATES

International Commission of Jurists  
P.O. Box 120, CH-1224 Chêne-Bougeries/Geneva, Switzerland

I/We ..... name  
..... address  
..... country

apply to become an *Associate* of the ICJ as (please underline relevant category):

- a Contributor, and agree to pay annually Swiss Fr. 100  
a Sponsor, and agree to pay annually Swiss Fr. 500  
a Patron, and agree to pay annually Swiss Fr. 1,000

Languages: please number in order of preference,

English ☐ French ☐ Spanish ☐

Date: ..... Signature: .....

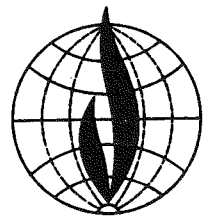
*Note:* Payment may be made in Swiss Francs or in the equivalent amount in other currencies either by direct cheque valid for external payment or through a bank to Société de Banque Suisse, Geneva, account No. 142.548; National Westminster Bank, 63 Piccadilly, London W1V OAJ, account No. 11762837; or Swiss Bank Corporation, P.O. Box 395, Church Street Station, New York, N.Y. 10008, account No. 0-452-709727-00. Pro-forma invoices will be supplied on request to persons in countries with exchange control restrictions to assist in obtaining authorisation.

## HONORARY MEMBERS OF THE COMMISSION

Sir ADETOKUNBO A. ADEMOLA	Former Chief Justice of Nigeria
ARTURO A. ALAFRIZ	Former Solicitor-General of the Philippines
GIUSEPPE BETTIOL	Professor of Law; former Member of Italian Parliament
DUDLEY B. BONSAI	U.S. District Judge of Southern District of New York
VIVIAN BOSE	Former Judge of the Supreme Court of India
ELI WHITNEY DEBEVOISE	Attorney-at-Law, New York
PER FEDERSPIEL	Attorney-at-Law, Copenhagen
T.S. FERNANDO	Former President, Court of Appeal, Sri Lanka
ISAAC FORSTER	Former Judge of the International Court of Justice, Senegal
W.J. GANSHOF VAN DER MEERSCH	Judge, European Court of Human Rights; Procureur général émérite à la Cour de Cassation, Belgium
HANS-HEINRICH JESCHECK	Professor of Law, University of Freiburg, Fed. Rep. of Germany
JEAN-FLAVIEN LALIVE	Member of the Geneva Bar; former Secretary-General of the ICJ
NORMAN S. MARSH	Barrister-at-Law, Member of the Law Commission, United Kingdom; former Secretary-General of the ICJ
JOSE T. NABUCO	Member of the Bar of Rio de Janeiro, Brazil
LUIS NEGRON FERNANDEZ	Former Chief Justice, Supreme Court of Puerto Rico
Lord SHAWCROSS	Former Attorney General of England
EDWARD ST. JOHN	Q.C., Barrister-at-Law, Sydney, Australia
MASATOSHI YOKOTA	Former Chief Justice of the Supreme Court of Japan

It is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the Rule of Law.

—United Nations Universal Declaration  
of Human Rights, 1948



**INTERNATIONAL COMMISSION OF JURISTS**

GENEVA — 1983