The Extraordinary Chambers in the Courts of Cambodia (ECCC) began to conduct its second trial on 27 June 2013. In this trial of Case 002 with the accused Nuon Chea, Khieu Samphan, and Ieng Sary (the latter had his proceeding terminated following his death on 14 March 2013) has finally reached its time to release a closing statement after a total of 222 hearing days. The trial commenced on 21 November 2011.

Nuon Chea was the deputy secretary of the Communist Party of Kampuchea. He is also known as the right hand man of Pol Pot, the leader of Khmer Rouge. Khieu Samphan was a professor upon his return to Cambodia after his study in France. He eventually emerged with Khmer Rouge resistance. He was appointed Democratic Kampuchea’s Head of State and succeeded Pol Pot after the latter retired as the official head of the Khmer Rouge in 1987.

The both accused were charged on alleged crimes against humanity related to the forced movement of the population from Phnom Penh in April 1975 and later from other regions, and the alleged execution of Khmer Republic Soldier at Tuol Po Chrey in Pursat Province. They rejected the charges against them. Khieu Samphan refused to co-operate with the Court. Nuon Chea said that the Khmer Rouge was only defending Cambodia against foreign forces.

The Trial Chamber heard the evidence addressed by the Ninety-two individuals, including 3 expert witnesses, 53 fact witnesses, 5 Character witnesses, and 31 Civil Parties. Two treating doctors and two medical experts also gave evidence due to the testified health condition of the accused.

Critics aroused in regard of the form of the Court. The hybrid
Global Malala to Call for Girls' Education

http://www.bbc.co.uk/news/uk-england-birmingham-21713210
http://www.economist.com/blogs/erasmus/2013/10/nobel-peace-prize-0

The United Nations announced "Malala Day" in 12 July 2013 in support of the UN Secretary-General's Global Education First Initiative. The name was taken from Malala Yousafzai in honour to her courageous advocate for universal education and girls' rights. Malala Day is planned to be celebrated each year in 12 July, the date of her birthday.

Malala, 16, comes from Swat Valley in Pakistan where the Taliban has ultimate power to rule over the area and bans the girls to go to school. The Taliban constantly shot and behead every girl and woman teacher who went to school. In the age of 11, Malala started to write a blog about the women's rights and girls' education based on the situation the girls having in Swat Valley after the Taliban control. She sent it to BBC Urdu service with Gul Makai as her alias, means cornflower in Urdu. Her identity remained unknown during the publication.

In 2012, Malala was shot in the forehead and neck as returning from school with her two girlfriends by bus. She had been targeted by Taliban for two years because of her campaign. She had a quick and miraculous recovery after a surgery in Pakistan and the following treatments in Birmingham. The United Nations envoys for education kept an eye for her ever since. After the shot, she settles and continues study in an undisclosed place in Birmingham.

Malala has been awarded for several times. She has won 4 prestigious peace awards in the period of 2011-2013. She made it to the youngest candidate for the Nobel
Peace Prize laureate in the age of 16 in 2013 (eventually the award went instead to the Organisation for the Prohibition of Chemical Weapons). Even though she did not win the prize, her spirit will always be remembered as one of the extraordinary example of the bravery and heroic action in the face of the prolonged theocracy who practice tyranny and monopoly on region and religious way of life.

In her acceptance speech in front of hundreds of young people at the United Nations in the ceremony of Malala Day, she urged them to use education as a weapon to fight against extremism. "The extremists were, and they are, afraid of books and pens," she said. "The power of education frightens them. They are afraid of women." Urging worldwide action against illiteracy, poverty and terrorism, she said: "Let us pick up our books and pens. They are our most powerful weapons."

Malala told the gathering that the Taliban's attack nine months ago changed nothing in her life, except that "weakness, fear and hopelessness died." She said, "the terrorists thought that they would change our aims and stop our ambitions but nothing changed in my life except this: weakness, fear and hopelessness died. Strength, power and courage were born. I am the same Malala. My ambitions are the same. My hopes are the same. My dreams are the same."

This call to action was delivered just as the UN Educational, Scientific and Cultural organization (UNESCO) Education for All Global Monitoring Report, launched a new policy paper spotlighting that globally, the number of children out of school has fallen from 60 million in 2008 to 57 million in 2011. However, 28 million children out of school live in the world's conflict zones, and more than half of those are women and girls. (DH)
UN Expert Urges Chilean Government to Stop Using Anti-Terrorism Law Against Its Indigenous Group: Mapuche

31 July – Chilean indigenous people, Mapuche, are fighting to recover their ancestral land, while Chilean Government is applying an anti-terrorism law against them. Therefore according to Ben Emmerson, a UN Special Rappporteur on human rights and counter-terrorism, it's been used as a discriminative manner and urged the Government to stop the measure.

A strong statement has been made by the end of Ben’s visit to the country. “It has been applied in a confused and arbitrary fashion that has resulted in real justice, has undermined the right to a fair trial, and has been perceived as stigmatising and de-legitimising the Mapuche land claims and protests.”

The regulation misused has caused several regions of Chile such as: Biobio and Araucanía to be “extremely volatile”. This volatile condition is caused by the absence of prompt and effective action at a national level which feared could easily escalate into a widespread disorder and violence.

Moreover, Ben argued that Chilean prosecutors do not need to resort anti-terror laws and can instead use ordinary criminal laws to investigate, prosecute and punish violence, although there supposed to be no impunity for crimes committed during violent land protests.

On the basis that anti-terrorism legislation has been applied disproportionately and unfairly towards Mapuche, the Special Rapporteur insisted the Government to place the Mapuche question as one of the top priorities of the national political dialogue in order to promote the adoption of a national strategy on this issue. It is believed that the cornerstone for a national strategy should be in form of recognition of the Mapuche’s right to exist as indigenous people within the State of Chile. And this cornerstone needed to be put in the constitutional level in the State of Chile.

Based on various reports Mr. Emmerson received during his
visit, turned out there are excessive use of violence by the police against Mapuche communities. The allegations arose from reported injuries on elderly and women and children, supported by credible evidence and judicial findings, but no criminal prosecutions had been instituted.

To eradicate this impunity, one recommendation made by Mr. Emmerson to create a new independent function who inquires into crimes of excessive violence committed against Mapuche communities of the Carabineros and the investigative police. The new body should be independent and be given the power to investigate and to require the prosecution of criminal and disciplinary proceedings where the evidence justifies this.

By 2014, Mr. Emmerson’s findings in the State will be presented to the Council along with his recommendations. (AD)

Challenges and Opportunities Offered by the 2015 ASEAN Economic Community

ASEAN Economic Community (AEC) will be officially opened in 2015. The ten ASEAN member states will relatively create economy integrity over their own government. This integration will give impacts in many majors. AEC will also open the movement of goods, services, investment and labour through the AEC agreement. Furthermore, it will accommodate and provide for each country’s demands and create wealth for their citizens. The establishment of AEC is hoped to be something like European Union (EU).

Compare to European Union (EU) who already did the integration of economy, ASEAN has incomparable member states. Furthermore, the process of making single market and any other integration in EU have long seen and process of co-operation, stability, and economic growth. EU also has the same political will base upon the political system, cultural, or religious background. Many experts said that ASEAN and EU
are incomparable. All integrations happen in EU can't be implied in ASEAN. For example, Based on AEC agreements, showed that a company from an ASEAN country may be able to own 100% of a company in another ASEAN country, something not possible now in most of the ASEAN countries. Where the issue gets tricky is where there are inconsistencies today. In certain countries, such as Cambodia and Singapore, 100% foreign ownership of some companies is permitted, and this includes non-ASEAN countries such as Norway.

In an author’s perspective as a Thai, Andrew Durieux, there is a big assignment for Thailand government to prepare in facing the AEC. The government, at least, has to understand and practice good governance, international standards of accounting and reporting, and acquire good English skills. AEC could be a trigger for Thai in developing their market potential. Thai company could go from a market of 60 million to one of 600 million throughout ASEAN, and that increased competition will result in lower prices and better services and quality for the average Thai. That needs to be the focus. (FA)

Nicaragua Instituted Proceeding against Colombia in Border Dispute

On Monday, 16 September 2013, Nicaragua filed a suit against Colombia in International Court of Justice (ICJ) regarding the “disputes which concerns the delimitation of the boundaries between, on the one hand, the continental shelf of Nicaragua beyond the 200-cal mile limit from the baselines from which the breadth of the territorial sea of Nicaragua is measured, and in the other hand, the continental shelf of Colombia” the government said in the statement.

In November 2012, the ICJ granted that Colombia had sover-
eighty over the islands of the San Andrés and Providencia archipelago, but awarded Nicaragua an exclusive economic zone and access to underwater oil and gas deposits as well as fishing rights, extending 200 nautical miles (370km) from its coast. It was as much as 27,000 square miles of the Carribean Sea that Colombians have considered their own since 1928. President of Colombia, Juan Manuel Santos, declared that Colombia would not notice the ruling and instead argued it was inapplicable. In other hand, Nicaraguan President Daniel Ortega had called for a bilateral agreement with Colombia to put the ruling into effect.

The debate between the two countries relating to their borders limitation had taken attention for long time. The first suit concerning the maritime dispute was brought before the ICJ in 2001. In a 2007 judgment, the ICJ held that the 1928 treaty was still effective, by which determined the question of the sovereignty over the islands of San Andrés, Providencia, and Santa Catalina. The treaty said that Nicaragua acknowledged Colombia sovereignty over those areas. Therefore, The ICJ ruled that it had no jurisdiction to hear the dispute.

In the recent lawsuit brought before the ICJ, Nicaragua asked the Court for determining the precise maritime boundary between the disputed parties in the areas due to its Judgment of 19 November 2012 in the case concerning the Territorial and Maritime Dispute (Nicaragua v. Colombia). The Applicant also requested the Court to explain the principles and rules of international law that determine the rights of duties of the two States in relation to the area of the overlapping continental shelf claims and the use of its resources, pending the delimitation of the maritime boundary which was determined from the previous Court decision.

Furthermore, the Applicant contended that its actual continental margin extended more than the measured line as ruled by The Court. It based the argument from the final information submitted to the Limits of the Continental Shelf on 24 June 2013. The Applicant also stuck to argue that there had been no agreement between the two States upon the new maritime boundary as Colombia on the contrary had objected to Nicaragua’s claims in that area which was based on the Court decision. (DH)
UN Experts Held A Meeting To Combat Online Child Abuse


27 September – Due to technological advances, the increasing number of children exploitation has arisen the awareness of several experts from the fields of law enforcement, research and academia. This awareness has led them to gather this week at a United Nations meeting in Vienna to seek ways to combat the violation of children’s right.

Yury Fedotov, acting as the Executive Director of UN Office on Drugs and Crime (UNODC) gave his statement regarding the violation. “The exploitation of children is not a new phenomenon, but the digital age has exacerbated the problem and created more vulnerability to children.”

As a tool, internet is used to give online predators faster and higher volumes of access to children by using chat rooms, emails, online games and social networking sites to find victims. It is also deemed to increase the ability for offenders to access child sex abuse material. According to Dr. Joe Sullivan, a forensic psychologist who works with child sex offenders, “Prior to the Internet, an offender was thought to have a huge collection with 150 images of children; today a 150,000 image collection is quite standard, and a 1.5 million image collection not unheard of.”

One factor of which children and young people are prone to the violation is because of their tendencies in adopting new technology earlier and more often, and unwittingly exposing themselves to online child predators at an unprecedented rate. UNODC has released an issue regarding some risks of the digital age to children, such as sexual abuse for commercial purposes, child trafficking, cyber grooming, and cyber bullying.

In a statement made by Michael Moran, an Assistant Director for Human Trafficking and Child Exploitation at INTERPOL, the lack of barrier between children and those whom they interact with is no longer there to protect vulnerable children, which the majority of the victim are girls. Based on UNODC, online predators hide under anonymous identities in cyberspace. However,
cyberspace also leaves trail which made it easier in certain instances to identify them.

In conclusion, experts suggested that better education and awareness are essential to protecting children. A better education should be focused in the safe use of the Internet and on the potential ramifications of careless online behavior. Moreover, parents’ role to overcome the generational digital divide and their interest in technology they give to their children is also crucial to support the preventive measures in combating children online abuse.

“Parents and educators need a good understanding of how sex offenders work. They are often surprised at how sophisticated offenders are, and at the level of manipulation they go through to gain access to children,” added Dr. Sullivan.

Mr. Fedotov argued UNODC has a unique position to help countries deal with this issue at the global level, considering there is no consistent legislation across countries regarding online child abuse at the moment. “We can encourage effective cooperation between countries in investigations, and support global awareness efforts to educate parents and children on the safe use of ICTs. But everyone must play their part – including the private sector, which is ultimately the major force behind technological development,” said Mr. Fedotov. (AD)

Malaysia Accused of Arresting Asylum Seekers and Children

http://www.theguardian.com/world/2013/sep/04/malaysia-accused-arresting-asylum-seekers

Malaysian authorities have been accused by refugee advocates of “supporting fraud and abuse of migrants” after conducted a crackdown on illegal migrants in the country. The result, thousands of illegal migrants arrested many of those are asylum seeker and children which are registered in UNHCR. Total 2.433 people had been arrested during 40 simultaneous operations by immigrations departments, army, police and local councils, explained by Immigration Department Deputy Director, Saravana Kumar.

Tenaganita, Malaysia-based ref-
ugee advocacy and anti-trafficking group claimed that many of those detained immigrants are asylum seekers which is waiting processing through UNCHR. Even the officials did not recognize the UN Letter stating these people currently being processed. This expressed that Malaysia does not really concern about the status of the refugees. “We have about 110,000 or so refugees registered with the UNHCR and between 50,000 and 70,000 who are still seeking asylum, so they have not been registered yet,” Tenaganiata’s Katrina Maliamauv told Guardian Australia.

The fact, those people will be released if they can show the officials their cards but those who still being processed definitely don’t have that cards and still detained. “We have also been told that migrants can choose to either be deported or pay to enforcement officers between RM1000 to RM1500 between a stipulated time frame to be released,” the release said.

Refugees are not allowed to work under Malaysian law and if they are discovered working in Malaysia, they would be fined between RM5,000 and RM10,000. In addition, about 1.3 million visa overstayers applied for permits during an amnesty in October 2011, with 500,000 processed for legalisation and 333,000 repatriated. However, more than 400,000 workers remain undocumented, according to government estimates.

Maliamauv explained that there also a second major problem regarding the crackdown. The amnesty, which “was meant to be a pathway for undocumented migrants to obtain valid work permits or be repatriated without penalty.” As a result, many corruption occur and after taking money from immigants, those immigrants will be left behind and being the target of the other operation.

“In Malaysia, once you have a valid work permit and a valid passport, if you don’t work for the particular company that’s listed on your work permit then that is also an offence of the migration act,” said Maliamauv.

“If you don’t have your valid work permits and passports then you’re considered an undocumented person or referred to as an illegal migrant,” she added. She also concerns about one other thing, Migrants have in the past reported physical and verbal abuse at the hands of enforcement officers, with migrant women facing the additional risk of sexual violence. (AIS)
Libya Wants United Kingdom Help to Halt Syria Arms Smuggling

http://www.bbc.co.uk/news/uk-politics-24129896

After the collapse of Muammar Gaddafi regime in Libya in 2011, there is another problem that raises inside Libya that the government says this problem is an international problem, it is Arms Smuggling. The United Nations was told that the situation in Libya regarding the amount of arms movement to outside the country categorizes as “worrying”. Responding this situation, Libya’s Prime Minister Ali Zeidan asked for help to British Prime Minister, David Cameron, so that U.K can help Libya removing this arms.

Both Prime Minister met in one forum last September at Downing Street where Ali Zeidan asked David Cameron about this issue. David Cameron replied that U.K recognized Libya huge challenges in terms of security and government. “We are doing everything we can to help.” said the Prime Minister.

Speaking before the meeting, PM David Cameron said talks would include “legacy issues” such as the murder of police-woman Yvonne Fletcher outside the Libyan Embassy in London in 1984 and the north African country’s supply of arms to the IRA. The United Nations Security Council received a report from its committee on Libya sanctions saying that more arms and ammunitions were being smuggled out to Syria and confirmed that there is an increasing reported case related to this smuggling to Syria.

Weapons from Libya were used by Islamist militants who done the siege at BP gas plant in Algeria back in January which killing 40 foreign workers at least including six Britons. United Nations Envoy to Libya, Tarek Mitri said that Security problems, political disagreements and disruption to oil exports had contributed to public scepticism and even “rejection” of the process. “But this should not be mistaken for a loss of faith in national unity, democracy and the rule of law. Their commitment to the principles for which they fought their revolution remains deep.” (AIS)
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