



EUROPEAN CENTER FOR CONSTITUTIONAL AND HUMAN RIGHTS

NEWSLETTER 59 (August 2019)

[War crimes by UK forces in Iraq](#), [Israeli air strikes in Gaza](#) and [brutal push-backs at the Spanish-Moroccan border](#): in recent weeks, ECCHR has been working intensively on a number of important cases. Several of our staff members also published contributions in the renowned *Business and Human Rights Journal* about human rights accountability in agribusiness. Read more about our latest work in this newsletter.



War crimes in Iraq

The International Criminal Court must finally investigate the crimes committed by UK troops in Iraq. As the UK has failed to address the crimes itself, ECCHR has now submitted a new dossier to the Court in The Hague.



Push-Backs in Spain

ECCHR has submitted a brief on push-backs in Spain to the Universal Periodic Review at the United Nations. This UN mechanism examines whether UN Member States comply with their human rights obligations.

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INTERNATIONAL CRIMES AND ACCOUNTABILITY

War crimes in Iraq: ICC urged to finally investigate detainee abuse by UK forces



Detainees at Battle Group Main Headquarters, Basra, August 2003 © Photo: Baha Mousa Public Inquiry (Crown copyright protection)

Impunity for war crimes committed by UK forces in Iraq must come to an end. On 31 July, ECCHR filed a new follow-up submission to the International Criminal Court in The Hague calling upon the Court to finally commence a formal investigation into abuse and torture in UK detention facilities during the Iraq war. To date, the UK has entirely failed to address the systematic causes of detainee abuse and not a single high-ranking official has yet to be prosecuted for war crimes.

[More information](#)

Israeli air strikes in Gaza: Justice in the Kilani case



The Al-Salam tower, a high-rise building in Gaza City © Photo: ECCHR/Chantal Meloni

In a follow-up submission to the German Federal Public Prosecutor, ECCHR has again demanded investigations be taken up in the case of the Kilani family. The German-Palestinian family – including a father, mother and five children – was killed in an air strike by the Israeli military in Gaza City in July 2014. The latest ECCHR submission focuses especially on the decision by the military prosecutor in Israel to close the case.

Bertha Foundation: Fighting for Justice for Gazan Families – by Andreas Schüller

[More information](#)

BUSINESS AND HUMAN RIGHTS

Lúcio Bellentani's legacy: In Brazil, workers keep fighting for compensation from Volkswagen



Volkswagen in Brazil: Claudia Müller-Hoff (ECCHR) with Lúcio Bellentani (middle) and another ex-Volkswagen worker © Photo: ECCHR

Trade unionist and torture survivor [Lúcio Bellentani](#), who passed away in June, was in discussions with ECCHR about possible legal action against Volkswagen (VW) in Germany. Despite his sudden death, ECCHR continues to support those affected by the military dictatorship in their fight for collective and individual compensation from VW. In Brazil, the public prosecutor's office has been investigating VW since 2015. VW's Brazilian subsidiary allegedly played a major role in the arrest and torture of trade unionists during the dictatorship.

[More information](#)

MIGRATION

Spain's push-backs violate human rights: ECCHR submission to UN



Melilla, December 2014: The Guardia Civil grabbing and handcuffing the unaccompanied minor D.D. on Spanish side of the border © Photo: ECCHR

Spain systematically – and often brutally – expels refugees and migrants at the country's border with Morocco. On 17 June, ECCHR, together with the organizations [Fundación Raíces](#) and [Andalucía Acoge](#), submitted a shadow report to the UN Universal Periodic Review (UPR) of Spain, calling for an end to this push-back practice. The UN mechanism examines whether UN Member States comply with their human rights obligations.

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INSTITUTE FOR LEGAL INTERVENTION

“Alumn* in the Spotlight”: ECCHR Alumn* Reunion in May



Group of Alumn* in May © Photo: ECCHR

From 16 to 18 May, nearly one hundred former and current ECCHR Legal Trainees, Bertha Global Exchange Fellows and ECCHR staff met for the annual Alumn* Reunion. The spotlight was on the alumn* themselves, many of whom are now working as human rights lawyers and activists, contributing to our ever-growing global network. Participants arrived from different parts of Europe as well as Canada, Colombia, South Africa and the US.

[More information](#)

PUBLICATIONS

Wolfgang Kaleck

Podcast: [“Strategic litigation for human rights in an age of illiberal democracy and authoritarianism”](#), in: Hertie School of Governance, 13 June 2019

Wolfgang Kaleck

[“Bombardierung von Varvarin”](#), in: Gabriele Senft (ed.), *Target: Die Brücke von Varvarin*

Mirka Fries / Andrés López Cabello / Santiago Sánchez

[“Monsanto’s Legal Strategy in Argentina from a Human Rights Perspective”](#), in: *Business and Human Rights Journal*, Cambridge University Press, 10 July 2019

Dr Patrick Kroker

[“Die völkerrechtliche Aufarbeitung des Syrien-Konflikts”](#), in: Deutsche Gesellschaft für die Vereinten Nationen (ed.), *Vereinte Nationen* 3/2019, pp. 105-110

Dr Christian Schliemann / Dr Carolijn Terwindt

[“Editorial: Agribusiness and Accountability”](#), in: *Business and Human Rights Journal*, Cambridge University Press, 25 June 2019

Dr Carolijn Terwindt

[“Social audits are not human rights due diligence”](#), in: Institut für Sozialanthropologie der Universität Bern (ed.), July 2019

Matjia Vlatković / Corinna Ujkašević

“An den Grenzen des (Un)Rechts: Push-Backs an den Außengrenzen der EU”, in:
Antifaschistisches Infoblatt 123 2.2019

PUBLICATIONS ECCHR ALUMN*

Clara Anne Bünger

“Erst Haft, dann ‘Cherry-Picking’? Der EU-Verteilmechanismus nach Seenotrettung”, in:
Verfassungsblog, 17 July 2019

Uriel Möller / Stefano Trevisan

“Punishing the facilitation of irregular migration. A comparative criminal law analysis of
Germany and Italy”, in: *Giurisprudenza Penale*, 1 July 2019

Mareike Rumpf

“Der Klimawandel als zunehmendes Haftungsrisiko für ‘Carbon Majors’”, in: *Zeitschrift
für europäisches Umwelt- und Planungsrecht* 2/2019, pp. 145-58

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