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DEM ANDENKEN DER IN DER SCHLACHT AM WATERBERG GEFALLENEN HEREROKRIEGER At Waterberg, within a German imperial cemetery established to honor fallen German soldiers, only a small plaque can be found that commemorates the Ovaherero fighters who died in the same battle. The plaque says: "In memory of the Herero warriors who died in the Battle of Waterberg." © ECCHR **Tanzania**

In September, our travels continued, this time to Tanzania, in order to gain more knowledge about another sordid aspect of German colonial rule on the African continent: the theft of ancestral, human remains. In our discussions with community members, they insisted that the stolen remains - still in the possession of German institutions - constitute an enduring form of violence. The actual and spiritual void resulting from unburied ancestors continues to weigh heavily on the descendants. Together with Flinn Works, Berlin Postkolonial and the affected communities, we worked to determine the best strategies for restitution and repatriation. By gathering evidence about the circumstances surrounding these acts of colonial theft, ECCHR can apply more pressure on German museums and universities to return the ancestral remains back to their families.

(RE)SHAPING THE LAW

Race, gender and social status still often

committed to breaking down colonial and patriarchal power structures - also within

determine whether a person receives justice in court. We at ECCHR are

the context of the law. Support us in changing the law for the sake of social

iustice.

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Waterhole in Ozombu Zovindimba © ECCHR **BUSINESS AND HUMAN RIGHTS** If you wouldn't use it, don't export it! How to implement a pesticide export ban in Germany The recent proposal by the German agricultural minister to implement a comprehensive pesticide export ban by spring 2023 is welcome news. However, to ensure that this legislation is far-reaching enough, ECCHR and its partners commissioned an expert legal assessment. The experts concluded that, in addition to pesticide products, the export of the active ingredients in pesticides should also be regulated – only active ingredients approved for use in the EU should be authorized for export.

More on the topic and the <u>legal assessment</u> (German only) INTERNATIONAL CRIMES AND ACCOUNTABILITY Pursuing accountability in Ukraine – A workshop with Ukrainian lawyers and human rights groups The international crimes allegedly committed in the war in Ukraine have triggered unprecedented outcry from the international community. Now, the question is how civil society organizations can strategize and pursue accountability for such crimes, while maintaining a critical perspective towards official investigations - especially in light of the ongoing impunity still enjoyed by perpetrators in many other conflicts across the world. To address the current situation, we arranged a workshop in September to explore

survivor-oriented approaches and pathways to prosecution with members of the Ukrainian 5am Coalition, a group of Ukrainian NGOs that works to document and bring to justice the abuses of the Ukraine war. Beyond focusing on allegations of sexual violence in the conflict, the workshop emphasized the unique importance of cases tried in third countries under the principle of universal jurisdiction – as an alternative to the prosecution efforts of the International Criminal Court, as well as those in Ukraine. Indigenous groups in India take on mining interests and paramilitaries to protect their right to the

The collusion between the interests of mining mega-corporations and Indian state paramilitary units has led to massive acquisitions of indigenous forest land in Chhattisgarh, India, causing widespread displacement and environmental devastation. The indigenous Adivasi populations have endured numerous acts of violence, including sexual violence, along with long periods of detention (while awaiting trial) for insisting on their legal rights to the forest. As part of ECCHR's Shrinking Spaces project, we collaborated with the <u>India Justice Project</u> on a policy report about this issue. Read the report

forest

Tens of thousands of indigenous Adivasi have been displaced due to so-called "development" projects in Chhattisgarh, India, which is home to 68% of India's iron ore mineral wealth, as well as significant coal reserves. © Vijay Ramamurthy **MIGRATION** Bulgarian pushbacks intensify in spite of ECtHR ruling - ECCHR pushes for action

In the wake of the ECtHR judgment, D v Bulgaria, in July 2021 condemning Bulgaria's pushback practices, Bulgaria has thus far failed to fulfill its obligation to submit an action plan detailing the general measures it will take to implement the judgment and to prevent similar human rights violations in the future. In the meantime, pushbacks on the Bulgarian border have only intensified. In response, ECCHR submitted a Rule 9 report together with

the Sofia-based organization Voice in Bulgaria – Center for Legal Aid, highlighting

increasing pushback violations and outlining measures for Bulgaria to take.

Read the <u>submission</u>

Wolfgang Kaleck

Legal Advisor

Communications Officer

trainees in October

English surtitles

Barcelona on 27 October.

Buy tickets

external cooperation with universities

Gil Eigher joined ECCHR as Office Manager in October

INSTITUTE FOR LEGAL INTERVENTION Visualizing the pressing questions of our time: Art and human rights at ECCHR Since our founding, ECCHR has collaborated with committed artists and cultural producers to bring legibility to complex global issues and to pose more fundamental, radical questions. These interdisciplinary collaborations weave together multiple perspectives, theory and practice, as well as the layered history of the struggle for human rights. More about our projects **ECCHR**

Directors Simón Casal and Santi Palacios document the long and arduous pursuit of justice undertaken by two sub-Saharan migrants at the European Court of Human Rights. ND and NT scaled the border fences between Morocco and the Spanish enclave, Melilla, and were forcibly returned without access to a legal procedure. The film follows ECCHR lawyers Carsten Gericke and Hanaa Hakiki into the courtroom in Strasbourg as they argue this key case before the European Court of Human Rights. Screening on Netflix beginning on November 19th. Watch the trailer

The Gourougou Trial: a Netflix film documenting an

ECCHR case on pushbacks in Melilla

ECCHR welcomes new colleagues and trainees! Annelen Micus returned to ECCHR in September and is now the Coordinator of the Institute for Legal Intervention Rieke Ernst returned to ECCHR in September and is now the Coordinator of the Living Open Archive within the Activism & Art program at the Institute for Legal Intervention Magdalena Kaffai returned to ECCHR in September as a Research Assistant to support

Chloé Bailey joined the Business and Human Rights program in September as a Senior

Daniel Augenstein joined the Institute for Legal Intervention in June as a Consultant for

Sophie Eder, Felix Lüth and Sally Sauer joined the Critical Legal Training program as

Rahel Weldemariam joined the Communications department in October as a Digital

Insa Heinke joined the Communications team as an intern in October **EVENTS** Invisible Game: (K)eine Grenze Based on material from actual cases and the work of investigative journalists, this documentary play addresses illegal pushbacks on Europe's external borders. Written and directed by David Stöhr and ECCHR alum Matija Vlatkovic, it is a narrative in which some people cross geographical borders, while other people cross borders of human dignity, human rights and other people's bodies. Each night, on-stage discussions will be held after the performances, including with filmmaker Abou Bakar Sidibé (30.10, 3.11), lawyer Carsten Gericke, MEP Erik Marquardt and ECCHR alum Vera Wriedt (11.11), as well as ECCHR's Hanaa Hakiki and pushback survivor Parvin A (12.12). 20 October – 11 November, 7:00 pm, Heimathafen Neukölln, Berlin – in German with

Book launch of the Spanish version of Wolfgang

In this book, Nuestra lucha global por los derechos humanos - Derecho contra poder, Wolfgang Kaleck recounts his involvement in multiple cases around the world: from enforced disappearance in Argentina, to state-sanctioned torture in Assad's Syria, to

will be accompanied by a book presentation at the Universitat Oberta de Catalunya in

Donald Rumsfeld's "enhanced interrogation techniques" greenlighted after 9/11, and finally to Moscow where he represents whistleblower Edward Snowden. The release of the book

Kaleck's *Law versus Power*

The Spanish version is available at Roca Editorial

NUESTRA **LUCHA GLOBAL** PORLOS **DERECHOS HUMANOS** DERECHO CONTRA PODER WOLFGANG KALECK PRÓLOGOS DE BALTASAR GARZÓN Y EDWARD SNOWDEN The German Colonial Genocide in Namibia: A Case for Reparations The conference presents the initial results of current research being undertaken on sites of genocidal violence in Namibia and discusses the transgenerational effects of these colonial crimes, as well as the question of reparations. 5 November, 3:00 – 8:00 pm, Haus der Kulturen der Welt, Berlin (in person, free entry) More information

Challenging child pushbacks from Croatia and

Slovenia: Panel discussion on widespread rights

violations against minors along the Balkan route On the occasion of World Children's Day, we'll hear the story of a Rohingya child's search for safety and the violence and rightlessness he experienced at Europe's borders. In the wake of his submission of a complaint to the UN committee on the Rights of the Child, we'll discuss the state of child rights along the Balkan route. With ECCHR's Delphine Rodrik, Sandra Benčić (Croatian MP), Miha Nabergoj (Advisor to the Slovenian Human Rights Ombudsman), Almir Štrkljević (Save the Children) and Aoife Nolan (Advancing Child Rights Strategic Litigation Project). 21 November, 11:00 am (CEST), Online <u>Register</u> **PAST EVENTS** War crimes in the Ukraine war: Possible paths to prosecution The Evangelische Akademie Bad Boll hosted a discussion with Ukrainian lawyer Nadia Volkova and Andreas Schüller, ECCHR Program Director of International Crimes and Accountability, on 15 September. Watch the video "The Toothless Tiger" podcast Journana Seif discussed on her work on Syria on 29 September Listen to the podcast Refugee Movement: "O-Platz wird 10 - Baustelle Migration" Angela Davis spoke at Oranienplatz in Berlin on 6 October Watch footage **PUBLICATIONS** Wolfgang Kaleck The space between success and doing nothing is vast

NZZ, 29 September 2022 (only available in German)

Jacobin, 19 September 2022 (only available in German)

Putting the trial on trial: Global solidarity against the abuse of the law

Berliner Anwaltsblatt, 17 September 2022 (only available in German)

Joumana Seif (ECCHR), Sima Nassar and Rima Flihan

<u>Death is not the worst that can happen...It is also the waiting!</u>

Shedding light on Assad's crimes against humanity – the Koblenz trial

Spot on! War crimes in the Ukraine: The practice of transnational criminal justice in

Rightlessness in Melilla: Pushbacks as violations of the right to recognition before the law

guaranteed for everyone. This is what we are fighting for across the globe: with those affected, with partners, with legal means. Thank you for helping us in our efforts to make this happen.

Donate now

Let's stay in touch!

Hans-Christian Ströbele: A fighter for justice

Wolfgang Kaleck

Wolfgang Kaleck

Andreas Schüller

addressing conflicts

Andreas Schüller

Delphine Rodrik

Emma Beilouny

ECCHR

BIC: BEVODEBB

FOR

EUROPEAN CENTER

Executioner without judge

Medico International, 6 September 2022

EU Migration Law blog, 21 September 2022

The Syrian Feminist Lobby, 2022

Free the El Hiblo 3, 2022

Article and podcast **PUBLICATIONS ECCHR ALUMNI*AE Gwinyaiy Machona** Diachronic responsibility instead of "guilty past" Verfassungsblog, October 2022 (only available in German) FOR GLOBAL JUSTICE The world can only be just when human rights are universally recognized and

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