



# GICJ Report

The 26<sup>th</sup> Session of the UN  
Human Rights Council



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*10 – 27 June 2014*



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**Nothing could be a worse disservice to human rights than being partial in our judgment and empathy**



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### **Opening Statement of the UN High Commissioner for Human Rights**

**The Human Rights Council** concluded its 26th regular session on June 27, 2014. The session was started with a statement by the outgoing High Commissioner for Human Rights, Navi Pillay, who has been in the office since September 2008 and will be followed by Prince Zeid Ra'ad Zeid Al-Husseini, former Permanent Representative of Jordan to the United Nations. She gave an overview over the progress achieved by the Human Rights Council throughout its eight years of existence and addressed remaining challenges and past failures of the international community in reacting strongly and quickly to situations of grave human rights violations with high potential for regional overspill.

Among the issues addressed by the UN High Commissioner was the relentless violence in the Syrian Arab Republic, where war crimes and crimes against humanity occur with complete impunity yet external powers continue to fuel this violence through the supply of arms, military and other material assistance. The High Commissioner further said to be deeply troubled by deaths and injuries resulting from excessive use of force by Israeli security forces and called on the occupying power to either release or formally charge Palestinians in administrative detention. Finally, she expressed her hope that the OHCHR will be able to continue in the characteristic spirit of independence, impartiality and non-selectivity that marks every level of its work.

The full text of the opening statement can be found [here](#) and the video seen [here](#)

## GICJ Participation at the 26<sup>th</sup> Session of the Human Rights Council

### GICJ oral statements during the 26th session of the Human Rights Council

GICJ participated actively the meetings of the Council, notably for the cases of Iraq and Palestine, and called on the international community to take a firm and impartial stand against all forms of human rights violations, yet also to remain vigilant not to take sides hastily and not further fuel violence through additional military supply.

#### *General Debate item 2*

#### *Update by the High Commissioner*

The first statement was a joint statement with the General Arab Women Federation and the Union of Arab Jurists delivered on 10 June 2014 under agenda item 2, update by the HC followed by General Debate. GICJ called on the Council, notably to end the systematic human rights violations in Palestine, as well in Syria and Iraq, where in view of the previous escalation of violence the international community, after its initial failure to prevent an illegal invasion, should not miss another occasion to take adequate and effective action.

[Link to the video statement](#)

#### **Full text of the statement**

Thank you Mr President,

Our NGOs would like to express our heartfelt thanks to the High Commissioner Navi Pillay for her outstanding work throughout her mandate and for her important contribution to the promotion and protection of Human Rights.

Madam High Commissioner, as you mentioned in your opening statement, the past has unfortunately seen numerous tragic failures by the international community to prevent massive human rights violations and serious challenges remain at the beginning of 2014.

One of these issues remains certainly the question of Palestine and it is deeply regrettable that so far the international community has failed to take effective measures to end the systematic human rights violations committed by the occupying power. The determined pursuit of settlement construction, the absence of morality and calculating nature of Israel's creeping land-annexation constitute a serious threat to international peace and security, and it is not only the people of Palestine who are injured by political hypocrisy, all are the losers when international law is cynically and deliberately abused and neglected.

Our NGOs further share your deep concern about Syria, where so far all calls to end the violence and seek a just and peaceful solution have been ignored and external powers continue to fuel violence through all forms of military supply.

In this context our NGOs wished however, that you would also have mentioned the current escalation of violence in Iraq, which is engaged in a gruesome war against its own civilians including heavy shelling by artillery, jet fighters and rockets. The violence has resulted in one of the biggest displacement crisis of our times and after its initial failure to prevent an illegal invasion the international community shall not miss another occasion to take adequate and effective action to achieve justice for the Iraqi people.

In conclusion, Madame, High Commissioner, thank you for your outstanding work and inspiration. Great has been achieved, yet more needs to be done.

### ***Annual full-day discussion on Women's rights***

**The second statement delivered by GICJ was a joint statement with the General Arab Women Federation on 17 June 2014. At the example of Iraq GICJ described armed conflicts as one of the most devastating factors for women's rights. GICJ underlined how following the US -invasion in 2003 women rights have been hit at all levels and called on the international community to take a firm stand against such violations in order to ensure that such crimes do not happen again.**

[Link to the video statement](#)

Thank you, Mr President,

Ladies and Gentlemen, the advancement of women's rights has concerned the United Nations since the Organization's founding. Nevertheless, violence continues to affect the lives of millions of women worldwide. While all women potentially are targets of violence, armed conflicts are among those factors that render women particularly vulnerable. Such has been the case of Iraq, where following the US -invasion in 2003 women rights have been hit at all levels and women are now fighting for rights they used to have achieved 40 years ago.

As a result of the invasion one-third of the population is living in poverty, with more than 5 per cent living in abject poverty, among them an estimated 2 million women, who have become the primary breadwinners. These women belong to the most vulnerable of the population. Often, they queue at doors of social welfare offices waiting to retrieve insufficient payments, yet due to corruption and maladministration applicants often find it impossible to obtain the documents. With 83.000 the number of women registered for State Aid remains shockingly small compared to those million in need. The lack of financial resources, no access to health care, education or security further adds to their plight.

One of the most insidious results of the invasion is high increase of sexual exploitation. In 2014 the country has become a hotbed of human trafficking and smuggling from all over the world. About 4,000 women have disappeared in the first years after the war and a huge number of girls has girls been forced into prostitution. The numbers of trafficked teenagers is estimated between thousands and



tens of thousands. Often the victims the government's only response is to throw them in prison, where women live a nightmare beyond imagination. Torture and ill-treatment, including the threat of, or actual, sexual abuse, sometimes in front of relatives are common practice.

Mr President, armed conflicts belong to the most devastating factors for women's rights. Eleven years after an illegal war and occupation women still suffer from the consequences and the international community must take a firm stand against such violations in order to ensure that such crimes do not happen again.

### ***General Debate item 7***

#### ***Human rights situation in Palestine and other occupied Arab territories***

On June 2014 GICJ delivered statements with the under agenda item 7 on the Human Rights Council agenda, Human rights situation in Palestine and other occupied Arab territories.

**The first statement was delivered as a joint statement with the General Arab women Federation and Youth Against Settlements in Palestine and addressed the issue of double standards, notably in view of the international outcry following the kidnapping of three Israeli teenagers from an illegal settlement, which stood in dire contrast to the half-hearted lip service paid over the years towards the suffering of an entirely kidnapped Palestinian society. While expressing its empathy with the families, GICJ criticized the collective punishment against all Palestinians and pointed to those hundreds of Palestinian children killed or kidnapped by occupation forces.**

[Link to the video statement](#)

Thank you, Mr President,

Since two weeks, little has made headlines as much as the disappearance of three Israeli teenagers from an illegal settlement inside the occupied Palestinian territories. As our hearts reach out to the families, it is however difficult to ignore the discrepancy between these outcries and the half-hearted lip service paid over the years towards the suffering of an entirely kidnapped Palestinian society.

At the present thousands of Palestinians prisoners are held in Israeli jails without charge and on false pretexts. Among them are over 190 Palestinian children, dozens of whom are under the age of 15. Throughout Palestine there is not one single household without a detainee or prisoner, often violently abducted in the middle in of the night. Over the years their families have been desperately calling to bring back their boys, yet until now their cries have been overheard in the process of international diplomacy.

So far esteemed voices have also failed to criticize the brutal military operation launched by the occupier over the past two weeks, during which families were woken at gunpoint in the dark, men were blindfolded, doors blasted open, and an 8-year-old seriously injured by shrapnel. In a clear act of collective punishment 15.000 Palestinian homes, shops, schools and universities have been raided, looted or vandalized, families were arrested while soldiers ate their food, stole their gold, or threatened to demolish properties belonging to an orphanage. Until now over 500 Palestinians have

been arrested, yet neither the indiscriminate brutality, nor the 5 Palestinians killed in course of the operation have been given much international empathy so far.

Mr President, human suffering is not measurable. If we would bring all mothers of Palestinian children that have been abducted or killed by Israeli forces there would be no place in this room. Nevertheless, over the past two weeks the grievances of three Israeli families have been exploited to serve a political agenda much deeper than that, which is justifying and consolidating the illegal occupation of Palestine. It is far past time that the international community takes effective action and finally ends an unlawful and belligerent occupation as soon as possible.

**The second statement under agenda item 7 was delivered by Julius Lee from GICJ, in collaboration with the International Youth and Student Movement for the United Nations (ISMUN). He regretted that so far the International Year of Solidarity with the Palestinian People has so far not any dedicated activities in the Human Rights Council and the boycott of item 7 by a group of countries. He proposed the Council to request the Special Rapporteur on the occupied Palestinian territories to provide a special report to the 27th session of the Council and hold a panel discussion related to the observance of the International Year of Solidarity with the Palestinian People.**

[Link to the video statement](#)

Mr. President,

The year 2014 has been declared by the UN General Assembly as the International Year of Solidarity with the Palestinian People. Yet we have seen no dedicated activities in the Human Rights Council to participate in the observance of this important and symbolic Human Rights initiative by the General Assembly. Nor have we seen any statements of support for the International Year from the High Commissioner for Human Rights.

We believe it is high time that this credibility gap and failure to properly commemorate the International Year of Solidarity with the Palestinian People be corrected and activities on a major scale be launched within the entire UN human rights machinery for the remaining part of 2014.

Today the Israeli military forces are running amok throughout the occupied Palestinian territories making life unbearable for the Palestinian population as a whole. Israel is guilty of war crimes and violate the whole fabric of international law in its occupation of the territories of the State of Palestine. The collective punishment meted out against the Palestinians in the occupied territories ruin the basic rights of the Palestinians, including the right to safety, health, freedom of movement and the right to earn a living.

Unfortunately we have lately seen Member States weaken their resolve to put pressure on Israel to respect international law and end its illegal occupation. We are deeply concerned about the boycott of the deliberations under Item 7 on Palestinian rights during the recent three sessions of the Council by a group of countries that was instituted to comfort the occupying power and encourage it to end its boycott of the UPR. We wish to remind the Members of the Council that they agreed to keep the question of human rights in Palestine on their agenda until the illegal occupation is ended.

We call on all regional and political groups to participate constructively under Item 7 in future sessions of the Council and all states that are not represented by regional and political groups to speak independently as Member States.

We believe that the Human Rights Council must act on the alarming situation on the ground in Palestine during the remaining days of this session.

We propose that the Council in view of the urgent situation in Palestine decide to request its Special Rapporteur on the occupied Palestinian territories to provide a special report to the 27th session of the Council, and also that a panel discussion be held at the 27th session related to the observance of the International Year of Solidarity with the Palestinian People.

### ***General Debate item 10***

#### ***Technical assistance and capacity-building***

**The General Debate under item 10 held on 25 June 2014 was opened by the Deputy High Commissioner Flavia Pansieri, who provided an oral update on behalf of the High Commissioner for Human Rights, Navi Pillay. Before concluding her statement, she referred to the technical cooperation led by the OHCHR in Iraq. She called for an immediate cessation of all violence and - for the first time since 2003 - requested to hold an urgent gathering on the situation in Iraq.**

[Link to the video statement](#)

#### **Full text of her statement:**

"Before concluding this statement, allow me to refer to the technical cooperation led by this Office in Iraq, which has been confronted by recent and dramatic developments. The High Commissioner has expressed extreme alarm at the deterioration of the human rights situation. She has called for the immediate cessation of acts of violence and abuses committed against civilians in violation of applicable international human rights and humanitarian laws. There are over 1300 civilian casualties in Nineveh, Diyala and in Salah-Din provinces.

My colleagues, working under difficult conditions in Baghdad and Erbil, have confirmed violations of international humanitarian law by ISIL, other fighting groups and ISF. Some of these violations could amount to war crimes. The Office has also reported that violations of international human rights law continue to occur in complete impunity, including unlawful killings, gender-based violence, attacks on civilians and attacks on protected buildings such as medical units.

The High Commissioner has called on the Iraqi Security Forces to exercise restraint in their ongoing military operations, and to take measures to ensure that civilians are protected from violence. She has also urged Iraq's political leaders to urgently seek a sustainable resolution to the crisis, including by promoting an inclusive government of national reconciliation, with equal treatment and representation for all communities.



This Office is following the situation very closely, in particular though its presence within the integrated mission. OHCHR stands ready to report on the matter as early as possible, either during an urgent gathering – should the Council be willing to reconvene after this session – or during the Council's September session."

**On behalf of a coalition of over 200 NGOs, together with the General Arab Women Federation and the Mouvement contre le Racisme et pour l'Amitié entre les Peuples (MRAP) GICJ welcomed the High Commissioner's call to convene a Special Session on the situation in Iraq and undertake an independent investigation into all human rights violations committed. GICJ reminded the Council however that the international community should not blindly adopt the view that the country is fighting a war on terrorism without understanding the background of the escalation.**

[Link to the video statement](#)

Thank you, Mr President

This is a joint statement with Geneva International Centre for Justice and over 200 NGOs.

We share the Deputy High Commissioner's concern about Iraq, which after years of neglect has suddenly re-emerged to the forefront of global attention. As few days ago UNESCO upgraded the crisis to level 3, the international community has for the most part adopted the view that the country is fighting a war against terrorism. It is however important to understand that the recent escalation is a direct result of the extreme grievances inflicted on the Iraqi population in a degraded, war-torn environment.

Ever since the illegal invasion in 2003 the cycle of socioeconomic degradation has become widely systemic. Years of occupation paved an environment ripe for extreme forms of human rights violations to be committed with impunity, most of which were given insufficient attention by the international community. The unfortunate legacy remained with Iraq's successive government, which further escalated the circle of violence.

Regrettably the international community has turned a deaf ear to the desperate calls of millions of Iraqi people, when they took to the streets from 2011 on and demanded to end the human rights violations committed against them. It also did not react when these protests were cracked down by massive batteries of tanks, helicopters and missiles or when few months ago government forces began to conduct indiscriminate bombings and attacks against several cities throughout Iraq. The summary executions that according to UNAMI were undertaken by government forces over the past weeks reflect a small part of these atrocities.

Mr President, without responding to the legitimate demands of the aggrieved population further escalation will be inevitable. Over the past Iraqis have explicitly stated on numerous occasions that they don't want their country to be divided and we urge this Council to make all its members understand that any military intervention can only aggravate the current calamity

Finally, our NGOs welcome the Deputy High Commissioners call to convene a Special Session on the situation in Iraq and undertake an independent investigation into all human rights violations

committed as our group has demanded since eleven years. In this sense we also remind this Council that it is far past time to appoint a Special Rapporteur on the human rights situation in Iraq.

### *Closing Statement*

**On 30 June 2014, GICJ delivered the last statement of the session in collaboration with the General Arab Women Federation and the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP). GICJ thanked the High commissioner for her outstanding work and called on the international community to hold the requested special Session on Iraq as soon as possible, yet GICJ also warned the international community to guard itself against double standards or being partial, especially in view of the situation in Palestine and Syria, as well as with regard to a consistent application of human rights in the economic sphere.**

[Link to the video statement](#)

Thank you, Mr President

Let me start by expressing our deepest and heartfelt gratitude to the High commissioner for Human Rights, Navi Pillay, for her outstanding contribution for the promotion and protection of Human Rights. Nonetheless as she held, serious challenges remain for the incoming High Commissioner and this Council.

Our NGOs appreciate that this week the Office of the High Commissioner has called for a Special Session on the situation in Iraq. We regret however that this call has only come after a dramatic escalation over the last weeks, although over the past years our NGOs have continuously warned this Council about the deterioration of the human rights situation in Iraq following the illegal invasion in 2003, including massive crackdowns of peaceful protests and the indiscriminate bombings of several cities by the Iraqi government over the past months that all together have led up to the built-up of the crisis. Here it is of utmost importance that the international community does not hastily take sides or fuel more violence through military supply.

Our NGOs remain also concerned about the issue of giving individual cases more attention than systematic human rights violations, as it was the case when several voices inside this Council were quick to condemn in the strongest term the recent disappearance of three teenagers inside the occupied Palestinian territories, failed however to take any resolution against the quickened pace of illegal settlement construction and the current brutal military operation undertaken by the occupying forces, in course of which 6 Palestinians were killed, among them 15 year old Mohammed Dodeen.

In this regard we remain equally concerned in view of the fact that the resolution on Syria did only condemn human rights violations committed by one side, as well as about the fact that all Western countries voted against the elaboration of an international legally binding instrument on transnational corporations and other business enterprises, against the High Commissioner's call for a "more consistent application of human rights in the economic sphere".

Distinguished members of this Council, nothing could be a worse disservice to the human rights than being partial in our judgment and empathy or hastily taking sides. Human rights are universal and all together we can uphold them if we remain vigilant, committed and true.

I thank you for your attention

## Farewell to the outgoing High Commissioner for Human Rights, Navi Pillay

The Human Rights Council concluded its 26th session on June 27, 2014 with a [farewell bid](#) in honor of the outgoing High Commissioner for Human Rights, Navi Pillay. The Acting Director-General for United Nations Office at Geneva, Mr. Michael Moller, opened the event by a statement on behalf of the UN Secretary General. Conveying his greetings he thanked Navi Pillay for her inspiration and tireless contribution for the promotion and protection of human rights throughout the years. His words were endorsed by the regional groups. GICJ participated in the event and gave a personal thanks to Navi Pillay for her outstanding work. Ms. Navi Pillay, who has been in the office since September 2008 will be followed by Prince Zeid Ra'ad Al-Husseini, former Permanent Representative of Jordan to the United Nations.





In her farewell speech Navi Pillay thanked all for the lovely surprise and said that the words of the United Nations Secretary-General were particularly valuable because of the great attention that he paid to human rights. Ms. Pillay remembered her first appearance at the Human Rights Council, which was on the second day of her mandate. The High Commissioner said that it was of great importance for the victims of human rights violations that the Council addressed issues of concern to them. Ms. Pillay thanked speakers for their warm and moving tributes today. She said that her nomination by Nelson Mandela to the International Criminal Tribunal for Rwanda had been of extreme importance as it was South Africa's first international appointment.



## Written reports

Preparing written reports to the Human Rights Council, which later become part of the official documentation of the Council is an important part of the work of GICJ. Ahead of the 25th session of the Human Rights Council GICJ thus submitted a number of reports on Iraq which can be found below:

### ***Reports submitted under agenda item 3***

#### ***Promotion and protection of all human rights:civil, political, economic, social and cultural rights, including the right to development***

##### **Violations of the Right to Peaceful Assembly, Freedom of Opinion and Expression in Iraq**

Since the beginning of 2014, human rights violations by the Iraqi authorities became more serious, systematic and widespread in regards especially to right to peaceful assembly, freedom of opinion and expression. In blatant violation of the international standards the government responded to peaceful protests with excessive and inadequate use of force, including administrative obstacles and the use of military force, politically motivated threats and attacks against media institutions and those journalists who report on protests or advocate human rights.

The full report can be found [here](#)

##### **Annual Full-Day Discussion on Women's Rights Women's Rights in Iraq**

Women in Iraq had previous to the occupation made important advances compared to most countries in the region. Earlier laws ensured education for girls, family rights, and the right to serve in the government. However, present-day Iraq is plagued by insecurity, transforming the situation for women into a national crisis. The number of girls receiving primary education in Iraq has declined and poverty makes women easy victim to exploitation and sexual abuse. Prisons and detention centres in Iraq indicate massive cases of torture and rape, and most female members of the parliament have shown little interest in women's rights. In addition to this the health situation is dire and there has been a dramatic increase of cancer and paediatric cancer in certain areas.

The full report can be found [here](#)

### ***Reports submitted under agenda item 4***

#### ***Human Rights Situations that require the Council's attention***

##### **Towards Accountability and Justice for Iraq**

Universal jurisdiction the principle of bringing perpetrators of grave crimes to justice. Although however there is a broad consensus on the fundamental purposes and principles of the United Nations charter, there is rising criticism about the effectiveness of the international community's and United Nation's policy, in view of numerous failures of the international community during the past decades. Among these failures was the inability of the United Nations to prevent the illegal war and occupation of Iraq in 2003. Moreover, the accountability for these actions was not ensured by bringing the perpetrators from the occupying powers to justice and providing the victims with respective reparation.

The full report can be found [here](#)

### ***Reports submitted under agenda item 7***

#### ***Human Rights Human rights situation in Palestine and other occupied Arab territories***

##### **Observance by the Human Rights Council of the International Year of Solidarity with the Palestinian people**

In November 2013 the UN General Assembly designated 2014 as the International Year of Solidarity with the Palestinian people. The aim was to promote solidarity, contribute to international awareness of core themes of the core themes of the question of Palestine. The decision came after years of futile diplomacy and disregarded UN declarations, resolutions and recommendations that failed to end Israel's illegal military occupation and war crimes, yet until this day Israel continues to violate international law with total impunity. However, it is not only the people of Palestine all are the losers when international law is cynically and deliberately abused and neglected.



# Geneva International Centre *for* Justice

*Independent, non-profit, non-governmental organization*

GICJ is an independent, non-profit, non-governmental organization dedicated to the promotion and reinforcement of commitments to the principles and norms of human rights. GICJ is based in Geneva, Switzerland and is governed by the Swiss Civil Code and its statutes. Basing its work on the rules and principles of International Law, International Humanitarian Law and International Human Rights Law, GICJ observes and documents human rights violations and seeks justice for their victims through all legal means available.

## **Mission**

GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights; reinforcing the independence of lawyers and judiciaries; consolidating the principles of equity and non-discrimination; ensuring rule of law is upheld; promoting a culture of awareness on human rights; and combating impunity.

## **Work**

GICJ has been tackling issues of justice and accountability since it was established. GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network around the world. Through these channels, GICJ is able to receive documentation and evidences of human rights violations and abuses as they occur in several countries. GICJ continues to bring this information to the attention of relevant UN bodies and Special Procedures in order to gain justice for all victims. In particular, GICJ engages extensively with UN human rights mechanisms through active participation in Human Rights Council (HRC) sessions and through the submission of reports, statements and urgent appeals.

## **Human Rights Training Courses**

To contribute to the promotion of human rights, GICJ offers Training Courses. These include theoretical and practical components, including extensive information on human rights; the UN, its bodies and mechanisms; international law instruments; and the rules and mechanisms for civil society participation. The practical component includes participating in HRC sessions and possibly side-events. Successful participants will receive a Certificate of Completion from GICJ.

## **Internship**

Through its internship programme, GICJ provides interns with opportunities to deepen their knowledge and acquire professional experience in the field of International Law (IL), International Human Rights Law (IHRL), and International Humanitarian Law (IHL) as well as multilateral diplomacy. Interns obtain a unique understanding of the workings of both international organizations and non-governmental organizations. Tasks and responsibilities of GICJ interns include participation in UN human rights meetings and activities, especially the HRC; research and analytical work on human rights violations and applicable international law; and the writing of reports, letters, statements, and urgent appeals to UN mechanisms.



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