

# Idealism meets reality in Geneva

By Divina Naidu



Divina Naidu with former UN Secretary-General Kofi Annan in Geneva

Prior to commencing my three month internship with the International Commission of Jurists (ICJ) in Geneva, my perceptions of the United Nations and international law were idealistic and, well...naïve. To me the UN, particularly the revamped and apparently more effective Human Rights Council, represented the arena where “the magic happens”. When in Geneva, I observed a totally different environment, where bureaucracy rules and dedication and commitment are integral to pursuing a human rights career. Having said that, I found the ICJ, which is an internationally-renowned NGO, to be an inspiring organisation, and my time there was by far the most rewarding experience I have ever undertaken.

My first week of the internship was surreal. It was the ICJ World Congress which brought together all the ICJ Commissioners, Honorary Members, National Sections and Affiliate Organisations from around the World. The theme of the Congress was “The Judiciary in Times of Crisis” and I got the opportunity not only to attend these sessions but also to meet eminent international human rights jurists. To say I was awestruck would be an understatement.

During my three months at the ICJ, I worked in the International Economic Relations programme under Carlos Lopez, the programme’s legal officer. This program addressed the legal accountability of non-state actors such as transnational corporations and their effect on human rights.

I undertook a myriad of tasks which ranged from legal research to drafting a submission to the Committee on Economic Social, and Cultural Rights (ECOSOC) on what should be included in a draft General Comment on the *International Covenant on Economic, Social and Cultural Rights*. One of the main projects I undertook concerned access to justice for victims of corporate human rights abuse. This project sought to undertake a series of country studies on the availability of legal redress for victims of corporate human rights abuse, and my job was to research and produce a draft chapter on Australia. It was an immense task that required me to examine the Australian legal system and consider how a company could be made liable under different strands of law, and how effective each potential cause of action was. I found this work particularly engaging and stimulating as it not only allowed me to think innovatively but also to make a meaningful contribution to this exciting new project.

I was also involved in compiling research on the status of affirmative action in international law for an amicus curiae brief that the programme was going to

file. As the ICJ has consultative status with ECOSOC, I was able to attend many meetings at the UN.

Interning with an NGO, particularly one which is internationally known and respected allowed me to understand the intricate workings and interaction between NGOs as well as between NGOs and the United Nations. What I quickly understood from talking with other NGOs was that the only critical voices in the United Nations system (particularly at the Universal Periodic Review sessions) were those of the NGOs. Unfortunately, it was these voices that were too often stifled.

My experience at the ICJ was a truly inspiring and enjoyable one. I worked alongside and met committed human rights experts who were only too obliging to dispense advice and insight to an impressionable intern. I cannot begin to highlight “one” memorable moment of my internship as there were too many, but sitting at a launch of the ICJ Expert Panel on terrorism where the High Commissioner for Human Rights, the President of the Human Rights Council, Mary Robinson and Arthur Chaskalson were the panellists definitely ranks up there.

Finally I would like to sincerely thank the Castan Centre, in particular Erica Contini and Marius Smith, for all their support and for allowing me to undertake this invaluable opportunity. It was truly an experience which I will never forget and one which I encourage everyone interested in international law and human rights to strive towards.