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Center News/Faculty and Staff Updates

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CENTER NEWS/FACULTY AND STAFF UPDATES

CENTER NEWS

The Center wound up this academic year with a robust set of programming, including conferences, study tours, expanded collaboration with NGO partners, and further investment in student activity. Among the 50 events sponsored by the Center were seven major and timely conferences, five film screenings, 15 lunchtime panel discussions, five visits to public high schools in the Washington, DC area as part of the Center's Genocide Teaching Project, and four site visits as part of the Homelessness Experiential Learning Project. Over 1,500 people participated in and attended Center programming and events during the 2007–2008 school year.

CONFERENCE ON ROLE OF LAW SCHOOLS IN PROMOTING/ PROTECTING HUMAN RIGHTS DRAWS 15 LAW SCHOOLS

On April 22, 2008, the Center, together with the Office of the Dean, hosted a conference exploring the Role of Law Schools in Promoting and Protecting Human Rights. The conference featured discussions of how law schools teach human rights in formal and informal contexts; international approaches to teaching human rights, and a panel on what law schools should be doing but are not. There was also time for facilitated discussions where participants shared their experiences of working on human rights issues in law schools. More than 15 different law schools were represented at the conference. Speakers included Professors **David Weissbrodt** (University of Minnesota); **Douglass Cassel** (Notre Dame); **Carrie Bettinger Lopez** (Columbia); **Ali Beydoun** (WCL); **Teng Hongguing** (SCUT, China); **Pierre Brunet** (University of Nanterre, France); **Nadeem Azam** (University of Peshawar, Pakistan); **Jorge Contesse** (Universidad Diego Portales, Chile); and **Rick Wilson** (WCL) as well as **Hadar Harris** (WCL); **Kenneth Roth** (Human Rights Watch); Justice **Richard Goldstone** of South Africa; **Elizabeth Andersen** (American Society of International Law); and **Jessica Farb** (WCL 2008).

The previous night, the conference opened with an inspiring dinner honoring Professor **Michael Tigar** of WCL, at which he gave the keynote address, "Four Levels of Clinical Human Rights Teaching." The dinner was attended by over 100 people, including past, present, and future UNROW Impact Litigation Clinic students.

CENTER HOSTS NATIONAL STRATEGY DISCUSSION FOR RATIFICATION OF THE UN DISABILITY RIGHTS CONVENTION

On March 31, 2008, the Center hosted a meeting of over 100 disability rights activists from across the United States to discuss strategies for ratification of the new UN Convention on the Rights of People with Disabilities (CRPD), which will come into force in May 2008. The conference was a follow-up to the first convening of human rights, disability rights, and development activists to discuss the CRPD, which took place at WCL in April 2007, just days after the CRPD opened for signature. Humphrey Fellows **Abderkerim Tchouchou** and **Gehane El Sharkawy** and WCL Professor **Bob Dinerstein** spoke on an opening panel to discuss international perspectives on implementation of the new treaty. **Hadar Harris** also presented an overview of relevant international human rights law. The conference was co-hosted by the Center and Mental Disability Rights International. It was also co-sponsored by the U.S. International Council on Disability, Ratify Now, the American Association of Persons with Disabilities, the National Organization on Disability, the Disability Rights Education and Defense Fund, the Human Rights Strategic Working Group, the Landmine Survivors Network, Syracuse University's Burton Blatt Institute, and the World Institute on Disability.

TEACHING IHL REPORT PRESENTED AT ASIL ANNUAL MEETING; TEACHING IHL INSTITUTE PLANNED FOR JUNE

Center Executive Director **Hadar Harris** and **Mark Silverman** of the International Committee of the Red Cross (ICRC)

presented the joint Center-ICRC Study, *Teaching International Humanitarian Law at U.S. Law Schools*, to four different Interest Groups at the recent annual meeting of the American Society of International Law (ASIL). The report was presented to the Human Rights Interest Group, the Leiber Society (which focuses on International Humanitarian Law), the Teaching International Law Interest Group, and the Transitional Justice/Rule of Law Interest Group.

The Center and the ICRC conducted the first Teaching International Humanitarian Law Institute on June 4-5, 2008 at WCL. The Institute provided an opportunity for junior law professors who are embarking on the teaching of International Humanitarian Law (IHL) either as a stand-alone course or by incorporating IHL modules into other courses, to learn more about IHL and to discuss the complex nature of teaching IHL with noted IHL expert teachers from around the United States. The development of the Institute is a direct outcome of the *Teaching International Humanitarian Law* report and expert consultation which was held to discuss addressing the reports conclusions. Faculty at the Institute included Professors **Bob Goldman** (WCL); **Douglass Cassel** (Notre Dame); and **Gary Solis** (Georgetown University Law Center) as well as the legal advisor to the ICRC.

CENTER HOSTS ECUADORIAN WATER RIGHTS ACTIVISTS TO DISCUSS INNOVATIVE ADVOCACY AGAINST PRIVATIZATION

The Center, together with Food and Water Watch and the Center for International Environmental Law, hosted a discussion with human rights activists from Ecuador fighting privatization of water in Guayaquil, Ecuador. In 2001 the World Bank gave Bechtel, the largest engineering company in the United States, a guarantee for its investments in the water system in Guayaquil, Ecuador. After years of mismanagement, including water cut-offs; a Hepatitis-B outbreak; and ongoing flooding, an Ecuadorian-based civil rights group, *Observatorio Ciudadano de Servicios Públicos*, has initiated a World Bank investi-

gation into the water project. Bechtel has a prior history of involvement in oil and water sources overseas and has recently become the focus of criticism from growing environmental movements. Featured speakers included **Marcos Orellana** of the Center for International Environmental Law and **Cesar Cardenas Ramirez** and **Agosto Parada Campos** (both of Observatorio Ciudadano de Sercicos Publicos).

TIMELY DISCUSSION ON CRACKDOWN IN TIBET

On April 3, 2008, the Center hosted a timely — and sometimes raucous — discussion of the recent violence in Tibet. Speakers at the event were **T. Kumar** of Amnesty International and WCL alumnus **John Ackerly** of Campaign for a Free Tibet. The discussion focused on the current situation in Tibet and the recent Chinese crackdown. Chinese students organized to present an alternative view of the reality in Tibet, and an interesting discussion ensued.

GENOCIDE TEACHING PROJECT VISITS HOLOCAUST MUSEUM

Center Program Coordinator and Genocide Teaching Project (GTP) co-founder Amelia Parker has recruited a select group of 20 students to expand and refine the Genocide Teaching Project. The project continues to be well regarded by schools in which we teach and by other organizations. On January 11, 2008, the GTP set up an information table at the Youth Forum on Genocide, held by the World Affairs Council of the District of Columbia and the World Bank. In February, GTP participants went on a special tour of the Holocaust Museum and met with key people at the Committee on Conscience.

Webcasts and podcasts of most Center events are available for free download on the Center's website at <http://www.WCL.CenterforHR.org>.

FACULTY AND STAFF UPDATES

Claudio Grossman, Dean of WCL, was an invited panelist at the University of Virginia School of Law's *John Bassett Moore Society of International Law Symposium* entitled "Left Turn: The Rise of the Left in Latin America and Its Implications for International Law," where he commented

on "Independence of the Media: Censorship, Violence, and Freedom of Expression." Further, he delivered a keynote address to a delegation of visitors from the U.S. Department of State's International Visitor Leadership Program participating in a project entitled "Administration of Justice and the Rule of Law." He also served as a panelist on "From Scholarship and Teaching to Action and Change" as part of the Inauguration Celebration for AU President Neil Kerwin. At the end of February, Dean Grossman was a panelist on "Freedom of Thought and Expression in the Americas," at the *Committee on Juridical and Political Affairs* of the Organization of American States.

In March, Dean Grossman served as moderator for an expert panel held at WCL on "The Prohibition of Torture within the Context of Emergency Situations." He also organized and participated in meetings with the Inter-American Commission on Human Rights, the OPCAT Subcommittee, and the Association for the Prevention of Torture. Additionally, Dean Grossman presented "Looking at the 2008-2012 PAHO Strategic Plan from a Human Rights Perspective," at a meeting of the Pan American Health Organization. At the Universidad Carlos III in Madrid, Spain, he gave opening remarks on "Legal Education in the Twenty-first Century" and also moderated a panel on "Immigration: Current Problems and their Legal Regulation." At the end of March, he participated in a joint workshop in Chile on freedom of expression with the Impact Litigation Project and the Universidad Diego Portales.

In April, Dean Grossman participated as a member in the meetings of the Commission for the Control of Interpol's Files. He also served as a panelist at a joint conference with Universidad Torcuato Di Tella, Buenos Aires, Argentina on "Impact Litigation as a Means to Protect Human Rights." Dean Grossman served as a panelist on impact litigation during a day-long conference on *The Role of the Law School in Promoting and Protecting Human Rights*. In May, Dean Grossman participated in the 40th session of the UN Committee against Torture in Geneva, in his capacity as Vice Chair, and where he served as rapporteur for Algeria and Sweden and co-rapporteur for Indonesia.

Dean Grossman has recently authored articles in forthcoming publications. These include four contributions to the *Max Planck Encyclopedia on Public International Law* (Oxford University Press) on the topics of the *Inter-American Commission on Human Rights*, *The American Declaration*, *Disappearances under International Law*, and the *Awasi Tingni v. Nicaragua* case and an article on *Human Rights and Terrorism: Contradictory Logic*, in the Mexican magazine *Iberoamericana de Derechos Humanos* and *The Inter-American System of Human Rights: Challenges for the Future* in the *Indiana Law Review*.

Hadar Harris, Executive Director of WCL's Center for Human Rights and Humanitarian Law, gave the opening keynote address at the George Washington University Law School's Human Rights Week. She also spoke on a panel entitled "Race Across Boundaries" at Harvard Law School, where she focused on U.S. compliance with the Convention for the Elimination of all forms of Racial Discrimination. She has served as a member of the National Coordinating Task Force on U.S. Treaty Compliance of the U.S. Human Rights Network, where she is also a member of the Training Committee. She also recently presented to a group of visiting members of the Saudi Arabian National Human Rights Commission, discussing the training of human rights attorneys.

Prof. Diego Rodríguez-Pinzón, Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law at WCL, attended sessions of the Inter-American Court of Human Rights of the Organization of American States in San José, Costa Rica. He is currently *Ad Hoc Judge* in that international tribunal in the case *Salvador Chiriboga v. Ecuador*. The Court held its deliberations on the case on May 5 and 6, 2008.

Professor Rodríguez-Pinzón was invited to Geneva, Switzerland, by the World Organization Against Torture (OMCT) to lecture on "The Prohibition of Torture in the Inter-American System." This event is part of OMCT's ongoing training efforts to disseminate the international standards related with torture. OMCT recently published a book authored by Professor Rodríguez-Pinzón and Professor Claudia Martín, which serves as the text of the course.

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ALUMNI PROFILE

Courtesy of the International Center for Transitional Justice



Juan E. Méndez, a human rights advocate, lawyer, and former political prisoner, has dedicated his long and distinguished career to the defense of human rights. He is the current President of the International Center for Transitional Justice (ICTJ), and a member of the boards of directors of the Center for Justice and International Law, Global Rights, and the Open Society Justice Initiative. Mr. Méndez also serves on the Board of Advisors of the Social Science Research Council's Conflict Prevention and Peace Forum, as well as on the advisory council of the American Bar Association's Center for Human Rights. Mr. Méndez received his LL.M. from American University Washington College of Law.

A native of Lomas de Zamora, Argentina, Mr. Méndez began his legal career representing political prisoners during Argentina's military dictatorship in the 1970s. The military junta responded to his efforts by arresting, torturing, and holding Mr. Méndez in administrative custody for over a year and a half. During this time, in which Mr. Méndez was separated from his wife and family, Amnesty International adopted him as a "prisoner of conscience," a term coined by the organization in the 1960s to describe anyone imprisoned because of their race, religion, color, language, sexual orientation, belief, or lifestyle, so long as they have not used violence. It is also used to refer to those who have been imprisoned or persecuted for the nonviolent expression of their conscientiously held beliefs. Despite the serious dangers involved in representing political prisoners, Mr. Méndez viewed provision of legal assistance to those individuals not only as a contribution but also as a duty.

After his release from detention in the late 1970s, Mr. Méndez moved to the United States. In 1982, the newly founded Human Rights Watch, at the time known as Helsinki Watch, asked Mr. Méndez to launch its Americas Program and open its Washington, D.C. office. For over 15 years, Mr. Méndez worked with Human Rights Watch, concentrating much of his efforts on human rights abuses in the Western hemisphere. In 1994 Mr. Méndez was appointed General Counsel of Human Rights Watch and assumed international duties, which included responsibility for the organization's litigation and standard-setting activities.

From 1996 to 1999, Mr. Méndez served as Executive Director of the Inter-American Institute of Human Rights in Costa Rica, where he had the opportunity to combine activism, advocacy, and teaching. The Inter-American Institute of Human Rights is an independent, international academic institution created in 1980 under an agreement between the Inter-American Court of Human Rights and the Republic of Costa Rica. The Inter-American Institute of Human Rights is an important center for teaching and academic research on human rights. It utilizes a multidisciplinary approach with specific emphasis on human rights issues in the Americas. Mr. Méndez has taught international human rights law at various other academic institutions, including the Georgetown Law Center and the Johns Hopkins School of Advanced International Studies. He served as professor of law and director of the Center for Civil and Human Rights at the University of Notre Dame and teaches regularly at the Oxford Masters Program in International Human Rights Law.

From 2000 to 2003, Mr. Méndez was a member of the Inter-American Commission on Human Rights (IACHR) and in 2002 he served as president of the Commission. The IACHR is an autonomous entity of the Organization of American States, and along with the Inter-American Court of Human Rights, it is one of several bodies that comprise the Inter-American Human Rights System. The IACHR's main task is to promote the observance and defense of human rights in the Americas by receiving, analyzing, and investigating individual petitions that allege specific human rights violations. The IACHR refers cases to the Inter-American Court of Human Rights for adjudication, issues recommendations to member states, and requests that member states adopt specific precautionary measures. In urgent cases, the IACHR may also request that states adopt provisional measures, even where a case has not yet been submitted to the Court. According to Mr. Méndez, states' reactions to being investigated vary, yet they are often willing to adopt the IACHR's recommendations. Member States take affirmative steps to prevent human rights violations and also effectively elevate their legitimacy within the Inter-American system. As a result, the IACHR has been successful in addressing human rights issues in the Americas. Mr. Méndez commends the extent to which the Inter-American system has evolved and progressed in recent decades, highlighting its ability to promote human rights in the region.

On April 7, 2004, in a speech commemorating the tenth anniversary of the 1994 Rwandan genocide, United Nations (UN) Secretary-General Kofi Annan pledged to take actions to prevent such atrocities from reoccurring in the future. In July of that year, Mr. Méndez was appointed as the first UN Special Adviser on the Prevention of Genocide, a role that he filled until March 31, 2007, in addition to his full-time posi-

tion as the president of the ICTJ. According to Mr. Méndez, the position was created as an act of self-criticism by the UN for its inability or unwillingness to prevent the genocide in Rwanda. The position was created as part of a five-point action plan presented by the Secretary-General to address the potential for genocide. Mr. Méndez's role served as an early warning mechanism for the Secretary-General and the UN Security Council by monitoring any serious violations of human rights that had a racial or ethnic dimension and could lead to genocide. At Mr. Méndez's request, an advisory committee was established to help analyze various situations of human rights abuses and present recommendations for early action that might deter genocide. Although the ability to brief the members of the Security Council and achieve swift and decisive action proved difficult in practice, Mr. Méndez was pleased with the general level of support and approval he received from world leaders who endorsed and accepted the responsibility to protect populations from genocide.

As Special Adviser, Mr. Méndez focused his efforts on the human rights situation in Darfur, which required the support, cooperation, and advice of Member States, civil society, and UN institutions. States' cooperation and acceptance of his investigations were crucial to identifying situations that risked deteriorating into genocide. According to Mr. Méndez, spending too much time debating over whether to classify a conflict as genocide may have a paralyzing effect on the ability to act. A situation need not be classified before action can be taken. Instead, the international community must act before a situation deteriorates into genocide. The role of the

Special Adviser was not to make determinations as to whether genocide was occurring; rather, it was to identify situations of human rights violations that could, in fact, deteriorate to and reach that level.

As the current president of the ICTJ, Mr. Méndez oversees the organization's efforts to assist countries pursuing accountability for past human rights abuses. He advocates for a holistic approach to transitional justice and describes truth, justice, and reconciliation as very different, but equally important, steps in the transitional process. For countries to transition successfully from repressive regimes to functioning democracies and peaceful societies, Mr. Méndez emphasizes the notion of sequencing — examining each situation individually to determine which elements of transitional justice should be addressed in which order — as a means of achieving an appropriate balance between truth, justice, and reconciliation. The field of transitional justice has developed significantly over recent years, and Mr. Méndez is enthusiastic about its future.

Mr. Méndez's notable career demonstrates his steadfast dedication to the defense and protection of human rights throughout the world. He has held some of the most prestigious positions in international human rights, and the *Human Rights Brief* is extremely grateful to him for sharing his thoughts and experiences. **HRB**

Julie Gryce, a J.D. candidate at the Washington College of Law, covers the Alumni Profile for the Human Rights Brief.

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Professor Rodríguez-Pinzón published the book *Ten Years of the Inter-American Human Rights Moot Court Competition* (Brill Publishers, Kluwer International 2008), which he co-authored with Dean Claudio Grossman and Professor Claudia Martin. That book is a publication of the Raoul Wallenberg Institute on Human Rights and Humanitarian Law. He also published an article titled *Las Obligaciones Internacionales de los Estados de la Organización de los Estados Americanos en la Lucha contra el Terrorismo (The International Obligations of the American States in the Fights against Terrorism)* with the Universidad Iberoamericana, Mexico City, Mexico. He authored a book review *Reseña sobre el informe de la OEA "Acceso a la Justicia: Llave para la Gobernabilidad Democrática, por David Lobatón"* which discussed the *Report of the OAS Programa de Estudios de la Ciudad de la Facultad Latinoamericana de Ciencias Sociales*.

Professor Rodríguez-Pinzón continues to contribute to the British publication *Butterworths Human Rights Cases* (Lexis/Nexis) in his capacity as Correspondent for the Americas. This is a multi-volume series that reports on recent human rights

cases around the world. Finally, he also continues to contribute to the *Netherlands Quarterly of Human Rights* by reporting periodically on the news of the Inter-American Human Rights System.

Susana SáCouto, Director of the War Crimes Research Office (WCRO) and Professorial Lecturer in Residence at WCL, organized a training seminar on international criminal law and procedure for 20 judges of the Extraordinary Chambers in the Courts of Cambodia, in collaboration with the Hague Forum for Judicial Expertise. The training was held in The Hague in late May and early June. This summer, Ms. SáCouto also directed and served as faculty for the Second Annual Summer Law Program in The Hague, which offers courses in International Criminal Law and International Legal Approaches to Terrorism. Later this summer, Ms. SáCouto will publish an article, co-authored Katherine A. Cleary, on *The Gravity Threshold of the International Criminal Court in the American University International Law Review* (23 Am. U. Int'l L. Rev. 807 (2008)). **HRB**