

2006

## Center News/Faculty and Staff Updates

Human Rights Brief

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## CENTER NEWS/FACULTY AND STAFF UPDATES

### CENTER NEWS

#### TWENTY-SEVEN ALTERNATIVE SPRING BREAK PARTICIPANTS HELP THE GULF COAST

Twenty-seven WCL students spent Spring Break in Gulfport, Mississippi, and New Orleans, Louisiana, to aid in Hurricane Katrina recovery. Students worked on a variety of projects with local NGOs in the areas, including conducting a survey of work conditions for day laborers, observing a city council meeting on police brutality, conducting oral histories, building homes with Habitat for Humanity, gutting destroyed homes to prepare for rebuilding with ACORN, and more. The students' work placements were coordinated through the Student Hurricane Network ([www.studenthurricane.org](http://www.studenthurricane.org)), and they worked together with hundreds of other law students from around the country. The Center provided support and assistance to the student organizing committee for Alternative Spring Break. The Center plans to highlight the Alternative Spring Break experience with a special section on the Center's website at [www.wcl.american.edu/humright/center](http://www.wcl.american.edu/humright/center).



A flood-devastated area in the Lower Ninth Ward, New Orleans.

#### HUMAN RIGHTS IMPLICATIONS OF HURRICANE KATRINA

On April 11, 2006, the Center sponsored an all-day conference focused on the human rights implications of Hurricane Katrina. The conference took the discussion out of the partisan arena to look at how the continuing response to Katrina implicates a variety of international norms

to which the U.S. is legally obligated, including the International Covenant on Civil and Political Rights, the Convention Against Torture, the Convention for the Elimination of All Forms of Racial Discrimination, the UN Guiding Principles for Internal Displacement, and the American Declaration on the Rights and Duties of Man. Among the speakers were John Brittain, Lawyers' Committee for Civil Rights Under Law; Sharda Sakaran, National Economic Social Rights Initiative; Tracie Washington, NAACP Gulf Coast Advocacy Center; Jenni Gainsborough, Penal Reform International; Ajamu Baraka, US Human Rights Network; Elizabeth Westfall, The Advancement Project; Melissa Crow, National Immigrants Legal Center; Maria Foscarinis, National Law Center for Homelessness and Poverty; and Hadar Harris, American University Washington College of Law. Joining them were seven WCL student participants in Alternative Spring Break who reported on their experiences and the projects they worked on while in the Gulf Region.



New Orleans Attorney Tracie Washington of the Gulf Coast Advocacy Center

#### CHALLENGES TO WOMEN'S RIGHTS IN CAMEROON: HUMAN RIGHTS DEFENDER GERALDINE CHIN

On March 7, 2006, in honor of International Women's Day, the Center

hosted a presentation by Cameroonian human rights activist Geraldine Chin on the challenges to women's rights in her country. Ms. Chin works for the Justice and Peace Commission of Kumbo Diocese in Cameroon, which works to end human rights abuses in Cameroon through awareness programs, conflict prevention, and resolution training for government officials, tribal leaders, and citizens. She is also president of the Kumbo Business Women's Savings and Credit Cooperative, which seeks to empower and educate women.

#### CONGRESSMAN CHRIS SMITH: BIPARTISAN APPROACHES TO HUMAN RIGHTS

On April 4, 2006, Congressman Chris Smith (R-NJ) spoke about bipartisan approaches to the promotion and protection of human rights in the U.S. Congress. Congressman Smith is Chairman of the Subcommittee on Africa, Global Human Rights and International Operations, Co-Chair of the bipartisan Commission on Security and Cooperation in Europe, and a member of the Congressional Human Rights Caucus. The event was co-sponsored by the WCL Christian Legal Society. An article by Congressman Smith on the new UN Human Rights Council is included in this issue of the *Human Rights Brief* on page 6.

#### CHALLENGES TO DUE PROCESS AND THE RIGHT TO A FAIR TRIAL IN AZERBAIJAN

On April 5, 2006, the Center hosted Dr. Sabir Alisgandarov for a discussion on the challenges to due process and the right to a fair trial in Azerbaijan. Professor Alisgandarov is in residence at WCL as a Junior Faculty Development Program Fellow and is an International Human Rights Law Lecturer at Azerbaijan University. He is a graduate of Baku State University and author of various articles related to criminal procedure and human rights.

## PERSPECTIVES ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS IN THE UNITED STATES

Rounding off the Center's year-long emphasis on economic, social, and cultural rights, human right attorney Tara Melish focused her discussion on how these rights are recognized and fought for in the United States. Previous sessions had featured South African Constitutional Court Justice Richard Goldstone (ret.), Open Society Institute President Aryeh Neier, Professor Herman Schwartz, Professor Rick Wilson, and a panel discussion by WCL Humphrey Fellows Irwin Robson (South Africa), Alceu Mauricio Jr. (Brazil), and Sylvia Chirawu (Zimbabwe). Podcasts of the entire series can be downloaded at the Center's website at [www.wcl.american.edu/humright/center](http://www.wcl.american.edu/humright/center).

## CENTER CONDUCTS TRAINING FOR U.S. ACTIVISTS AT THE UNITED NATIONS

During the March session of the UN Human Rights Committee, the Center sponsored a one-day training in New York City for 45 non-governmental organization activists entitled "Strategies for Promoting Accountability: Advocacy at the UN Human Rights Committee." The training consisted of an overview of the workings of the Committee, a panel discussion of experienced activists who

Liberties Union; Laura Katzive, Center for Reproductive Rights; Amigo Ngonde, Association Africaine de Defense des Droits de l'Homme en R. D. Congo; Margaret Huang, Global Rights; and Cindy Soohoo, Bringing Human Rights Home Lawyer's Network. The training was co-sponsored by the Center in collaboration with Global Rights, the Columbia Human Rights Institute, the American Civil Liberties Union, and the US Human Rights Network.

## WORKSHOPS AT SUMMIT FOR THE CONVENTION ON THE RIGHTS OF THE CHILD

In May 2006 the Center will be holding three workshops at American University for a Summit on U.S. Ratification of the Convention on the Rights of the Child. The workshops will focus on Shadow Report Writing as an Advocacy Tool; Global Perspectives on Children's Rights and the Convention on the Rights of the Child; and Alternative Sources for Supporting the Convention on the Rights of the Child: Utilizing the Inter-American and UN Human Rights Systems. Among the confirmed speakers for the Center's workshops are Mike Bochenek, Human Rights Watch; Elizabeth Abi-Mershed, Inter-American Commission on Human Rights; Sylvia Chirawu, Women and Law in Southern Africa Research and Education Trust, Zimbabwe; Tashi Chhozom, District Court Judge, Bhutan; Jamie Conde, Defensores PROCDN, Puerto Rico; Simone Ek, Save the Children Sweden; and Center Executive Director Hadar Harris. More than 500 activists are expected at the event.

## FACULTY AND STAFF UPDATES

**Robert Goldman**, Professor of Law at WCL and Co-Director of the Center, was named one of the eight members of the Eminent Jurists Panel on Terrorism, Counter-Terrorism and Human Rights, an initiative of the International Commission of Jurists. The Panel members will be conducting a global inquiry into the impact of states' counter-terrorism policies on human rights and the rule of law, which includes holding hearings in every region of the world. The Panel members will prepare a final report based on its work within the next 18 months. In February Professor Goldman attended

hearings in Colombia with other members of the Panel, and in April and June he will attend hearings in the United Kingdom and Thailand, respectively. In March he delivered a paper on terrorism and human rights at a conference in Rome, Italy, organized by the Center for International Strategic Studies.

**Claudio Grossman**, Dean of WCL and Co-Director of the Center, lectured on "Human Rights in the Americas" at the Inter-American Defense College to the Advanced Course on Hemispheric Defense and Security for military officers and diplomats of the Americas, as well as the AMIA bombing case at the U.S. Naval Academy. Dean Grossman lectured at the Universidad Diego Portales (Chile) seminar on "Freedom of Expression in Chile" and presented a public panel on "Challenges to Freedom of Expression in the Western Hemisphere" with Mr. Eduardo Bertoni, then-Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights. Dean Grossman participated in the mid-year ABA Deans' Meeting in Chicago as a member in the meetings of the Commission for the Control of Interpol Files in Lyon, France; a panelist on "Democracy, Economic Development and Human Rights" at the International Conference on Human Rights, International Relations and Globalization at the Universidad Alfonso X El Sabio in Spain; and a panelist at Espacio 2006 (a central medium for reflection and debate in Mexico) on the panel "The University: A Factory to Create Jobs?" Dean Grossman also hosted 14 international visitors from the Western Hemisphere on the State Department International Visitor Program, and together with American University School of International Service Dean Goodman and College of Arts and Sciences Dean Mussell, hosted a discussion with Marcos Aguinis, a distinguished writer from Argentina. Dean Grossman participated in numerous alumni and admitted student events in locations including Miami, Chicago, Spain, Washington, D.C., New Jersey, and New York (an event at the United Nations headquarters, co-hosted by the Ambassador of Chile to the UN, the Hon. Heraldo Muñoz) and attended the inauguration of Chile's new President Michelle Bachelet. Dean Grossman was interviewed on numerous occasions and



Delegates from the Middle East and North Africa discussed human rights and legal education.

shared their strategies for effective advocacy, and the opportunity to observe a working session of the UN Human Rights Committee. In addition, participants held a discussion with a State Department representative to discuss the U.S. government's approach to the treaty monitoring bodies. Center Executive Director Hadar Harris was the primary trainer and was joined by Jamil Dakwar, American Civil



topics (including *Washington Hispanic*) regarding Bachelet's election as Chile's first woman president. He was interviewed by the newspaper *La Tercera* and Channel 13 (Chile) on the petition for asylum in the U.S. of Pinochet's daughter, by CNN Spanish about the election of Hamas and about the Holocaust and the Middle East, and by the Chilean newspaper *La Nación* on freedom of expression in the Hemisphere.

**Hadar Harris**, Executive Director of the Center, spoke to the Board of the Lawyers' Committee for Human Rights Under Law on the use of human rights in domestic civil rights advocacy in April. In addition, she gave the opening presentation, "Discussing the Katrina Response in a Human Rights Framework," at the Center's day-long conference on the Human Rights Implications of Hurricane Katrina. In March and April, she met with two delegations of human rights activists — one from Latin America and the other from the Middle East and North Africa — to discuss the current situation of human rights in the United States. She also led a day-long training on advocacy techniques in New York City during the March session of the UN Human Rights Committee. Ms. Harris has also been providing ongoing technical assistance to the ICCPR shadow report writing process for the US Coalition for Bringing Human Rights Home, a broad coalition of more than 40 non-governmental organizations from around the United States.

**Diane Orentlicher**, Professor of Law at WCL and Co-Director of the Center, has been invited to serve on an advisory committee for an upcoming Special Report of the Council of Foreign Relations focusing on genocide prevention and United Nations reform. She was a guest speaker for the International Law Faculty Colloquium at the University of Georgia Law School in Athens, Georgia, on April 6, 2006, on the subject, "Whose Justice? Reconciling Universal Jurisdiction with Democratic Principles." Professor Orentlicher was a panelist at a symposium on "Sharpening the Cutting Edge of International Human Rights Law: Unresolved Issues of War Crimes Tribunals" at Boston College Law School on March 24, 2006, and was also a moderator on a panel on international humanitarian law at a conference on "The UN and Regional Systems' Legal

Framework on Torture" on March 3, 2006, sponsored by WCL. She was interviewed by "Online NewsHour" with Jim Lehrer about criminal proceedings against former Liberian President Charles Taylor on April 5, 2006, available at [http://www.pbs.org/newshour/updates/taylor\\_04-05-06.html](http://www.pbs.org/newshour/updates/taylor_04-05-06.html). She was also interviewed on NPR's "All Things Considered" on April 4, 2006 about the trial of Charles Taylor. Professor Orentlicher participated in a workshop on "The U.S. Military and the International Criminal Court: Issues and Implications," co-sponsored by the Henry L. Stimson Center and the National Institute of Military Justice in January. She participated in a session of a Working Group on Social Reconstruction and Reconciliation addressing the question of how to evaluate the impact of memorial projects on their communities, which was co-sponsored by the United States Institute of Peace and the American Association for the Advancement of Science. Professor Orentlicher also served as panelist for "Recent U.S. Legislation Regarding Torture and the Treatment of Detainees: Discussion of the McCain and Graham-Levin Amendments in an International Law Context," an event sponsored by the American Society of International Law. In December Professor Orentlicher published "Criminalizing Hate Speech: A Comment on the ICTR's Judgment in *The Prosecutor v. Nahimana, et al.*," 13 No. 1 Hum. Rts. Brief. She also coauthored an editorial with Attorney Floyd Abrams entitled "Last Chance to try the Khmer Rouge," which appeared on April 13, 2006, in the *International Herald Tribune*.

**Diego Rodríguez-Pinzón**, Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law, was interviewed by CNN Spanish regarding the Samuel Alito confirmation hearings and the trial of Saddam Hussein. He taught about The Inter-American Commission on Human Rights in the seminar "Diplomado en Derechos Internacional de los Derechos Humanos y Sistema Interno de Protección y Reparación" organized by the Ministry of Foreign Affairs of Colombia and the Universidad Nacional de Colombia in Bogota, Colombia. Professor Rodríguez-Pinzón also lectured on "Contemporary Issues of the Inter-American Human Rights System" at the

School of Law of the Universidad Nacional de Colombia in Bogota, Colombia. He participated in a panel presentation on human rights with representatives of WOLA and the Inter-American Commission on Human Rights for police officers from several Latin American countries hosted by the Western Hemisphere Institute for Security Cooperation.

**Susana SáCouto**, Director of the War Crimes Research Office (WCRO) and adjunct professor at WCL, delivered a presentation on "International Prosecution of Gender-Based Crimes" at Amnesty International USA's 2006 Lawyers' Conference at the University of Washington School of Law on February 18, 2006. She also spoke at a conference on "Gender, War & Peace: Women's Status in the Wake of Conflict," held at Michigan State University on February 24, 2006. Ms. SáCouto appeared on the Kojo Nnamdi Show on WAMU radio on February 23, 2006, where she joined two other guests in a discussion of the legal standards and consequences of disruptive courtroom behavior by defendants being tried before internationalized criminal tribunals. As part of WCL's seminar on "The UN and Regional Systems' Legal Framework on Torture" held on March 3, 2006, Ms. SáCouto delivered a presentation on torture and international humanitarian law, which focused on how torture as a violation of the laws of war has been prosecuted by international criminal tribunals. In March she traveled to Belgrade, Serbia and Montenegro, to meet with organizations supporting domestic war crimes prosecutions. She met with representatives from the UN Development Program, the Organization for Security and Cooperation in Europe, the Humanitarian Law Center, and the Youth Initiative for Human Rights, among others. That same month she participated in a conference on "Legal and Moral Responsibility in War" at the Institute for Public and International Law at the University of Oslo. Most recently, Ms. SáCouto appeared on the radio program "A World of Possibilities," produced by the Mainstream Media Project, to discuss successes and challenges faced by international criminal tribunals.

**Herman Schwartz**, Professor of Law at WCL and Co-Director of the Center, was

*continued on page 78*

velopment of an international “crime against democracy.” His analysis and conclusions were subsequently included in the book *Protecting Democracy: International Response*, published by Lexington Press in February 2005. His pending publications include a paper that he presented at a workshop on crimes against humanity convened at

the Oñati International Institute for the Sociology of Law in Bilbao, Spain, entitled “Ending Impunity in the Americas: Role of the Inter-American Human Rights System in Advancing Accountability for Serious Crimes under International Law.” It is forthcoming in Southwestern University’s *Journal of Law and Trade in the Americas*.

Mr. Tittmore credits WCL for many of his career opportunities in international human rights and humanitarian law. “The faculty members at WCL are among the finest in the world,” he notes. “They challenged me to be exacting and rigorous in my legal work and at the same time encouraged me to push the boundaries, to

play a role in shaping the law and advancing the humanitarian values that lie at the foundation of our work. You can’t ask for more than that from a legal education.” **HRB**

*Emily Wann, a J.D. candidate at the Washington College of Law, covers the Alumni Profile for the Human Rights Brief.*

**NGO UPDATE:** *continued from page 70*

After the hurricanes along the Gulf Coast in August and September of 2005, AAJC forged ties with and advocated on behalf of Asian communities affected by the storms, many of which are now displaced. Louisiana alone was home to more than 60,000 Asian Americans, more than half of which were Vietnamese. Most of these individuals were refugees and some were undocumented immigrants. In response AAJC has provided

a resource page on its website for Asian Americans affected by the hurricanes, helped connect these Asian communities with local legal resources, and written several reports on the situation of these affected communities, which it has shared with law firms and attorneys working along the Gulf Coast.

*The Human Rights Brief is accepting submissions for the next edition of “NGO Update.” If your organization has an event or situation it*

*would like to publicize, please send a short description to [hrbrief@wcl.american.edu](mailto:hrbrief@wcl.american.edu) and include “NGO Update” in the subject heading of the message. Please limit your submission to two paragraphs. The Human Rights Brief reserves the right to edit for content and space limitations.* **HRB**

*Lauren Bartlett, a J.D. candidate at the Washington College of Law, covers NGOs for the Human Rights Brief.*

**CENTER NEWS/FACULTY AND STAFF UPDATES:** *continued from page 76*

interviewed by *Media Matters* on electronic surveillance and FISA and by *Japanese News Service* on the Supreme Court. He also participated in a documentary on the Supreme Court for PBS. In February Professor Schwartz lectured on Human Rights in Legal Education for Syrian law professors and presented at the New Israel Fund Forum in New York on “Israel as a Jewish and Democratic State.”

**Rick Wilson**, Professor of Law at WCL and Co-Director of the Center, served as detailed defense co-counsel representing Omar Khadr, a Canadian citizen charged with alleged war crimes in Afghanistan in *United States v. Khadr* before a U.S. military commission in Guantánamo Bay, Cuba. He co-edited *International Human Rights & Humanitarian Law: Treaties, Cases & Analysis* with Francisco Forrest Martin,

Stephen J. Schnably, Jonathan S. Simon, and Mark V. Tushnet. Professor Wilson also served as a commentator for a presentation by Aryeh Neier, Director of the Open Society Justice Initiative, on economic, social, and cultural rights at WCL. Professor Wilson and Muneer Ahmad co-authored an editorial in the *Toronto Star*, “Canada: The Time to Speak on Khadr is Now,” in January. Professor Wilson was interviewed by a Texas Lawyer regarding a profile of two lawyers from Texas defending cases at the International Criminal Tribunal for Rwanda. He was a panelist on “Military Commissions and the Status of Fair Trial Norms” at Amnesty International Lawyers’ Conference, “Fulfilling the Legacy: International Justice 60 Years After Nuremberg,” in Seattle, Washington. In February Professor Wilson was the closing speaker on “Forty Acres and a Mule: Is

Property More Important than Happiness?” at the Conference on Poverty and Human Rights sponsored by the International Law Society and National Lawyers’ Guild at George Washington University School of Law. He was interviewed by RadioFrance on the legal situation in Guantánamo Bay and by CanWest about the UN’s report on conditions at Guantánamo, which called for the closing of the U.S. prison, and its impact on the *Khadr* case. He was a panelist at “The Inter-American System’s Legal Framework on Torture,” a Training Seminar on the UN and Regional Systems’ Legal Framework on Torture, held at WCL on March 3, 2006. He was an invited expert at the “Working Group Review of Draft Legal Education Reform Index,” organized by the American Bar Association CEELI, in Washington, D.C., on February 28, 2006. **HRB**

**UNITED NATIONS UPDATE:** *continued from page 60*

ent context, a key question is how the court will assess the burden of proof. Genocide is typically addressed in a criminal court, which carries a much higher burden of proof than civil courts.

**JUDGES ELECT FIRST FEMALE JUDGE AS PRESIDENT OF THE ICJ**

On February 6, 2006, the ICJ elected Judge Rosalyn Higgins as President of the Court and Judge Awn Shawkat Al-Khasawneh as Vice-President, each for a term of three years. Judge Higgins of the

United Kingdom is the first female judge at the ICJ and the first to be elected President of the Court. Judge Al-Khasawneh is from Jordan. **HRB**

*Nicholas Leddy, a J.D. candidate at the Washington College of Law, covers the United Nations for the Human Rights Brief.*