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Letter from the Editors

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Letter from the Editors

With the recent passing of Nelson Mandela, and the extraordinary legacy he left behind, the *Human Rights Brief* is reminded of the powerful impact of courageous human rights leaders who stand up for the ideals enshrined in the Universal Declaration of Human Rights. “What counts in life is not the mere fact that we have lived. It is what differences we have made to the lives of others that will determine the significance of the life we lead.” Nelson Mandela fought tirelessly for a just society that recognizes the equal rights of all men and women regardless of their race. Mandela left a legacy that embraced the power of resistance and courage.

Despite strengthened human rights protection systems and worldwide recognition of human rights, violations occur all too frequently across the globe. As the world continues to debate appropriate international responses to the countless crises — from Syria to the Central African Republic — the *Brief* underscores the critical role of the individual. In the face of overwhelming hardships and mass atrocities, individual struggles are often overlooked. Furthermore, it is the individual nature of human rights that galvanizes the rest of society to effectuate change. Many human rights advocates find their motivation either in their own experiences and hardships or in a role model who, in the face of the unthinkable and darkest moments, became empowered and shared lessons with others facing similar struggles. One person’s perseverance amidst significant challenges can inspire so many to follow suit. In this issue of the *Human Rights Brief*, we sought to highlight the individual whose actions and struggles inspire change and promote human rights.

Harry Wu and Cole Goodrich start off with a piece that analyzes the various means in which the Chinese government has maintained a system of arbitrary detention. After being detained without trial for nineteen years in Chinese Laogai camps, Harry Wu has dedicated his life to fighting against the deeply embedded injustice committed at all levels of the government. Arbitrary detention silences individual voices and denies the right to exercise fundamental freedoms outside the control of the state. Accountability cannot exist where individual voices are silenced and disappeared. As this article reminds us, and as Mandela taught the world over twenty years ago, significant change does not come through accepting the status quo.

In response to a controversial decision of the Dominican Republic’s Constitutional Tribunal, Marselha Gonçalves Margerin, Monika Kalra Varma, and Salvador Sarmiento demonstrate not only how this decision affects hundreds of thousands of Dominicans of Haitian descent, but also how it creates a dangerous precedent for the region. Specifically, the authors argue that this recent decision provides a blueprint to consolidate similar discriminatory regimes. During their time at the Robert F. Kennedy Center for Justice & Human Rights, the authors worked closely with the late Sonia Pierre, a woman who courageously defended the rights of all Dominicans of Haitian descent, despite compromising her own safety and health for her outspoken resistance.

Even after atrocities have occurred, and even as a state begins to heal and move forward, states must work to protect the voices of the victims in order to prevent future human rights violations. Susana SáCouto and Katherine Cleary discuss these issues in the third article, arguing for a uniform and streamlined process that effectively protects the voices of these victims at the International Criminal Court. Recognizing the challenges facing the Court, the authors illuminate a way forward that could help ensure fair trials at the Court while adequately addressing the needs of victims.

Although the United States has historically maintained the belief that prisoners have lesser rights, Jacob Zoghlin demonstrates that the evolving standards of decency within the United States and internationally state otherwise. Zoghlin focuses on the needs of individuals within the criminal justice system in the United States, a system that subjects prisoners to extreme isolation for prolonged periods and as a measure of first resort. While some Americans find it easy to disregard rights of prisoners, Zoghlin discusses the systematic discrimination and disproportional punishment these individuals face, challenging the core of the American justice system.

Through their strength and perseverance, Dean Claudio Grossman and U.N. High Commissioner for Human Rights Navi Pillay have been instrumental in instituting groundbreaking reforms that enhance human rights protection throughout the world. American University Washington College of Law had the opportunity to host High Commissioner Pillay for a discussion on how treaty mechanisms enforce human rights for individuals and what needs to be done to increase the space in which individuals can participate in international treaty bodies. The *Human Rights Brief* interviewed Dean Claudio Grossman, Chair of the U.N. Committee against Torture regarding his recent appointment as Chair of U.N. Human Rights Treaty

Bodies, discussing the protection that human rights treaties and monitoring bodies afford individuals and identifying areas for improvement.

As a whole, these pieces represent the role of individuals in fighting injustice and defending human rights and the extraordinary effect of their courageous actions on the lives around them. As human rights lawyers, the *Human Rights Brief* strives to find inspiration in all places, from those closest to us, to those oceans away. We hope that each piece inspires readers to stand up and act, in any way, to protect those individuals at risk. With this, we would like to recognize a few of our personal human rights defenders. Christina Fetterhoff and Matthew Lopas, 2012–13 Co-Editors-in-Chief, are both uniquely and individually encouraging others to fight the good fight through their powerful voices. Hadar Harris is a fearless leader in the human rights movement in the U.S. and abroad, emphasizing the power of the voices of students and grassroots activists in creating meaningful change, and building the next generation of leading voices. Change can only be realized through individual actions and inspirations. As Mandela reminds us, “it always seems impossible until it is done.” **HRB**

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