

# Human Rights Brief

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Volume 11 | Issue 2

Article 14

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2004

## Center News/ Faculty and Staff Updates

Human Rights Brief

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### Recommended Citation

Human Rights Brief. "Center News/ Faculty and Staff Updates." Human Rights Brief 11, no. 2 (2004): 41-43.

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## CENTER NEWS/FACULTY AND STAFF UPDATES

### CENTER NEWS

In October and November, the Center's new Human Rights Defenders Speakers Series featured presentations from three noted human rights activists from around the world. Noted Iranian human rights activist Mehrangiz Kar spoke about her advocacy on behalf of women's human rights and rule of law, which led to her imprisonment in Iran and eventual medical release. Palestinian-Israeli attorney Dr. Yousef Jabareen spoke about the struggle for equal rights for Palestinians in Israel. Attorney Roseline Zigomo from Zimbabwe spoke about her experience defending white farmers against government efforts to nationalize their land. Each of the speakers talked about their personal journeys to human rights activism and why they do the work that they do, despite the personal risk and sacrifice that each has undergone.

The Center sponsored the world premiere of a series by filmmaker Gordon Quinn called *New Americans* which explores the experience of immigrants coming to the United States. A special panel discussion on immigration following the September 11 attacks followed the screening, with Gordon Quinn, Corey Smith from Human Rights First, Danielle Antonio from the Tahirih Justice Center and Professor Muneer Ahmad from the Washington College of Law participating. Additionally, the Center hosted a screening of *Bringing Down a Dictator* with a presentation by Jack DuVall, Executive Director of the International Center on Non-Violent Conflict. Both events were part of the fourth Human Rights Film Series and were co-sponsored by the American University Center for Social Media and the Kay Spiritual Life Center.

Together with WCL student organization Action for Human Rights, the Center co-sponsored the first of a series of Experiential Learning Projects, entitled, "Project Prisons, Crime and Custody in a Civilized Society: Taking a Walk on the Inside, the 21st Century Detention Center." Action for Human Rights' Experiential Learning Project takes students

from the classroom into the field to interact with the real people that live the issues talked about in the classroom. The project's goal is to humanize the learning experience, compliment participants' understanding of an issue, and charge learning with transformative potential. In four sessions, a group of twelve students visited local detention centers and penitentiaries to experience the prison environment with those who work and live there. Two more Experiential Learning Projects are planned for the spring, one focusing on the right to education and the debate over school vouchers, and a second on the struggle of prisoners to transition back into society after their release.

In collaboration with the Institute for Policy Studies, the Center sponsored a roundtable discussion on "Challenges to the Pinochet Precedent and the Globalization of Justice." The 1998 arrest of former Chilean dictator Augusto Pinochet in London represented one of the most important events in international human rights law since the Nuremberg trials. The proceedings against Pinochet sparked a chain reaction of cases against human rights abusers around the world. During the past five years, there have been both challenges and advances in the

effort to move towards a greater globalization of justice. The roundtable featured Reed Brody, Special Counsel for Prosecutions, Human Rights Watch; Joan Garcés, attorney who led the prosecution team in the Spanish case against Pinochet; Prof. Diane Orentlicher (invited), Washington College of Law; Peter Weiss, Vice President, Center for Constitutional Rights; Prof. Richard Wilson, Washington College of Law, and was moderated by Stacie Jonas, Director, Pinochet Case Project, Institute for Policy Studies.

Finally, this spring the Center will launch the Rwanda Commemoration Project, an effort to encourage and inspire universities, law schools, community groups and individuals around the world to mark the tenth anniversary of the Rwandan genocide. The United Nations has declared April 7th as the "International Day of Reflection on the 1994 Genocide in Rwanda" and in response, the Center has developed a resource booklet with programming ideas, bibliographies, resources and contact information for groups interested in planning commemorative events. The booklet can be downloaded from the Center's website or requested by emailing [humlaw@wcl.american.edu](mailto:humlaw@wcl.american.edu).



WCL students visit a correctional facility. The visit was sponsored by Action for Human Rights.

## FACULTY AND STAFF UPDATES

John Cerone, Executive Director of the War Crimes Research Office and adjunct professor at Washington College of Law (WCL), was awarded a fellowship to pursue research at the Max Planck Institute for Comparative Public Law and International Law (Institute) in Heidelberg, Germany. Professor Cerone will be in residence at the Institute from May through July 2004. He also recently finished two book chapters entitled "Explaining and Evaluating the UNMIK Court System" and "Reasonable measures in unreasonable circumstances: a legal responsibility framework for human rights violations in post-conflict territories under UN administration."

Robert K. Goldman, professor at WCL and Co-Director of the Center for Human Rights and Humanitarian Law (Center), finished his second and last term as a member of the Inter-American Commission on Human Rights on December 31, 2003. Professor Goldman, first elected in 1995, served as president of that body from March 1999 to March 2000. In January, he delivered a speech and paper on the role of the Inter-American Commission at a seminar organized by the Colegio de Mexico on "The Protection of Human Rights as a Challenge in the XXIst Century." He traveled to Mexico City again in February to discuss the work of the Commission at a conference on "Internal Displacement in the Americas" co-hosted by the Ministry of Foreign Affairs of Mexico and the United Nations.

Claudio Grossman, Dean of WCL and Co-Director of the Center, was elected vice-president and member of the United Nations Committee Against Torture on November 26, 2003. He published an article, "Suing the Sovereign from the Latin American Perspective," in *The George Washington International Law Review* (2003). Recent speaking engagements include keynote speeches at the "Inter-American Defense College on Human Rights in the Americas;" WCL Human Rights Defenders Speaker Series, "The Other September 11"; and at the Georgetown Speaker Series on the future

of protection of human rights. Dean Grossman participated as a panelist at the ABA Conference, "Free Trade and the Environment: Doing Business in the Americas after the U.S.-Chile Free Trade Agreement," in Santiago, Chile; and at the Washington Jewish Film Festival at which he commented on two films, "Asesino" and "Born in Buenos Aires." He also chaired a roundtable entitled "Anne Frank and the Tradition of Human Rights," at the Congress of Chile. He has had numerous interviews with a variety of media publications, including *Washington Jewish Week* regarding his appointment to the United Nations Committee Against Torture and *El Mercurio* regarding international legal issues in Latin America.

Hadar Harris, Executive Director of the Center, lectured on "The Road Map to the Regional System of Human Rights" as part of the "Munching on Human Rights" Series at WCL on November 11, 2003. On November 17, 2003, she coordinated and hosted a day-long study visit of law school deans and university presidents from Uzbekistan to learn about legal education for human rights. Ms. Harris conducted a training session on CEDAW and women's human rights for a high ranking delegation of women leaders from Iraq for the U.S. Department of State and the American Bar Association on November 18, 2003. She spoke to a delegation of Armenian human rights activists on "Human Rights, Foreign Policy and Domestic Implementation of International Norms" on December 8, 2003. Additionally, she conducted an intensive ten-day training for lawyers, researchers, and NGO activists on "CEDAW, Women's Human Rights and the CEDAW Assessment Tool" in Skopje, Macedonia, from December 12 to 21, 2003. Ms. Harris wrapped up year 2003 hosting a dinner in Tel Aviv, Israel, for nineteen alumni of the WCL Israel Civil Rights Fellowship Program on December 28.

Claudia Martín, professor at WCL and Co-Director of the Academy on Human Rights and Humanitarian Law, was awarded the Egon Guttman Casebook Award for the book, *The International*

*Dimensions of Human Rights: A Guide for Application in Domestic Law*, which she co-authored with Dean Claudio Grossman, Professor Robert K. Goldman, and Professor Diego Rodríguez Pinzón. In addition, in January 2004, she was appointed Treasurer of the Section on International Human Rights Law of the Association of American Law Schools.

Diane Orentlicher, professor at WCL and Co-Director of the Center, presented oral arguments as court-appointed amicus curiae before the Appeals Chamber of the Special Court for Sierra Leone, in Freetown, Sierra Leone, in October and November. Professor Orentlicher's briefs and oral arguments addressed the head-of-state immunity claim of former Liberian president Charles Taylor and whether the court should defer to the amnesty provision in the 1999 Lome Accord. In December, Professor Orentlicher participated in an experts workshop in Geneva organized by the UN Office of the High Commissioner for Human Rights in connection with a study on impunity that she was appointed to prepare for the Commission on Human Rights. Professor Orentlicher presented commentary concerning the capture and trial of Saddam Hussein to news organizations and programs, including *The New York Times*, the *Washington Post*, NPR, PBS's "The News Hour with Jim Lehrer," "NBC Nightly News with Tom Brokaw," and ABC's "Nightline." Professor Orentlicher also contributed chapters to several books that were published in December.

Diego Rodríguez Pinzón, professor at WCL and Co-Director of the Academy on Human Rights and Humanitarian Law, was invited as guest lecturer to the "V Convención Latinoamericana de Derecho (V Latino-American Meeting of Law)" in Cochabamba, Bolivia, held on November 24-28, 2003. The presentation delivered was entitled, "Forms of Interaction between International Human Rights Law and the Constitutional Framework." He discussed the different modalities of interaction between international human rights law and national legal systems, including new trends in national

legislation of certain countries that give legal effect to the decisions of international human rights bodies. He also presented a brief overview of the Inter-American Human Rights System. The meeting was attended by lawyers from Argentina, Brazil, Bolivia, Chile, Colombia, Costa Rica, Cuba, Ecuador, Mexico, Panama, Peru, Paraguay, Uruguay, Venezuela, United States, Spain and Italy. He was also interviewed by several Cochabamba media outlets.

Herman Schwartz, professor at WCL and Co-Director of the Center, organized and moderated a conference on "Islam and Democracy: Turkey," together with Istanbul Bilgi Law School on January 28-29. Professor Schwartz was interviewed by a Los Angeles public radio station on December 21, 2003. On December 9, 2003, he was asked to consult with the U.S. State Department on contents of a

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constitutional law journal. On October 14, Professor Schwartz gave an address entitled, "The New Federalism," at the Cosmos Club. He also participated as a panelist at the Cosmos Club on "Jewish Lawyers in American Life," a panel held on November 4.

Richard Wilson, professor at WCL and Co-Director of the Center, published the articles, "Argentine Military Officers Face Trial in Spanish Courts" in *ASIL Insights*; and "Growth of the Access to Justice Movement in Latin America: The Chilean Example, Justice Initiatives" in the *Newsletter of the Open Society Justice Initiative* in December 2003. He also wrote "Comments on the Guidelines for the Performance of Defense Counsel in Death Penalty Cases, Revised Edition," in the *Hofstra Law Review* (2003). Additionally, Professor Wilson was a participant in a panel entitled, "The Avena

Case in the International Court of Justice (Mexico v. United States of America): Can International Law Stop the Death Penalty?," at the Annual Meeting of the Association of American Law Schools in Atlanta, Georgia, held in January 2004. He also spoke on "Using International Human Rights Law in Poverty Law Cases in the Domestic Courts of the United States," at the Annual Convention of the National Legal Aid and Defender Association in Seattle, Washington, on November 2003; as well as on "The Guiding Hand of Counsel: Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases," in a symposium on international law Issues in death penalty defense at Hofstra University School of Law in Hempstead, New York, in October 2003. *HRB*

## The Rwanda Commemoration Project: Genocide in Our Time



Drawing courtesy of Richard A. Salem, from *Witness to Genocide, The Children of Rwanda*.

April 7, 2004 marks a decade since nearly one million Rwandans were slaughtered in less than one hundred days. Have we learned the lessons Rwanda has to teach us? The Center for Human Rights and Humanitarian Law at American University, Washington College of Law, has developed the **Rwanda Commemoration Project** to encourage law schools, universities, NGOs, community groups, and others to commemorate the anniversary of this modern-day genocide, and use it as a lesson, reminder, and warning about genocide in our time.

The Center has created a Resource Booklet with programming ideas, reading lists, and other useful information to help groups commemorate the anniversary. The booklet can be obtained from the Center by emailing [humlaw@wcl.american.edu](mailto:humlaw@wcl.american.edu) or it can be downloaded from the Center's website at: <http://www.wcl.american.edu/humright/center.cfm>.

### Genocide can happen again.

**It has happened and will continue to happen unless we stay vigilant, learn, and apply the lessons of our recent past.**