

# Human Rights Brief

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## Center News

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## CENTER NEWS

During the Spring semester, the Center for Human Rights and Humanitarian Law hosted a variety of panels, conferences, and other interesting events. On March 31–April 1, Dianne Orentlicher and the Center's War Crimes Research Office cosponsored a two-day conference, **War Crimes Tribunals: The Record and the Prospects** with the American Society of International Law. More than two hundred people attended the conference that focused on the Tribunals' work in the former Yugoslavia and Rwanda. The conference marked the first time that both the Rwanda and Yugoslavia Tribunals came together for joint discussion and evaluation of their work. Distinguished panelists included Gabrielle Kirk McDonald, President of the ICTY and ICTR, Louise Arbour, Chief Prosecutor for ICTY and ICTR, as well as many other internationally recognized legal scholars and practitioners who discussed the Tribunals' track record and their future. Panelists and conference participants also discussed how these *ad hoc* tribunals will effect the development of international humanitarian law. Panel topics included *The Prosecutor vs. Dusko Tadić*; The Rwanda Tribunal and Its Relationship to National Trials in Rwanda; The Contribution of the *Ad Hoc* Tribunals to International Law; and Tribunal Justice: The Challenges, the Record, and the Prospects. WCL Professor Diane Orentlicher moderated the last session of the two-day conference that focused on the realities and challenges of the tribunals from the perspectives of tribunals' investigators, legal scholars, and journalists in the field.

The transcripts from speeches made by notable panelists at the conference will be published in full in WCL's International Law Review this fall. WCL's Pro Bono Committee sponsored a WCL Founder's Week conference entitled: **Death Knell for the Death Penalty: Abolishing the Death Penalty in the U.S. and Internationally**. The conference on April 2, featured WCL Professor Richard Wilson, Director of the International Human Rights Law Clinic, who moderated the panel and began the session with a case study of a death row inmate. The other featured panelists included

Steve Bright, Director of the Southern Center for Human Rights in Atlanta who discussed his work on behalf of death row inmates and the lack of proper legal representation. The other panelist was Elisabeth Semel, Director of the ABA Death Penalty Representation Project, who discussed her efforts to abolish the death penalty in the U.S. and overseas.

WCL Founder's Week events continued with a conference on **Microcredit and Small Enterprise Lending Programs by Non-Profits for International and Domestic Economic Development** held on April 3. WCL Professor Kenneth Anderson organized the event that featured panelists from non-profit organizations and other international organizations such as Zayneb Salbi, President of the NGO, Women for Women in Bosnia, Livingston Parsons, Senior Director for U.S. Microenterprise, as well as WCL Professor Perry Wallace and visiting Professor Louise Howell. They discussed the financial, legal, and regulatory innovations in microfinance and the implications of creating a secondary market in microfinance debt and other financial assets.

WCL was host to a conference on **Neutrality, Morality & the Holocaust** on April 23, sponsored by the Federal Bar Association, International Law Institute, B'nai B'rith, Washington Foreign Law Society, and the International Association of Jewish Lawyers & Jurists. The conference brought together distinguished scholars, diplomats and religious figures to discuss the point in which neutrality becomes complicity to international crimes. Stuart Eizenstat, U.S. Under Secretary of State, provided the keynote address discussing U.S. & Allied efforts to recover gold and other assets stolen by Germany during the World War II. WCL professors Diane Orentlicher, Herman Schwartz, Egon Guttman, and WCL Dean Claudio Grossman participated in the conference.

The Center's **Inter-American Human Rights Digest Project** received another grant from the Dutch government this year and during the second week of April, Leo Zwaak, Senior Researcher of the Netherlands Institute of Human Rights (SIM) and the External Advisor

of the Digest, visited the Digest Project. The Project's co-directors is composed of attorneys Claudia Martin (LL.M. '94) and Diego Rodríguez Pinzón (LL.M. '94).

The Project will soon release a web site for public use called the **Inter-American Human Rights Digest Library**, which will include the full-text of decisions and documents of the Inter-American Commission on Human Rights from 1960 through 1997. The web site will be available in both Spanish and English and will be found in the Center's electronic library at <http://www.wcl.american.edu/pub/humright/home.htm>. For further information, contact [cmartin@wcl.american.edu](mailto:cmartin@wcl.american.edu) or [drodrig@wcl.american.edu](mailto:drodrig@wcl.american.edu). The Digest Project will also be publishing a book, *Repertorio de Jurisprudencia del Sistema Interamericano de Derechos Humanos—La Corte Interamericana de Derechos Humanos 1980-1997*. This book will be the first product of the Digest Project to be used as a research tool for lawyers throughout the Americas and will be made available in English in the near future.

Another Center event was the third Annual **Inter-American Human Rights Moot Court Competition** which was held from May 18-22 at WCL. This Competition is the first bilingual competition of its kind and this year featured 34 teams from schools in 16 countries. The Peruvian and Panamanian teams registered this year for the first time in the competition. Teams from Argentina, Brazil, Canada, Chile, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Paraguay, Puerto Rico and the United States registered as well. In addition, the Swedish Human Rights Foundation agreed to provide funding for teams that would not be able to participate in the competition without a grant.

This year's hypothetical case, *Romulo Estrada v. Ithaka*, focused on the issues of prior censorship, constitutional powers of the President, due process considerations, national security, and intelligence laws in the context of freedom of expression under the

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From left: Susana Albanese, Advisor to the Universidad de Buenos Aires (UBA); Jorge Taiana\*, Executive Secretary, Inter-American Commission for Human Rights; Leonardo Filippini (UBA); Maria Cecilia Piñero (UBA); Associate Justice Stephen G. Breyer\*\*, U.S. Supreme Court; Ingrid Hamann, Advisor to University of Florida College of Law (U of F); Professor Dinah Shelton\*, Notre Dame Law School; Rusten Hurd (U of F); Mark L. Schneider\*, United States Agency for International Development; Cynthia Lee (U of F); Dean Claudio Grossman\*, WCL; Carlos Portales Cifuentes\*, Ambassador, Permanent Mission of Chile to the OAS; Professor Robert K. Goldman\*, WCL; and Julio Prado Vallejo\*, Ambassador, Permanent Mission of Ecuador to the OAS.  
\*indicates judges of the Honor Panel/\*\*indicates presiding judge

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American Convention of Human Rights. As WCL Dean Claudio Grossman noted, the topic is of particular interest to the Hemisphere because the Inter-American Commission on Human Rights has recently created the position of Special Rapporteur for the freedom of the press in response, partly, to the fact that over 188 journalists have been killed in the Hemisphere in the last six years.

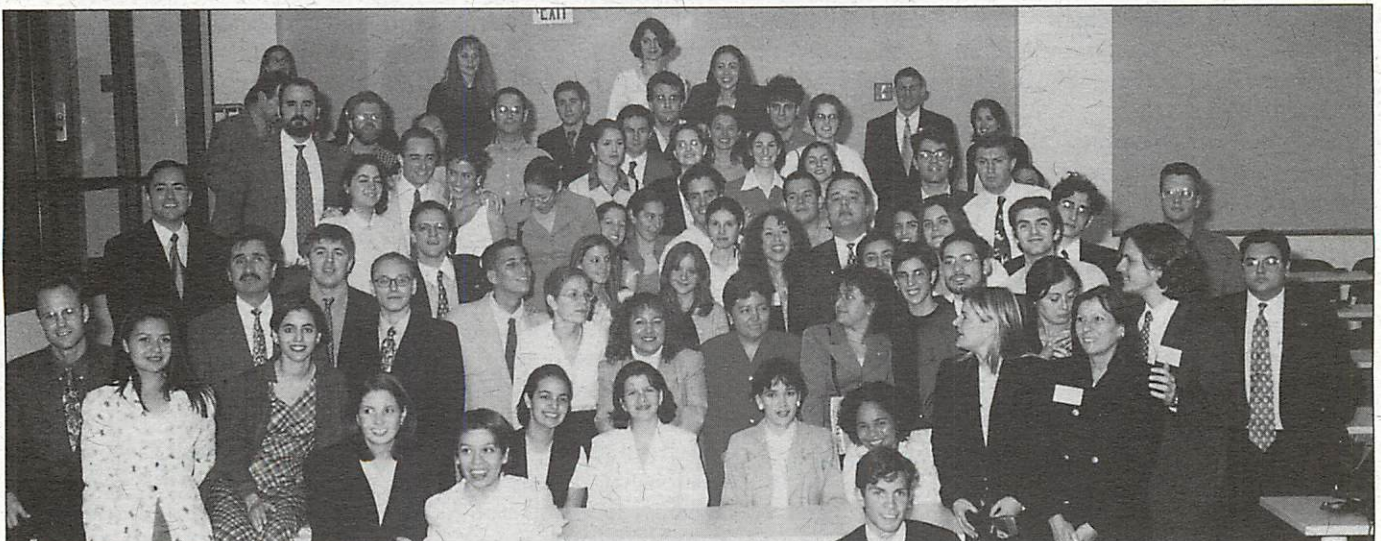
The competition brought teams from throughout the Hemisphere together to argue this human rights case before a panel of distinguished judges. Most notably, U.S. Supreme Court Justice Stephen Breyer presided over the honor panel of judges that heard the final round of arguments in the competition. In addition to Justice Breyer, the following individuals also served as Honor

Panelists: Carlos Portales Cifuentes, Ambassador, Permanent Mission of Chile to the OAS; Professor Robert Goldman, WCL; Dean Claudio Grossman, WCL; Mark L. Schneider, USAID; Professor Dinah Shelton, Notre Dame Law School; Jorge Taiana, Executive Secretary, Inter-American Commission on Human Rights (IACHR); and Julio Prado Vallejo, Ambassador, Permanent Mission of Ecuador to the OAS.

The teams that advanced to the Final Round were the Universidad de Buenos Aires (Argentina), representing the Petitioners, and the University of Florida College of Law (United States), representing the State. The Universidad de Buenos Aires received the highest overall score in the competition.

As part of the competition there were two panel discussions which took place

on May 21, 1998. The first discussion was titled "Freedom of Expression as a Human Right in the Americas: Journalists' Perspective of the Challenges Ahead." The panelists were Santiago Cantón, Director of Public Information, OAS; Armando Guzmán, Washington Correspondent, UNIVISION; Joel Simon, Committee to Protect Journalists; Antoine Yared, Representative of Journalists Without Borders; and Jorge Elias, La Nación (Argentina). The second discussion was titled "Developments in the Inter-American Human Rights System." The panelists were Professor Robert Goldman, WCL; Dean Claudio Grossman, WCL; Professor Dinah Shelton, Notre Dame Law School; and Ambassador Jorge Taiana, Executive Secretary, IACHR. 🌐



Participants representing thirty-four schools from eighteen countries.