Center News and Faculty Updates

Human Rights Brief
CENTER NEWS

The Center for Human Rights & Humanitarian Law was established in 1990 to provide scholarship and support for human rights initiatives internationally and within the United States. Located at American University Washington College of Law, the Center works with students, academics, and practitioners to enhance the understanding and implementation of human rights and humanitarian law worldwide. The Center explores emerging intersections in the law and seeks to create new tools and strategies for the creative advancement of international norms.

In addition to a variety of core projects, the Center provides ongoing student programming, which includes skills development seminars, lunchtime learning sessions, and a robust program of more than fifty conferences and events per year. The following is a brief update of some of the most recent developments at the Center for Human Rights & Humanitarian Law.

TRIAL OBSERVATION TEAM SENT TO MONITOR GENOCIDE TRIAL IN GUATEMALA

The Center sent Human Rights Brief Co-Editor-in-Chief Christina Fetterhoff (2L) and UNROW Impact Litigation Clinic Director Ali Beydoun to Guatemala to observe the trial of former President José Efraín Ríos Montt and former Chief of Military Intelligence José Mauricio Rodríguez Sánchez on charges of Genocide. The trial was the first domestic prosecution of a former head of state in a domestic court for charges of genocide. The observer team was in Guatemala for five days and sent Twitter dispatches and original legal analysis pieces which were published through the Human Rights Brief. The American University Washington College of Law is one of the only (if not the only) law school in the United States to send student observers to the trial. The Special Coverage of the Ríos Montt trial can be found at www.hrbrief.org.

PROGRAM ON HUMAN RIGHTS EDUCATION

The Center’s Program on Human Rights Education aims to promote interest in and enhance understanding of human rights through teaching, academic study, and innovative training opportunities.

CENTER AND ASIL’S LIEBER SOCIETY ON ARMED CONFLICT ANNOUNCE WINNERS OF THIRD ANNUAL INTERNATIONAL HUMANITARIAN LAW STUDENT WRITING COMPETITION AND HOST CONFERENCE ON INTERSECTION OF DISABILITY AND IHL

A high level panel of IHL experts selected the winners of the third annual International Humanitarian Law Student Writing Competition, which received 42 submissions from law students representing eleven different countries. The Competition is designed to promote interest and enhance scholarship in the field of IHL among law students around the world and culminated in a conference held on April 3, 2013, at WCL. The winners presented their papers in discussion with a panel of high level IHL experts from around the world.

First-place winner Antoine Perret is a PhD law student at the European University Institute in Florence, Italy. His winning paper is titled, In the Crosshairs: The Spirit of International Humanitarian Law in the War on Drugs. Second-place winner Sharad Bansal is a law student at the National Law School of India University in Bangalore, India. His winning paper is titled, Individuals’ Right to Reparations for Violations of International Humanitarian Law.

As part of the conference, the Center convenes an annual discussion of emerging intersections in international law. This year, the conversation focused on the cutting-edge intersection of IHL and Disability Rights, featuring Janet Lord, Senior Partner of BlueLaw International, LLP; Stephanie Ortoleva, Founder and President of Women Enabled and former attorney for the U.S. Department of State; and Center Executive Director Hadar Harris. The webcast of the discussion can be downloaded at www.WCLCenterforHR.org.

Center Executive Director Hadar Harris and (Ret.) Col. Dick Jackson, Chairperson of the ASIL Lieber Society on the Law of Armed Conflict, with first-place winner Antoine Perret

Christina Fetterhoff and Ali Beydoun at the Human Rights Plaza in front of the courthouse in Guatemala City where the Rios Montt trial was held.
Center Executive Director Hadar Harris and (Ret.) Col. Dick Jackson, Chairperson of the ASIL Lieber Society on the Law of Armed Conflict, with second-place winner Sharad Bansal

**Center’s Project on Human Rights Education in Colombia Holds First Faculty Training Workshop in Cali, Colombia; Welcomes Delegation of Colombian Human Rights Faculty to WCL**

The Center is leading an initiative to partner with two law schools in Cali, Colombia to help enhance their teaching of human rights. The first of a series of faculty training workshops in this project was held February 14-16 at Universidad Santiago de Cali and Pontificia Universidad Javeriana Cali in Cali, Colombia. Center Human Rights Education Program Director Melissa del Aguila accompanied Professors Jayesh Rathod and David Baluarte who led an intensive three-day workshop for key human rights faculty at the two law schools with which the Center will be working over the coming three years as part of the Human Rights Teaching and Research Partnership Program. The United States Agency for International Development (USAID), through Higher Education for Development (HED), sponsors this program.

In addition, from March 18-22, the Center hosted its first study visit for Colombian law faculty as part of this program. Visiting faculty from Universidad Santiago de Cali and Pontificia Universidad Javeriana Cali had the opportunity to observe human rights courses and programming at WCL; had focused interaction with WCL faculty teaching and conducting research on international human rights law issues; and met with attorneys and human rights specialists from the Inter-American Commission on Human Rights. WCL Professors Richard Wilson, Macarena Sáez, Jayesh Rathod, and David Baluarte joined Center Human Rights Education Program Director Melissa del Aguila and Center Executive Director Hadar Harris in hosting key human rights faculty from these two law schools.

**Anti-Torture Initiative**

The Center’s Anti-Torture Initiative (ATI) supports the mandate of the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment (SRT) through engaging in follow-up activities and deepening the impact of his work throughout the world.

**First-Ever Substantive Follow-Up Report on UN Special Rapporteur on Torture (SRT) Recommendations Presented to UN Human Rights Council**

The ATI helped draft the first-ever substantive follow-up report on recommendations by the UN Special Rapporteur on Torture (SRT). The Special Rapporteur, WCL Professor Juan Méndez, generated these recommendations from his follow-up visit to Uruguay in December 2012. The ATI also helped prepare for the SRT’s presentation of the report before the UN Human Rights Council in March 2013. This report provides a substantive analysis of efforts in Uruguay to implement the SRT’s recommendations and provides further recommendations for eliminating torture and cruel, inhuman and degrading treatment or punishment in that country. Published by the United Nations, the report is available at www.antitorture.org.

**SRT Presents Thematic Report on Torture in Health Care Settings to UN Human Rights Council**

The SRT presented a thematic report on torture in health care settings to the UN Human Rights Council during its March 2013 session. The report, published by the United Nations, was informed by a two-day expert discussion convened by the Center with a grant from the Open Society Foundations. Professor Juan Méndez also discussed the report with civil society organizations at a well-attended side event in Geneva, which the ATI helped coordinate. Participating organizations included the Open Society Foundations, Mental Disability Advocacy Center, and the Center for Reproductive Rights.

**SRT Participates in Inter-American Commission on Human Rights’ Hearing on Solitary Confinement in the Americas, Marking First Time SRT Has Participated in Commission Hearing**

For the first time ever, the SRT participated in a hearing before the Inter-American Commission on Human Rights (IACHR). The hearing, which took place in March 2013 at the IACHR’s 147th session, focused on solitary confinement in the Americas. The ATI supported the request, submission, and presentation of the SRT, and collaborated with the American Civil Liberties Union (ACLU) in requesting the thematic hearing. Significantly, the IACHR recently released a statement endorsing the SRT’s recommendations calling for banning prolonged solitary confinement for the first time. The SRT’s thematic report on solitary confinement can be found at www.antitorture.org.
**PROGRAM ON HUMAN RIGHTS OF PERSONS WITH DISABILITIES**


**CENTER HOLDS TRAINING WORKSHOP TO PROMOTE ACTION AND ADVOCACY ON THE RIGHTS OF PERSONS WITH DISABILITIES**

On March 1, the Center held a day-long training on using the Convention on the Rights of Persons with Disabilities (CRPD) for advocacy and action to promote human rights of persons with disabilities. The training, entitled Human Rights, Yes!, was co-sponsored by One Billion Strong (OBS) and was facilitated by disability rights experts Janet Lord and Allison DeFranco, who are part of the OBS Human Rights Education Team.

**CENTER HOSTS LAUNCH OF NATIONAL COUNCIL ON DISABILITY REPORT EXAMINING THE ACCESSIBILITY OF OVERSEAS FACILITIES AND PROGRAMS FUNDED BY THE U.S.**

On March 21, the Center and the National Council on Disability (NCD) convened a lunchtime panel to mark the launch of the NCD report, *Toward the Full Inclusion of People with Disabilities: Examining the Accessibility of Overseas Facilities and Programs Funded by the United States*. The report reviews U.S. federal disability laws, the United States Agency for International Development’s (USAID) disability policy, and the Convention on the Rights of Persons with Disabilities (CRPD), and discusses their application to U.S. foreign assistance programs. The report provides recommendations to strengthen the operation of the Department of State, USAID, and the Department of Defense by ensuring that the U.S. Government is accessible to and inclusive of people with disabilities. Panelists included representatives from the Department of State, USAID, and the report co-authors.

**OVER 120 ADVOCATES PARTICIPATE IN ONLINE BRIEFING ON KIOBEL V. ROYAL DUTCH PETROLEUM ONE WEEK AFTER DECISION IS HANDED DOWN BY U.S. SUPREME COURT**

The Center hosted an online briefing on the future of human rights litigation in U.S. courts following the U.S. Supreme Court’s decision in *Kiobel v. Royal Dutch Petroleum*. The decision changes the possible application of the Alien Tort Statute and may limit the types of cases which may be brought in U.S. courts. The briefing featured Paul Hoffman, lead counsel to Plaintiffs and the lawyer who argued the case at the Supreme Court; Katie Redford, Director of EarthRights International; and WCL Prof. Diane Orentlicher, former Deputy Director of the Office of War Crimes at the U.S. Department of State. Over 120 people joined the call, which was held one week after the decision came down. The briefing was co-sponsored by the Center, the Columbia Human Rights Institute and the WCL Program on International and Comparative Environmental Law. The recording of the event can be downloaded at www.WCLCenterforHR.org.

**LOCAL HUMAN RIGHTS LAWYERING PROJECT LAUNCHES NATIONAL SOCIAL MEDIA CAMPAIGN**

The LHRL recently launched a large-scale social media campaign designed to expand the work of the LHRL Project among the legal services community across the country. Every day for a month the Local Human Rights Lawyering Project posted tips for legal aid, public defender, and other public interest attorneys on how to integrate human rights into everyday work. Please join our campaign and receive daily human rights tips by “liking” us on Facebook (https://facebook.com/LHRLawyering) or “following” us on Twitter (@LHRLawyering).

**INITIATIVE FOR HUMAN RIGHTS IN BUSINESS**

The Center’s Initiative for Human Rights in Business is devoted to the promotion of human rights and justice for people adversely affected by business and economic activity around the world. The Initiative consists of two core projects in development: Accountability for the Security Sector in Risk Environments (ASSURE) and the Financial Humanity Project (FHP). ASSURE seeks to foster rights respecting behavior by private military and security companies through strategic engagement with industry leaders and key stakeholders. FHP strives to improve access to affordable food to those at greatest risk of hunger resulting from...
uncontrolled speculation in global commodity investments.

Initiative Co-Director Dr. Rebecca DeWinter-Schmitt Participates in Civil Society Drafting Conference for International Code of Conduct for Private Security Service Providers in Montreux, Switzerland

On February 19-22, Rebecca DeWinter-Schmitt, Co-Director of the Center’s Initiative for Human Rights in Business (IHRIB), participated in a conference to finalize the Montreux “Articles of Association,” a document for multi-stakeholder organizations to oversee implementation of the International Code of Conduct for Private Security Service Providers (ICOC), which were released by the Swiss government on January 30. Civil society signatories recognize the Association as a positive step towards increasing transparency and disclosure about the activities of the private security industry, holding security providers accountable for human rights violations, and providing one possible outlet to access remedy for victims of rights abuses.

IHRIB Co-Directors Rebecca DeWinter-Schmitt and John Richardson Participate in Conference on International Commodity Price Fluctuations at the International Monetary Fund

On March 20-21, Rebecca DeWinter-Schmitt and John Richardson, the Co-Directors of the IHRIB joined industry leaders from around the world for a two-day conference, Understanding International Commodity Price Fluctuations, co-sponsored by the Research Department of the International Monetary Fund and the Oxford Centre for the Analysis of Resource Rich Economies at Oxford University.

Webcasts and podcasts of all Center events are available for free download at www.WCLCenterforHR.org.

Faculty Updates

Claudio Grossman is a Professor of Law, Dean of the American University Washington College of Law (WCL), and the Raymond Geraldson Scholar for International and Humanitarian Affairs. Since 2008, Dean Grossman has served as Chair of the United Nations Committee Against Torture and in May 2012 he was unanimously reelected chair for a third consecutive term. He continues to serve on the board of directors for the Robert F. Kennedy Center for Justice & Human Rights (RFK Center), as well as on the RFK Center’s judging panel for the RFK Human Rights Award, and on the board of the International Association of Law Schools.

On February 15, the North American-Chilean Chamber of Commerce named Dean Grossman the Chilean Academic of the Year. Additionally, the Universidad de Chile appointed Dean Grossman to the Editorial Board of the International Law Department of the Law School. Dean Grossman also participated as a panelist at the Organization of American States at the Formal Panel Presentation of the Report on the Rights of Persons Deprived of Liberty in the Americas, Inter-American Commission on Human Rights Rapporteur on Persons Deprived of Liberty in the Americas on March 15. In his role as Dean of the Law School, Dean Grossman co-organized, along with the Carter Center and the Due Process of Law Foundation, an informal private conversation with President Jimmy Carter and Ambassadors of the Organization of American States (OAS) about the proposed reforms to the Inter-American Human Rights System.

Dean Grossman gave an interview to NTN 24 on February 14 on Argentina’s agreement with Iran to establish a fact-finding committee to investigate the 1994 bombing of the Asociación Mutual Israelita Argentina (AMIA) in Buenos Aires. Dean Grossman’s interview was subsequently published in the La Nación newspaper on February 13.

Susana SáCouto is a Professorial Lecturer-in-Residence at WCL where she teaches courses on advanced topics in international criminal law and procedure, gender and human rights law, and international legal responses to conflict-based sexual and gender-based violence. She is also the Director of the War Crimes Research Office (WCRO) and WCL’s Summer Law Program in The Hague. Professor SáCouto served as the co-chair of the Women’s International Law Interest Group of the American Society for International Law (2006-2009 term), and was awarded The Women’s Law Center 22nd Annual Dorothy Beatty Memorial Award for significant contributions to women’s rights.

On February 20, Professor SáCouto moderated a discussion on Examining the United Nations War Crimes Commission: Lessons from over 2,000 World War Two-era Trials, hosted by the WCRO at WCL. On March 18, she moderated a discussion on Ongoing War Crimes and Crimes Against Humanity Investigations within Syria, a WCRO War Crimes Speaker Series event held at WCL and co-sponsored by the American Red Cross. On April 4, she moderated a discussion on The International Criminal Court and the Dynamics of Complementarity at the 2013 Samuel Dash Conference on Human Rights entitled Jurisdiction for Mass Atrocities, hosted by Georgetown University Law Center’s Human Rights Institute.

Richard Wilson is a Professor of Law and founding Director of the International Human Rights Law Clinic at WCL. Professor Wilson serves on the Board of Ensaaf, a human rights NGO in India. Professor Wilson has presented three cases before the Inter-American Court of Human Rights and authored friend-of-the-court briefs on behalf of the European Union in the United States Supreme Court successfully arguing that international law prohibits capital punishment for juveniles and for persons with mental retardation.

Professor Wilson published an article entitled “Omar Khadr: Domestic and International Litigation Strategies for a Child in Armed Conflict” in the Santa Clara Journal of International Law and wrote a book review of Reimagining Child Soldiers in International Law and Policy by Mark Drumbl in Human Rights Quarterly. Additionally, Professor Wilson served as moderator on a panel hosted by the Women’s Law Association at Washington College of Law in March on A Look at Current Trends and Cases of Gender-Based Violence in the Americas.
He also gave an interview on Guantanamo prisoners’ hunger strike for Press TV on March 2, 2013.

Professor Wilson gave a guest lecture on Dynamics of Conflict, Cooperation and Negotiation: Guantanamo and other Diplomatic Disasters at the Alfonso X University in Madrid, Spain and a lecture on Las clínicas jurídicas y la lucha por los derechos: la recuperación de la memoria histórica in Valencia, Spain in March. In his role as an international scholar, Professor Wilson conducted a site visit on Law Faculty of the American University of Central Asia for the Open Society Foundation’s Higher Education Support Program in Bishkek, Kyrgyzstan in December.

Robert Goldman is Louis C. James Scholar and Professor of Law at Washington College of Law. He also serves as Co-Director for the Center for Human Rights and Humanitarian Law, and is a faculty director of the War Crimes Research Office. From 1996 to 2004, he was a member of the Organization of American States’ Inter-American Commission on Human Rights, and its president in 1999. From July 2004 to July 2005, Goldman was the UN Human Rights Commission’s Independent Expert on the protection of human rights and fundamental freedoms while countering terrorism. In October 2005, the International Commission of Jurists (ICJ), the Geneva-based NGO, named him one of the eight jurists on the Eminent Jurists Panel on Terrorism, Counter-Terrorism and Human Rights.

Recently Professor Goldman was reelected to a second term as a Commissioner of the ICJ and reelected to a third term as a member of the ICJ’s Executive Committee. In April 2013, Professor Goldman wrote an article entitled Extraterritorial Application of the Rights to Life and Personal Liberty, Including Habeas Corpus, During Situations of Armed Conflict that appeared as a chapter in Research Handbook on Human Rights and Humanitarian Law, edited by Robert Kolb and published by Edward Elgar Publishing.

Claudia Martin is Co-Director of American University WCL Academy on Human Rights and Humanitarian Law and Professorial Lecturer in Residence. Professor Martin published Terrorism as a crime in international and domestic laws: open issues, in Counter-Terrorism, Human Rights and International Law: Meeting the Challenges. In February 2013, she served as a member of the Honor Jury at the Academy on Human Rights and Humanitarian Law Annual Human Rights Essay Competition. Also, she served as a judge for the International Humanitarian Law Student Writing Competition organized by the Center for Human Rights and Humanitarian Law at WCL. On February 22, 2013, she presented on “The jurisprudence of the Inter-American Court of Human Rights: Challenges Ahead,” at the Law School of Universidad Marista, Mérida, Mexico. From March 13-15, 2013, Professor Martin participated in a Faculty Colloquium at the University of Buenos Aires, where she presented on “Rape as torture in the case-law of the Inter-American Human Rights System.” Also, on March 2, 2013, Prof. Martin lectured on “The Powers of the Inter-American Court of Human Rights” for students of the Masters in Human Rights Program at the Law School of Universidad Sergio Arboleda in Bogotá, Colombia. Furthermore, on April 12, 2013, she presented on “The debate of the characterization of rape as torture in international law: challenges ahead” for a Faculty Colloquium at the Institute of Technological Studies (ITAM) in Mexico, and lectured on the “The Inter-American Human Rights System” to students of the Masters in Human Rights Program at ITAM, from April 12-13, 2013.

Diego Rodríguez-Pinzón is a Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law at WCL. His recent articles include Precautionary Measures of the Inter-American Commission on Human Rights: Legal Status and Importance (Human Rights Brief, Volume 20, Issue 2, Winter 2013); and The Inter-American Commission on Human Rights: Annotations about its supervisory role (La Comisión Interamericana de Derechos Humanos: Apuntes sobre su Labor de Supervisión), published by the Escuela Libre de Derecho, in Mexico City, Mexico (2013).

He recently finalized a research project with faculty of Gent University in Belgium. The product of such endeavor is a comprehensive article exploring the interim measures of the Inter-American Commission on Human Rights titled Precautionary Measures issued by the Inter-American Commission on Human Rights (with Clara Burbano Herrera) which will be published in a book entitled Preventing Violations of Human Rights: Are Urgent, Interim or Provisional Measures an Adequate Tool in Human Rights Litigation?

On April 16, 2013, he participated as panelist in the conference “Litigation Before the UN Committee against Torture: Strengthening This Important Tool Against Torture.” He participated in a panel discussing the interim measures of the Committee Against Torture by providing a comparative perspective with the Inter-American Commission on Human Rights. The conference was co-sponsored by the World Organization against Torture (OMCT) and the Washington College of Law.

On April 22-26, 2013, Professor Rodríguez-Pinzón participated once again as invited faculty to teach the course “The Inter-American Human Rights System” at the University of Deusto in Bilbao, Spain. The course is part of a collective academic endeavor of a network of universities including the following: the University of Vienna in Austria, Catholic University of Leuven in Belgium, the University of Copenhagen in Denmark, the University of Helsinki in Finland, the University of Strasbourg in France, the University of Hamburg in Germany, the National University of Ireland Galway, Ca’ Foscari University of Venice in Italy, the University of Coimbra in Portugal, Lund University in Sweden, Utrecht University in The Netherlands, and the University of Nottingham in the United Kingdom, among others.

Additionally, he is a correspondent for the British periodical Butterworths Human Rights Cases, covering the Americas, and for the Netherlands Human Rights Quarterly covering the Inter-American System. He served as Ad Hoc Judge in the Inter-American Court of Human Rights between 2007 and 2011 and has worked litigating cases before the Inter-American and United Nations systems, as well as providing advice to international organizations, non-governmental organizations, academic institutions and governments.