
CENTER FACULTY/STAFF NEWS

John Cerone, the new Executive Director of the War Crimes Research Office at American University's Washington College of Law (WCL), has worked as a human rights lawyer with the United Nations Mission in Kosovo, and as a legal consultant for the International Secretariat of Amnesty International. He also has served as Legal Advisor to the Attorney General of Sierra Leone in the government's negotiations with the UN on the establishment of the Special Court for Sierra Leone. In June 2001, Mr. Cerone published an article entitled "Minding the Gap: Outlining KFOR Accountability under International Human Rights and Humanitarian Law in Post-Conflict Kosovo," in the *European Journal of International Law*. In July, he appeared on C-SPAN's "Washington Journal" to discuss the Hague Tribunal and the transfer of Slobodan Milosevic to the UN Detention Unit in The Hague, Netherlands. In August and September, he traveled to the Federal Republic of Yugoslavia as a member of a team of humanitarian law experts to train Yugoslav judges and prosecutors in the laws of war and international criminal law. In October, Mr. Cerone spoke at an American Society of International Law Conference entitled "To War, To Court, To Both?" He discussed the law of state responsibility in the context of the September 11, 2001, terrorist attacks on a panel entitled "Armed Conflict, Terrorism, and the Law."

Robert K. Goldman, Professor of Law and Co-Director of the Center for Human Rights and Humanitarian Law (Center), currently serves as a member of the Inter-American Commission on Human Rights (IACHR) and as a member of the Board of the Inter-American Institute of Human

Rights in San Jose, Costa Rica. In May 2001, he traveled to Bogotá, Colombia, to preside over two days of meetings with government officials and representatives of NGOs to review the status of provisional measures granted by the IACHR to protect persons in that country. In July, as the IACHR's delegate, he argued cases against Colombia and Argentina before the Inter-American Court of Human Rights (Court), and again traveled to Colombia to participate in the exhumation ordered by the Court in Mocoa, Putumayo. In July, Professor Goldman spoke at a seminar in Belize organized by the IACHR to help train lawyers and judges from the Western Caribbean on the workings of the Inter-American human rights system.

Claudio Grossman, Dean, Co-Director of the Center, and member of the IACHR, has published numerous books and articles since April 2001, including: *Analyzing Communications: The Experience of the Inter-American Commission on Human Rights*; *The Inter-American System for the Protection of Human Rights in the 21st Century*; "The Inter-American System of Human Rights," published in *1 Foreign Affairs en Español* 115 (2001); and "*Awais Tigni v. Nicaragua: A Landmark Case for the Inter-American System*," published in the *Human Rights Brief*, (Volume 8, Issue 3). In April, Dean Grossman presented the Annual Report of the IACHR to the Committee on Legal and Political Affairs of the Permanent Council of the Organization of American States (OAS), and in June, presented the Annual Report of the IACHR to the General Assembly of the OAS in Costa Rica. Also in June, he lectured at WCL's Academy on Human Rights and Humanitarian Law (Academy) about the Inter-

American human rights system. In August, he participated in a video-conference with the University of Chile for an event entitled "*Seminario Derechos Humanos y Sociedad*" ("Seminar on Human Rights and Society"). In September, Dean Grossman was interviewed by Voice of America & Worldnet Television during their program on "*Terrorismo: America Bajo Ataque*" ("Terrorism: America Under Attack"). Also in September, he moderated a panel at the Latin American Studies Association 2001 XXIII International Congress entitled "Human Rights and Humanitarian Law: Implications of the Pinochet and the Argentine Cases," and participated in The World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa. As President of the IACHR, Dean Grossman also was named as an observer in the criminal trial of the bombing of the *Asociación Mutual Israelita* (AIMA).

Claudia Martín, Visiting Associate Professor, Co-Director of the Center's Digest Project, and Co-Director of the Academy, taught two courses during the first session of the Academy from May 29–June 15, 2001. Together with Professor Diego Rodríguez-Pinzón, she also coordinated the academic and administrative aspects of the program. On August 7, 2001, Professor Martín spoke about human rights legal education in Latin America at the Annual Meeting of the Association Liaison Office for University Cooperation in Development (ALO). From September 10–14, 2001, she coordinated the seminar "Human Rights Legal Education in Mexico and Ecuador" for human rights professors from law schools in those particular

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against children within their borders. Further, the *Bosques* judgment should make it easier for victims of children's rights abuses to gain sympathetic judgments from the Court.

Beyond the specific remedies ordered by the Court, this judgment should have a lasting impact on the Guatemalan government's enforcement and respect for its human rights obligations. Currently, the legal office of *Casa Alianza* is negotiating a friendly settlement with the Guatemalan government in four other children's rights cases. If the parties successfully achieve a friendly settlement, the cases will not be transferred to the Court for trial.

Conclusion

Despite the efforts of *Casa Alianza* and other legal services offices to defend children's rights in Guatemala, similar incidents of abuse persist. Such efforts are impeded by Public Ministry officials' failure to investigate these crimes as well as the judiciary's failure to prosecute the accused. The judiciary continues to function in a negligent and arbitrary manner, often violating procedural due process norms.

Although the Public Ministry is responsible for gathering evidence through criminal investigations, it often abandons cases due to insufficient evidence, and in rare instances where sufficient evidence exists, the Public Ministry is reluctant to prosecute. The *Bosques* case is an example of how human rights violations can be pursued within the Inter-American system when cases fail to make progress after years of prompting by the parties, or where the legal process is riddled with irregularities. The Court offers victims an alternative legal recourse to seek justice.

It is important that the Guatemalan government comply with the reparations decision by the Court and that it promptly reform its laws on children's rights by implementing the proposed Youth and Children's Code of 1996. Guatemala also should comply with its obligation to protect street children by creating special institutions for their rehabilitation and education. ☺

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countries, and lectured on the current developments in the case law of the Inter-American Court of Human Rights.

Diane F. Orentlicher, Professor of Law and Co-Director of the Center, presented a paper entitled "Victims' Justice: From Nuremberg to Pinochet" at a colloquium at Princeton University on May 8, 2001. On May 20, she presented a paper at a conference on "Truth and Reconciliation" in Belgrade, Yugoslavia, and was interviewed by B92 Radio. In July 2001, Professor Orentlicher published articles in *The Washington Post*, *The Los Angeles Times*, and *Newsday* regarding the Yugoslav War Crimes Tribunal and Milosevic's trial at The Hague. On July 10, she interviewed with Voice of America and Serbian Voice of America on Milosevic's trial. In September, Professor Orentlicher was a guest on "The News Hour with Jim Lehrer" to discuss "Who Is A War Criminal?" At the Annual Meeting of the Latin American Studies Association, she was a panelist at a conference entitled "Political and Legal Impact of the Pinochet Case," and spoke on the subject of "The Impact of the Pinochet Case on International Law." Also in September, Professor Orentlicher participated with Harold Koh in a luncheon roundtable on the subject "Advancing Democracy Through International Law," which was co-sponsored by the Institute for

Global Democracy of the Henry L. Stimson Center and the Center for Democracy and Free Markets of the Council on Foreign Relations.

Diego Rodríguez-Pinzón, Visiting Professor, Co-Director of the Center's Digest Project, Co-Director of the Academy, and Director of the Human Rights Legal Education-Partnership projects in Ecuador and Colombia, was recently appointed to contribute to the *Netherlands Quarterly of Human Rights* to periodically report on the news of the Inter-American human rights system. In September 2001, he lectured on international public law in the training sessions at WCL for human rights law professors from Ecuador and Mexico. Professor Rodríguez-Pinzón also contributes regularly to the British publication *Butterworths Human Rights Cases*, a multi-volume series that reports on recent human rights cases around the world, in his capacity as Correspondent for the Americas.

Herman Schwartz, Professor of Law and Co-Director of the Center, was interviewed in May 2001 by United Press International regarding Amnesty International's report on human rights and its criticism of the U.S. policy on the death penalty and police brutality. Over the summer, he acted as Vice-Chair in a seminar on "International Perspectives on Human Rights," in Salzburg, Austria. He also prepared a paper, which

he presented at a preparatory meeting of constitutional experts held in Madrid, Spain, in October 2001.

Richard J. Wilson, Professor of Law, Co-Director of the Center, Director of the International Human Rights Law Clinic (IHRLC), and Director of the WCL Clinical Program, co-authored a publication for the International Human Rights Law Group entitled *Promoting Justice: A Practical Guide to Strategic Human Rights Lawyering*, which drew from four regional meetings of human rights lawyers and activists in Africa, Latin America, Asia, and Eastern Europe. He also wrote an *amicus curiae* brief for the European Union in *McCarter v. North Carolina*, the U.S. Supreme Court case that raised the issue of the constitutionality of the execution of persons with mental retardation. In June 2001, Professor Wilson spoke about "Intentional Law Arguments in Capital Litigation" at a training for volunteer lawyers sponsored by the Association of the Bar of the City of New York. In July, he organized and presented at a conference at WCL on the "Vienna Convention on Consular Relations and Related Human Rights Issues," sponsored by the Center's Project for the Advancement of International Human Rights Law: Focus on Capital Punishment. He also spoke on "International Law: A Breakthrough Year" at the NAACP Legal Defense & Education Fund Annual Training Conference, in Warrenton, Virginia. ☉



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