

CENTER NEWS/FACULTY AND STAFF UPDATES

CENTER NEWS

RWANDA COMMEMORATION PROJECT

In recognition of the 10th anniversary of the genocide in Rwanda, the American University Washington College of Law (WCL) and the Center for Human Rights and Humanitarian Law (Center) developed the Rwanda Commemoration Project to encourage law schools, universities, NGOs, and community groups to commemorate this modern-day tragedy in which nearly one million Rwandans were killed and to use it as a lesson and warning about genocide in our time. The Center's Commemoration Project took a three-pronged approach. The first part

April 7, 2004, including a presentation by Justine Mbabazi Rukeba, a WCL LLM student and genocide survivor. Following a commemoration ceremony, the Center also sponsored a panel discussion entitled, "Early Warning, International Responsibility, and the Prevention of Genocide" with Ambassador David Scheffer, former U.S. Ambassador-at-Large for War Crimes, Mark Schneider of the International Crisis Group, and journalist Bill Gentile. The third prong of the Center's Commemoration Project continues to take lessons of the genocide out to the world. In partnership with WCL's Marshall-Brennan Fellowship Program, the Center has developed a curriculum to

which is published by the Center. For ten years, this student-run publication has served the international human rights community by providing concise analyses of developments in human rights law and its impact on global society. The *Brief* is currently circulated to nearly 6,000 scholars, human rights practitioners, students, and legal professionals in over ninety countries around the world. To celebrate this important occasion, WCL and the Center hosted a gala dinner at the school on April 29, 2004 for students, alumni, and members of the NGO community. Gay J. McDougall, Executive Director of Global Rights, presented the keynote speech: "A Decade of Struggle for Human Rights." The special anniversary issue is available on the *Brief* website at www.wcl.american.edu/hrbrief.

NINTH ANNUAL INTER-AMERICAN MOOT COURT COMPETITION

From May 23-28, 2004, the Center held the 9th Annual Inter-American Human Rights Moot Court Competition. Students, faculty, and attorneys from all over the world participated in the trilingual (English, Spanish, Portuguese) competition based on the Inter-American human rights system. With 47 teams competing from 14 countries, the competition was the most successful to date. Participants argued the merits of a hypothetical case involving indigenous rights written by Dr. Osvaldo Kreimer, Rapporteur of the Organization of American States Working Group on Indigenous Rights. The University of West Indies won the event, marking the first time in the competition's history that an English-speaking team has come in first. The Competition was especially privileged to have Dr. Sergio García Ramírez, president of the Inter-American Court of Human Rights, head the distinguished Honor Panel of Judges for the final round. Next year's 10th anniversary competition will be held May 22-27, 2005 at WCL.



Center for Human Rights and Humanitarian Law

(left to right) Hadar Harris, Executive Director of the Center for Human Rights and Humanitarian Law, David Baluarte, and Jamal Jafari, former Editors-in-Chief of the *Human Rights Brief*, present Gay J. McDougall, Executive Director of Global Rights, with a gift following her keynote address at the 10th Anniversary celebration of the *Brief*.

aimed to raise international awareness about the anniversary by developing an 8-page resource booklet on the history of the genocide, programming ideas, a bibliography, and resource links to encourage events to mark the day. It has been distributed to more than 6,000 people around the world. The second part of the project brought the lessons of the genocide to WCL as the Center coordinated a series of student-led activities during the week of

help teach lessons about genocide (including the on-going genocide in Sudan) to high schools around the Washington, DC area. Copies of this curriculum are available at www.wcl.american.edu/hum-right/center/rwanda.

HUMAN RIGHTS BRIEF 10TH ANNIVERSARY

April also marked the ten-year anniversary of the *Human Rights Brief*,

GENDER AND LEGAL EDUCATION IN INDIA

As part of the Center and WCL Women and International Law Program's joint project on gender mainstreaming in legal education and law reform in India, the Center hosted a week-long visit in June by members of the burgeoning Gender and Law Association of India (GALA), which was established following a conference convened by WCL last summer. With the support of the U.S. Department of State, the GALA delegation came to WCL to explore ways in which gender rights and legal activists have created coalitions and ongoing networks to expand their reach and become more effective in support of gender-based legal reform and legal education. The next meeting of the network is scheduled for December 2004 in Bangalore, India.

"CRISIS IN SUDAN: THE INTERVENTION IMPERATIVE"

On September 24, 2004, the Center convened a major conference entitled, "Crisis in Sudan: The Intervention Imperative." The conference brought key activists and diplomats together to discuss the issues and possible solutions to the Sudanese genocide. In addition to providing a general overview and context for the crisis, participants debated the legal and moral imperatives of humanitarian intervention as well as U.S. policy in the region since the State Department declared the crisis genocide. Over 200 people attended the conference, which included reports from experts and officials recently returned from Darfur and refugee camps in neighboring Chad. Panelists included Adotei Akwei (Amnesty International); Stefanie Frease (Coalition for International Justice); Jerry Fowler (Committee on Conscience, United States Holocaust Memorial Museum); Ambassador Khidir Haroun Ahmed (Embassy of Sudan); Dean Claudio Grossman (WCL); Gayle E. Smith (Center for American Progress); Bruce Ehrnman (U.S. Department of State); John Prendergast (International Crisis Group); William J. Garvelink (USAID); and Holly Burkhalter (Physicians for Human Rights).

ONGOING CENTER ACTIVITIES

The Center also launched its new school year with a variety of on-going programs and activities, including its annual "Munching on Human Rights" Speaker Series, the Human Rights Film Series, a weekly "Action for Human Rights" Coffee Hour, as well as two Experiential Learning Projects (ELP), which seek to take students into the field to interact with various human rights practitioners. This year's projects include "Environmental Justice on DC's Forgotten River: Community and the Anacostia" and "Alien Justice: Immigration, the Law, and the DC Community." For more information on these and other programs, refer to the Center's website at www.wcl.american.edu/humright/center.

FACULTY AND STAFF UPDATES

Robert K. Goldman, professor of law at Washington College of Law (WCL) and Co-Director of the Center for Human Rights and Humanitarian Law (Center), was appointed in June 2004 by the President of the UN Commission on Human Rights as an Independent Expert on the protection of human rights and fundamental freedoms in the struggle against terrorism. Professor Goldman also co-taught the "International Humanitarian Law" course at the Law School's Summer Academy on Human Rights and Humanitarian Law, held at WCL from June 1-18, 2004. In May 2004, Professor Goldman was quoted in the *Baltimore Sun* and the *Chicago Tribune* on the continuing detainee scandal in Iraq. He was a guest on *ABC's Nightline* and *BBC Worldwide TV* on the same topic.

Claudio Grossman, Dean of WCL and Co-Director of the Center, participated in a conference in mid-April on "Human Rights in the International System: Enforcing Global Governance," sponsored by the Wilson Center for Scholars. Dean Grossman was also a panelist and conference speaker at "Freedom of the Press in the Americas" for the Hemisphere Summit of National Congresses, an event co-sponsored by WCL, the Inter-American Press Association, the Society of Inter-American Press, and the Law Library of Congress. From May 26-29, Dean Grossman chaired a panel titled, "Is There a Curricular Core for the Transnational Lawyer?" at the Conference

on Educating Lawyers for Transnational Challenges, organized by the Association of American Law Schools. In June, he moderated "Current Human Rights Challenges for the United Nations" for WCL's Academy of Human Rights, and in July he attended the trial of the Jewish Community Center Bombing in Argentina as an observer for the Organization of American States (OAS). Dean Grossman was recently appointed by the AALS to serve on the planning group for the new International Association of Law Schools. The group consists of nineteen prominent law school deans from around the world, three of whom are from the United States: Dean Grossman, NYU's Norman Dorsen, and Yale Law School's Jean Koh Peters. Dean Grossman was also interviewed by *CNN* and *CNN Spanish* in June on the 9-11 report and the handover of sovereignty in Iraq.

Hadar Harris, Executive Director of the Center, has recently been quoted by a variety of news outlets on the genocide in Sudan, including the *Christian Science Monitor* and *The American Prospect* magazine. She also spoke on NPR's "Kojo Nnamdi Show" and the Radio Line International Hour on the same topic. In October, she was the keynote speaker at the Model United Nations Diplomat for a Day program. She also lectured at trainings for the American Bar Association's Central and Eurasian Law Initiative and at WCL's "Munching on Human Rights" series.

Anne Heindel joined the Center this summer as Assistant Director of the War Crimes Research Office (WCRO). She is responsible for coordinating and supervising the work of students and consultants on legal research and writing projects, as well as providing training and other forms of technical assistance in the field of humanitarian and international criminal law to WCRO clients. Prior to joining the WCRO, Anne was Deputy Convener of the American NGO Coalition for the International Criminal Court (AMICC). She has also conducted research and written on issues of international humanitarian and human rights law for Human Rights Watch, the Center for Reproductive Rights, and the Center for Human Rights Law. This summer she published "The Counterproductive Bush Administration Policy Toward the International Criminal Court" in the *Seattle Journal of Social Justice* (2004).

Claudia Martín, Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law (Academy), published "La Convención Interamericana sobre Desaparición Forzada de Personas: Análisis sobre la validez de la reserva y declaración interpretativa formuladas por México al ratificar este tratado" in the April 2004 issue of *Revista Mexicana de Derecho Público*. From August 17-19, 2004, Professor Martín lectured on the Inter-American Human Rights System at the International Human Rights Academy in Utrecht, Netherlands. On August 25, she trained human rights experts in case law of the Inter-American Court on Human Rights for the "First Seminar on Litigation in International Human Rights Mechanisms," in Mexico City, Mexico. Professor Martín also lectured on the role of the Inter-American Court to students and law professors at the Law School of Universidad Iberoamericana-Torreón in Mexico from October 11-12, 2004, as part of the "VI Human Rights Forum," coordinated by Iberoamericana and ITESO. Additionally, she coordinated with Professor Rodríguez-Pinzón the summer program of the Academy from June 1-18, 2004. One hundred sixty practitioners, scholars, government officials and students from around the world attended the Academy, and WCL faculty were joined by more than 20 visiting scholars. This intensive program offered several new and enhanced courses for credit and/or certificate, including "Regional Approaches to Human Rights Law: Africa, America, and Asia" taught by Professors Elizabeth Abi-Mershed, Christof Heyns, and David Kinley; "Terrorism and Human Rights" taught by Professor Tom Farer; and "Teaching Human Rights: Design and Methods in Law School Clinics" taught by Professor Richard Wilson. Additionally, Professor Gudmundur Alfredsson, Director of the Raoul Wallenberg Institute for Human Rights and Humanitarian Law in Lund, Sweden, taught the course "United Nations Human Rights System," and Professor Asbjørn Eide taught the course "Economic, Social, and Cultural Rights." Professor Martín co-taught the course on "Inter-American Human Rights Law," coordinated panels, and participated as a moderator in presentations during Human Rights Month, which coincides with the Academy. Information on the 2005 Academy is now available at www.wcl.american.edu/humright/hracademy.

[can.edu/humright/hracademy](http://www.wcl.american.edu/humright/hracademy).

Diane Orentlicher, professor of law at WCL and Co-Director of the Center, has been appointed by UN Secretary-General Kofi Annan as an Independent Expert to update the United Nations Set of Principles for the protection and promotion of human rights through action to combat impunity. Professor Orentlicher also published "Unilateral Multilateralism: United States Policy Toward the International Criminal Court (ICC)" in the *Cornell International Law Journal* (2004). On May 19, 2004, she presented a lecture on "Amnesties and ICC Jurisdiction: Legal and Policy Considerations" to the International Criminal Court's Office of the Prosecutor in The Hague, The Netherlands. On May 26, Professor Orentlicher presented remarks on "Trying Saddam Hussein" to the Women's Foreign Policy Group in Washington, D.C. In June, she was a panelist at a conference on "Impunity or Justice: Colombia's Peace Process," sponsored by the Academy on Human Rights and Humanitarian Law. On June 14, Professor Orentlicher presented on the subject of "Truth, Justice, and Accountability: Principles and Practice for Combating Impunity" at the United Nations headquarters in New York. The event was co-sponsored by the New York Office of the UN High Commissioner for Human Rights and the International Center for Transitional Justice. Professor Orentlicher also presented commentary on the trial of Saddam Hussein in Iraq to numerous news organizations and programs, including the NBC's "Today Show" and "Nightly News with Tom Brokaw," CNN, NPR, and PBS's "Newshour with Jim Lehrer."

Diego Rodríguez-Pinzón, Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law, traveled to Lund, Sweden, in September to lecture at the Raoul Wallenberg Institute for Human Rights. Professor Rodríguez-Pinzón spoke as part of an international training course on the "Human Rights of Women," focusing on the jurisprudence and structure of the Inter-American Human Rights System as it pertains to women. He also delivered a public lecture at the Law School of Lund University titled "Procedural Aspects of Human Rights Protection in the InterAmerican System." During the visit, Professor Rodríguez-Pinzón visited DIAKONIA and the

Swedish NGO Foundation for Human Rights in Stockholm, Sweden, which has provided support to several initiatives of the Academy. He also visited the Danish Institute for Human Rights and the Law School of the University of Copenhagen, Denmark. In October, Professor Rodríguez-Pinzón traveled to Torreón, Mexico, to lecture in a human rights training session. The session, part of a project of the Academy supported by the National Endowment for Democracy, included updates on the case law of the Inter-American Human Rights System and served as a forum to discuss methodologies and experiences in human rights legal education with local human rights professors, practitioners, and students.

Susana SáCouto, adjunct professor at WCL, took over as the new Director of the War Crimes Research Office (WCRO) in May 2004. On May 12, 2004, she spoke on the subject of accountability for war crimes arising out of the conflict in Uganda at a panel convened for U.S. Senate staff by Citizens for Global Solutions entitled "War Crimes in Uganda: Seeking Peace through Accountability." In March 2004, she traveled to Phnom Penh, Cambodia, to participate in discussions with Cambodian government officials, members of non-governmental organizations, and other interested parties on the establishment of the "Extraordinary Chambers," a special tribunal created to bring to justice surviving Khmer Rouge leaders in Cambodia. In June 2004, she traveled to Arusha, Tanzania, to meet and discuss upcoming projects with officials from the International Criminal Tribunal for Rwanda. In September 2004, she traveled to East Timor to meet with national and international judges of the Special Panels for Serious Crimes. This group was established by the UN to provide criminal accountability for the gross human rights violations perpetrated there and in follow up to last year's seminars conducted by the WCRO for the Special Panels on international criminal law. On September 24, 2004, she moderated a panel on "Recent Reports from Sudan" at a conference convened by the Center entitled "Crisis in Sudan: The Intervention Imperative." On September 29, 2004, WCRO also brought David Scheffer, U.S. Ambassador-at-Large for War Crimes from 1997 to 2001, to WCL to speak

about the challenges involved in establishing the special tribunal to bring to justice surviving Khmer Rouge leaders in Cambodia. Established as a UN-assisted extension of the Cambodian judicial system, the Extraordinary Chambers will focus on trying those most responsible for massive crimes committed against the Cambodian people during the Khmer Rouge's oppressive rule from 1975 to 1979.

Herman Schwartz, professor of law at WCL and Co-Director of the Center, recently published his book *Right Wing Justice: the Conservative Campaign to Take Over the Courts* (Nation Books) in May 2004. Professor Schwartz addressed lawyers and student groups on the courts and the presidential election throughout October and spoke to the Cosmos Club in September 2004 on the same subject. In July he authored two articles: "Looking

for His Next Job? Recess Appointments Create Judges Who Are Still Dependent on the Political Branches," published in the *Legal Times* and, "Out with Gerrymanderers," in *The Nation Online*. Professor Schwartz also published an article in *Newsday* in mid-August entitled "Judgeship Nominees – Twisting the Law on Interrogating Detainees." In April 2004, Professor Schwartz provided comments on transitional regimes for the new Serbian Ambassador at a State Department conference on Serbia. In May, he presented an analysis of the proposed Bhutan Constitution for the Bhutan Crown Prince and from September to November 2004 provided analysis and drafting assistance for additional amendments to the Georgian Constitution. Professor Schwartz was honored in May for his creation of a human rights training program for Israeli lawyers at the New Israel Fund dinner.

Richard Wilson, professor of law at WCL and Co-Director of the Center, taught the "Teaching Human Rights: Designs & Methods in Law School Clinics" seminar in June 2004 as part of the Summer Human Rights Academy. He also taught "Human Rights Advocacy and Dissemination" in July for the Oxford University-George Washington University Summer Human Rights Program. Professor Wilson published "Training for Justice: The Global Reach of Clinical Legal Education" in the most recent edition of the *Penn State International Law Review* (2004). **HRB**

Christian De Vos, a J.D. candidate at the Washington College of Law, covers the Center News and Faculty and Staff Updates for the Human Rights Brief.

United Nations Update *continued from page 33*

definitions and principles to be implemented into policy, drawn from various international instruments and customary and international law, rather than adopting an entirely new approach for countries at one level of development.

In the context of natural and human-made disasters, including war and armed conflict, international food aid should be made with a clear exit strategy, taking into account the long-term development objectives of the receiving country. All possible measures should be taken to avoid dependence on food aid, and donor states should avoid interfering with local food production, while taking into account specific dietary and cultural needs of recipient populations. Donor countries should remain in accordance with international law by respecting international human rights principles, and providing unimpeded access to needy populations.

The Guidelines reaffirm that the deprivation of food should not be used as a weapon. It is the duty of the occupying country, in occupational situations, to remain in accordance with international humanitarian law, including the Geneva Conventions, to provide food and medical supplies to the civilian population.

Developed countries should work with the international community to provide an enabling environment to assist developing countries in achieving the right to adequate food for each person. Developing and developed countries can work together through technical cooperation and information sharing. The Guidelines recognize that international trade plays a major role in the promotion of economic development and the alleviation of poverty. Measures to strengthen an enabling environment for the realization of food security in developing countries should be taken in accordance with the World Trade Organization Agreement on Agriculture.

Although the Guidelines are not binding on individual countries and do not affect current international instruments, the Guidelines identify where signatory countries have failed to date. By adopting a human rights-based approach, and explicating concepts and principles instead of ordering compliance, the Guidelines serve the practical purpose of holding individual countries, no matter their level of development, accountable to current international humanitarian law. The Guidelines are an important step to realizing food security and decreasing hunger. The Guidelines also provide a practical set of fundamental principles essential in creating an environment in which decreasing poverty and increasing food security is possible. **HRB**

Nicole Trudeau, a J.D. candidate at the Washington College of Law, covers the United Nations for the Human Rights Brief.