

# CENTER NEWS/FACULTY AND STAFF UPDATES

## CENTER NEWS

### YEAR-LONG FOCUS ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS

At the initiative of Professor Herman Schwartz, the Center is hosting a year-long series of events focused on varying perspectives on economic, social, and cultural rights. In October 2005 retired Justice Richard Goldstone of the Constitutional Court of South Africa discussed the place of economic, social, and cultural rights as human rights. Tracing a variety of innovative cases brought before the Constitutional Court of South Africa, Justice Goldstone talked about both the unique recognition of economic, social, and cultural rights by the new South African Constitution, as well as some of the difficulties surrounding decisions based on these rights and their enforcement. WCL professors Herman Schwartz and Rick Wilson served as discussants and focused on the extent to which the U.S. could emulate the South African recognition of social, economic, and cultural rights.

In January 2006 Aryeh Neier, president of the Open Society Institute, and Professors Herman Schwartz and Rick Wilson offered their differing perspectives on economic, social, and cultural rights in a lively discussion at WCL. Mr. Neier argued that the allocation of resources should be a matter of public debate and a political process rather than a right that has limited enforceability. In February the Center hosted a panel discussion focused on implementation of economic and social rights with human rights activists and WCL Humphrey Fellows Irwin Robson (South Africa), Alceu Mauricio, Jr. (Brazil), and Sylvia Chirawu (Zimbabwe). Panelists responded to the earlier comments of both Justice Goldstone and Aryeh Neier and shared ways in which economic and social rights are implemented and enforced in their respective countries.

Podcasts of all events in the series are available from the Center's website at [www.wcl.american.edu/humright/center](http://www.wcl.american.edu/humright/center).

Articles based on this series are also included in this issue of the *Human Rights Brief* on pages 1 – 7.

### 6TH ANNUAL HUMAN RIGHTS FILM SERIES (OCTOBER 5 – NOVEMBER 3)

Over 350 people attended the 6th Annual Human Rights Film Series. This annual event is co-sponsored by the Center for Human Rights and Humanitarian Law and the AU Center for Social Media. The series focuses on ways to use film and video to promote and protect human rights. The series kicked off with the premiere screening of *State of Fear*, an acclaimed documentary on the Fujimori Regime in Peru by filmmakers Paco de Onis and Peter Kinoy. The filmmakers were present to introduce the documentary and led a discussion after the screening, which went on for several hours. The second film, *Videoletters*, presented stories of real people separated during the wars in the former Yugoslavia and

Courtesy of the Center for Human Rights and Humanitarian Law



Salih Booker speaks about Darfur.

was followed by a discussion about reconciliation in the Balkans by AU Professor Julie Mertus. Ambassador Zac Nsenga of Rwanda spoke before the screening of *Sometimes in April* and answered questions about the current state of affairs in Rwanda. The final screening of the series featured four short films produced by WITNESS on human rights in Burma.

Sam Gregory from WITNESS participated in the evening and previewed his new book, *Video for Change: A Guide for Advocacy and Activism*.

### HUMAN RIGHTS DEFENDERS SPEAKER SERIES

The Human Rights Defender Speaker Series invites human rights defenders from around the world to meet with the WCL community and discuss their work and their personal journey into the world of human rights advocacy. The Series asks speakers to reflect on why they do the work they do. As part of the fall Series, the Center hosted women's rights activist Farida Ghulam Ismail (Bahrain); noted children's rights activist Dr. Asha Bajpai (India); and human rights activist (and WCL Humphrey scholar) Ababu Namwamba (Kenya).

### WCL CHAPTER OF STAND (STUDENTS TAKING ACTION NOW DARFUR) FOUNDED

First-year students founded the WCL Chapter of STAND (Students Taking Action Now Darfur) to create ongoing and meaningful advocacy at WCL and in the local community to put an end to the ongoing genocide in Darfur, Sudan. The Center and STAND co-sponsored a talk by Salih Booker, Executive Director of AfricaAction, on the current situation in Darfur. The talk helped to expose students to the genocide taking place in Darfur and resulted in dozens of students joining the WCL STAND chapter. Since STAND's founding, students have participated in rallies in front of the White House and additional efforts are planned for the spring.

### GENDER AND LEGAL EDUCATION IN INDIA PROJECT HELPS ESTABLISH THE GENDER AND LAW ASSOCIATION OF INDIA (GALA)

On December 20, 2005, the Gender and Law Association of India (GALA) was formally constituted at the Indian Law Society Law College in Pune, India, at the final meeting of the Gender and

Legal Education in India project, a joint project of the Center for Human Rights and Humanitarian Law and the Women and International Law Program (WILP) that is funded by the Bureau of Educational and Cultural Affairs, U.S. Department of State. Hadar Harris, Executive Director of the Center, Professor Brenda V. Smith, and WILP Program Coordinator April Fehling participated in the meeting. WCL student and former Center Student Advisory Board Member Sapna Lalimalani (WCL '06) also participated in the meeting. The formal creation of GALA is the outcome of three years of joint work in India and the U.S. by the Center and WILP under the leadership of Professor Ann Shalleck. GALA members visited WCL in June 2004 to explore networking with other organizations as part of this project and in October 2005 to examine experiential learning, including clinical programs and externships.

## FACULTY AND STAFF UPDATES

**Claudio Grossman**, Dean of WCL and Co-Director of the Center, participated as Vice Chairman at the 35th session of the United Nations Committee Against Torture in Geneva and as Co-rapporteur for Ecuador and France. In early November he participated in a panel on International Commercial Arbitration in the Washington, D.C., office of Arnold and Porter. He also participated in a meeting of the Nominating Committee of the Association of American Law Schools (AALS), signed the Charter of the newly created International Organization of Law Schools, and was appointed chair of the AALS International Cooperation Committee. Dean Grossman participated in a hearing at the Inter-American Commission of Human Rights in a case against Cuba. He published "Techniques Available to Incorporate Transnational Components into Traditional Law School Courses: Integrated Sections; Experiential Learning; Dual J.D.s; Semester Abroad Programs; and Other Cooperative Agreements," 23 Penn St. Int'l. L. Rev. 743 (Spring 2005). In December he taught a course on Economic and Commercial Organization and Freedoms at the Hague Academy of International Law External Programme in Lima, Peru, and participated as a member in meetings of the Commission for the Control of Interpol Files in Lyon, France. In January 2006 he participated at the AALS Annual Meeting on a panel concerning Techniques To Internationalize The First Year Curriculum, the proceedings of which will be published in the Penn State International Law Review. Dean Grossman also published "La Situación De Los Derechos Humanos En El Hemisferio Occidental Y El Sistema Interamericano De Promoción Y Protección De Los Derechos Humanos" in *Globalización, Integración Económica Y Derechos Humanos* (2005) and wrote the Prologue for a special issue of the *American University International Law Review*, 21 Am. U. Int'l L. Rev. (2005), which published the winning papers of the 2005 Human Rights Award of the Academy on Human Rights and Humanitarian Law.

**Hadar Harris**, Executive Director of the Center, traveled back to Botswana over the holiday break to provide technical assistance to the government of Botswana

in its preparation of Botswana's State Party report to the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). She gave a three-day capacity building workshop on State Party reporting and domestic implementation of CEDAW to representatives of 10 government ministries and met with representatives from the University of Botswana and the local NGO community. She also met intensively with the Drafting Committee of the Inter-Ministerial Committee on Treaty Implementation and Conventions to review and revise the draft report to CEDAW, which is currently being rewritten. A short return trip is planned in February to complete the report and to provide training for parliamentarians and senior government officials. In addition, while in India as part of the Center's Gender and Legal Education in India Project, Ms. Harris gave three lectures to faculty and students at the Tata Institute of Social Science (TISS) in Mumbai on "Balancing Human Rights and Terrorism," as well as "CEDAW and Women's Human Rights." The visit was organized by Professor Asha Bajpai of TISS, who was in residence at WCL during the fall 2005 semester as an adjunct faculty member with support of the Fulbright Visiting Lecturer program. While there, Ms. Harris also gave a joint lecture with V.S. Elizabeth of the National Law School on "Structural Limitations of Law for Women's Rights Advocacy" at the ILS Law College in Pune. Finally, Ms. Harris gave a workshop at the first national meeting of the U.S. Human Rights Network in Atlanta, Georgia, in October. The workshop sought to familiarize U.S. social justice activists with the basic history and framework of the international human rights system. Ms. Harris also served on the planning committee for the conference, which was attended by over 200 lawyers, organizers, and activists from around the U.S.

**Claudia Martín**, Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law, spoke on gender and human rights in the Inter-American System at the 9th Annual National Latino/a Student Association Conference in October. She also participated as a member of the panel in the mock trial organized as part of the "Advanced Seminar on Managing Investment Disputes," sponsored by the Orga-

Courtesy of the Center for Human Rights and Humanitarian Law



Formal recognition of the Gender and Law Association of India in Pune, India.

GALA, a membership organization of law teachers, practitioners, activists, and students is the first organization in India to focus solely on gender and law. Throughout the duration of the project, GALA has been working with WCL on the development of a feminist jurisprudence syllabus to be used in Indian law schools and is continuing to develop a variety of other projects to mainstream gender into Indian legal education, including an essay contest, an annual conference, and the establishment of a summer institute.

nization of American States, the United Nations Conference on Trade and Development, and WCL. In November she reported to the Netherlands *Human Rights Quarterly* on the case law of the Inter-American Human Rights Court and was appointed as a member of the Editorial Board of "Oxford Reports on International Law in National Courts," sponsored by Oxford University Press and the Amsterdam Center for International Law. In December Professor Martín participated in numerous events in Mexico City, Mexico. She lectured on the "Inter-American Court on Human Rights: Competence, Admissibility and Jurisprudence" at the II Seminar on International Mechanisms for the Protection of Human Rights: Innovation and Strategies in International Litigation; presented on the "Legal Value of the Different Decisions and Resolutions Adopted by International Human Rights Supervisory Bodies" at the same event; presented on "Human Rights Legal Education: an Overview of the Current Situation in Latin America" at the International Seminar on Education on Human Rights, organized by the Program of Cooperation on Human Rights of the European Commission-Secretary of Foreign Affairs of Mexico; participated in the first meeting of the Advisory Board to the project on the prevention and punishment of torture in Mexico, funded by the NED; and participated in an expert roundtable discussing the recent developments of the case law of the Inter-American Court on Human Rights, where she presented on *Serrano Cruz Sisters v. El Salvador*, decided by the Court in March 2005.

**Diane Orentlicher**, Professor of Law at WCL and Co-Director of the Center, was selected to receive the 2004 Pauline Ruyle Moore award for scholarship for "Whose Justice? Reconciling Universal Jurisdiction with Democratic Principles," 92 *Geo. L.J.* 1057 (2004). She was quoted in the Associated Press in "Yugoslavia war crimes tribunal abandons use of sealed indictments to capture suspects," interviewed on NPR's "Morning Edition" about the International Criminal Court as it prepares to issue its first indictments, quoted in the *Washington Times* in an article about the trial of Saddam Hussein, interviewed on NPR's "All Things Considered" about the trial of Saddam Hussein, and quoted in the *Columbia Jour-*

*nalism Review* in a piece examining the impact of hate-speech regulation on freedom of the press in Africa. She was a panelist at a conference at the Aspen Wye River Conference Center on "Effectiveness of International Tribunals;" a panelist at a conference on "Questioning Assumptions Changing Frameworks," sponsored by Business for Social Responsibility regarding "Business and Human Rights: Outstanding Issues;" a participant in a workshop on "The U.S. Military and the International Criminal Court: Issues and Implications," co-sponsored by the Henry L. Stimson Center and the National Institute of Military Justice; a participant in a session of the Working Group on Social Reconstruction and Reconciliation addressing the question of how to evaluate the impact of memorial projects on their communities, co-sponsored by the United States Institute of Peace and the American Association for the Advancement of Science; and a panelist on a program, "Recent U.S. Legislation Regarding Torture and the Treatment of Detainees: Discussion of the McCain and Graham-Levin Amendments in an International Law Context," sponsored by the American Society of International Law.

**Diego Rodríguez-Pinzón**, Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law (Academy), traveled to Mexico to participate in the *II Seminar on International Mechanisms for the Protection of Human Rights: Innovation and Strategies in International Litigation* from December 4-11, 2005. This event was co-sponsored by the Law School, the Human Rights Program and the Human Rights Masters of Universidad Iberoamericana de Mexico, the Office of the High Commissioner of Human Rights in Mexico, and WCL's Academy. During this week he participated in several panels and lectured extensively on human rights law. On December 5, 2005, Professor Rodríguez-Pinzón led the inauguration and introduction to the course. He was joined by Natalia Barreto Silva, Counselor of the European Initiative for Democracy and Human Rights, European Union; Amerigo Incalcaterra, Representative, Mexican Office of the United Nations High Commissioner for Human Rights; and Juan Carlos Arjona Estévez, Coordinator of the Program on Human Rights, Universidad

Iberoamericana, Mexico City. Mr. Rodríguez-Pinzón later presented the lecture, "Inter-American Commission on Human Rights: Competence, Admissibility and Jurisprudence," which was relevant to access to justice and due process. On December 9, 2005, also as part of this event, Professor Rodríguez-Pinzón lectured on the "Legal Strategy and Policy to Implement Judgments into the Domestic Jurisdiction." On December 10, 2005, he participated in a roundtable discussion on the jurisprudence of the Inter-American Court on Human Rights. The event was co-sponsored by the Law School, the Human Rights Program and the Human Rights Masters of Universidad Iberoamericana de Mexico, and WCL's Academy. The event took place all day and the discussion included the most recent cases released by the Court. Mr. Rodríguez-Pinzón analyzed the *Massacre of Mapiripán v. Colombia Case*, decided by the Court in November 2005. Another event co-sponsored by the Academy, together with the Program of Cooperation on Human Rights of the European Commission-Secretary of Foreign Affairs of Mexico and other distinguished Mexican academic institutions, included the seminar on "International Seminar on Education on Human Rights" from December 6-8, 2005. On December 8, 2005, Professor Rodríguez-Pinzón participated in a panel discussion at the Mexican Ministry of Foreign Affairs. He presented on the issue of "Legal Education on Human Rights: Importance and Alternative Curriculum," where he analyzed the importance of the legal education in human rights and diverse forms and methods of integrating human rights law into law school curriculum. Additionally, he participated in the first meeting of the Advisory Board to the project on December 9, 2005, in Mexico City. The Advisory Board was established to advise the Academy and Universidad Iberoamericana in developing a proposal to legislate the prevention and punishment of torture and other cruel, inhuman, and degrading treatment.

**Susana SáCouto**, Director of the War Crimes Research Office (WCRO) and adjunct professor at WCL, participated in an October meeting co-hosted by the U.S. Institute of Peace and the Open Society Institute on the issue of establishing an archive for the records of the ad

vent, Punish and Eradicate Violence Against Women. She maintains her focus on women, human rights, and public interest law, which she

now hopes to apply to her prospective judgeship. Most of all, Ms. Rioseco continues to share her passion through her courses and her many publica-

tions and hopes that her work will positively affect others now and in the future. **HRB**

*Emily Wann, a J.D. candidate at the Washington College of Law, covers the Alumni Profile for the Human Rights Brief.*

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### 50 YEARS IS ENOUGH: U.S. NETWORK FOR GLOBAL ECONOMIC JUSTICE

[www.50years.org](http://www.50years.org)

50 Years Is Enough: U.S. Network for Global Economic Justice is a coalition of over 200 U.S. grassroots, women's, solidarity, faith-based, policy, social and economic justice, youth, labor, and development organizations dedicated to the transformation of the World Bank, the International Monetary Fund, and the World Trade

Organization. The Network partners with over 185 international organizations in more than 65 countries. Through economic literacy training, public mobilization, and policy advocacy education and action, the Network seeks to transform the international financial institutions' policies and practices and to make the development process more democratic and accountable.

*The Human Rights Brief is accepting submissions for the next edition of the "NGO*

*Update." If your organization has an event or situation it would like to publicize, please send a short description to [hrbrief@wcl.american.edu](mailto:hrbrief@wcl.american.edu) and include "NGO Update" in the subject heading of the message. Please limit your submission to two paragraphs. The Human Rights Brief reserves the right to edit for content and space limitations.* **HRB**

*Lauren Bartlett, a J.D. candidate at the Washington College of Law, covers the NGO Update for the Human Rights Brief.*

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hoc and hybrid criminal tribunals. She also delivered a presentation on the prosecution of gender-based crimes committed in the context of war or mass violence at the Global Women's Court of Accountability, held November 17-18, 2005, at the Joan B. Kroc Institute for Peace and Justice of the University of San Diego. Over the past several months, she has participated in three sessions of the Working Group on Social Reconstruction and Reconciliation convened by the U.S. Institute of Peace. In January 2006 she also participated in a roundtable discussion on legal and judicial reform in Sudan convened by the Initiative for Inclusive Security.

**Rick Wilson**, Professor of Law at WCL and Co-Director of the Center, served as a mod-

erator for a panel on "Globalization of Clinical Legal Education: Transplanting Clinical Models into Other Cultures and Families of Law" at the Sixth International Clinical Conference, UCLA/IALS, in Lake Arrowhead, California. He sponsored a report entitled "A Moral Choice for the United States: The Human Rights Implications for the Gwich'in Peoples of Drilling in the Arctic National Wildlife Refuge" along with the Gwich'in Steering Committee and the Episcopal Church. He served as a commentator on a presentation by Justice Richard Goldstone called "Perspectives on Economic, Social, and Cultural Rights." He also served as a moderator for a panel on "International Prevention of Torture: The Role of the United Nations, International

Law and the United States" presented by the United Nations Association, National Capitol Area, and co-sponsored by the ABA Section of International Law. He was invited to serve as an international expert by the Clinical Legal Education Foundation of Russia to assist in the planning of three trainings of 24 selected clinical programs during 2006 in St. Petersburg, Russia. In November he was interviewed by Susan Kinzie of the *Washington Post* about WCL's clinics and other human rights activities. In December he was interviewed by the *National Journal* regarding the case of Canadian detainee Omar Khadr, represented by Rick and Muneer Ahmad. **HRB**

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### NEW JUSTICES

THE INTERNATIONAL COURT of Justice is composed of 15 permanent judges who are elected by the UN General Assembly and the UN Security Council from individuals nominated by the national groups in the Permanent Court of Arbitration. Elections take place every three years, with one-third of the judges retiring at the end of each cycle to ensure continuity within the Court. Judges may be re-elected.

On November 7, 2005, the UN General Assembly elected four new judges, who will begin their nine-year terms on the bench on February 6, 2006. The retiring judges include Nabil Elaraby of Egypt, Pieter Kooijmans of the Netherlands, Francisco Rezek of Brazil, and Vladlen S. Vereshchetin of the Russian Federation. The new judges include Mohamed Bennouna of Morocco, Sir Kenneth Keith of New Zealand, Bernardo Sepúlveda Amor of Mexico, and Leonid

Skotnikov of the Russian Federation. Judge Thomas Buergenthal of the United States, former Dean and Professor of International Law at the American University Washington College of Law from 1980 to 1985, was reelected for another term. **HRB**

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