
Letter from the Editors

THE *HUMAN RIGHTS BRIEF (HRB)* CELEBRATES ITS FIFTEENTH ANNIVERSARY IN 2009. The HRB will commemorate fifteen years of service to the international human rights community by developing special projects and initiatives. On February 23, 2009, HRB staffers attended and transcribed the proceedings of the “International Conference on the Prevention of Torture and other Ill Treatments” sponsored by the Washington College of Law (WCL) at American University and the Association for the Prevention of Torture (APT). Conference speakers included Manfred Nowak, UN Special Rapporteur on Torture, WCL Dean Claudio Grossman, Chair of the UN Committee Against Torture, Mark Thompson, APT Secretary General, and representatives from Human Rights Watch, Amnesty International, and Human Rights First, among others.

The HRB is working with panelists of the conference to publish the proceedings in a special edition of the HRB available on our website and on a limited basis, in print. The HRB is also developing a soon-to-be-launched weblog, The *HRBRIEF BLOG*, focusing on the Inter-American Commission on Human Rights (IACHR). The HRB is well positioned to cover the IACHR’s hearings throughout the year given our location in Washington and WCL faculty’s commitment to and expertise in the Inter-American System. Blog postings will be live by fall 2009.

In the current issue, the HRB features five female authors representing the academic and activist communities. Of the over half a million women who die during childbirth, 99% of those are women from the Global South. Using international human rights treaties to aid in their analysis, Luisa Cabal and Morgan Stoffregen of the Center for Reproductive Rights in New York expose structural inequalities and discrimination that engender maternal mortality.

Throughout 2008, the media was awash with stories of hit men, homicides, hold ups and kidnappings as rival cartels vied to reclaim the drug distribution channels disrupted by Mexican President Felipe Calderón’s so-called “War on Crime.” Absent from the headlines, however, were stories of the human rights violations perpetrated against innocent civilians resulting from Calderón’s militaristic approach to law enforcement. Stephanie Brewer, a fellow at the Miguel Agustín Pro Juárez Human Rights Center in Mexico City, writes the first article in a two-part series on the widespread and systematic violations committed by Mexican military and law enforcement agencies, and the endemic impunity that perpetuates abuses.

From the streets of Chihuahua and Culiacán, we go to the oilfields and pipelines of Nigeria and Burma. For far too long, large corporations such as Shell, Exxon, and UNOCAL, among others, have escaped civil liability for supporting abuses that local military and paramilitary forces perpetrate against civilian communities. WCL student Alexandra Bradley argues that the Alien Tort Statute (ATS), a statute from 1789 granting aliens jurisdiction in U.S. federal district court for a “tort only” in violation of the law of nations, should be used to hold corporations liable for these abuses under a theory of third party liability.

As the HRB goes to press, the ICC has decided to issue an international arrest warrant for the sitting President of Sudan, Omar Hassan al-Bashir, for his involvement in the genocide in Darfur. A welcome development and victory for international criminal law, the decision departs from anachronistic norms in international law that place state sovereignty and immunities over human rights and human dignity. During this pivotal moment in the history of international criminal law, the HRB has selected two pieces addressing different issues within the field.

In an article entitled “International Justice Marks Its Fifteenth Anniversary: A Preliminary Assessment of the ICTY’s Impact in Serbia,” WCL Professor Diane Orentlicher looks back upon the influence the ICTY has had on the ground in Serbia. Professor Orentlicher summarizes

a recent year-long study she conducted in the region for the Open Society Justice Initiative. In particular, the piece addresses some of the ICTY’s main criticisms, highlights lessons learned, and discusses unexpected impacts the ICTY has had. Finally, the piece demonstrates what can be learned from the recent past, by looking at the impact of the ICTY, the first body in the recent re-birth of international criminal law.

In “Defending International Sentencing: Past Criticism to the Promise of the ICC,” former HRB Co-Editor-in-Chief Marisa Bassett takes lessons learned from the ICTY and ICTR and applies them to recommendations regarding sentencing in the International Criminal Court (ICC). She provides a glimpse of the future, both in the precedent the ICC has the power to set, and the precedent the ICTY and ICTR arguably have set. **HRB**

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