

## SPRING 2010

### CENTER FOR HUMAN RIGHTS AND GLOBAL JUSTICE 2009-10 GLOBAL IMPACTS AND RECENT DEVELOPMENTS: THE YEAR IN REVIEW

The Center for Human Rights and Global Justice at NYU School of Law was established in 2002 to bring together NYU's teaching, research, clinical, internship, and publishing activities on issues of international human rights law.

Now in its eighth year of existence, the Center and its projects are evolving at an exciting pace. As reflected in the range of impacts and recent developments highlighted in this Newsletter, our projects truly aim to reflect our mission to combine cutting-edge scholarship with advocacy, research, and litigation in order to defend core human rights and advance global justice. By proactively expanding NYU's offering of curricula, events, and publications on human rights, the Center is successfully raising the academic visibility of—and scholarship on—human rights issues at one of the world's leading law schools.

The Center's most direct and lasting impact comes through training the next generation of lawyers; our graduates have taken up positions at leading human rights organizations and in international organizations, and many of those in private practice have consistently engaged in pro bono activities in the human rights field. In addition to our core teaching and scholarly mission, the Center and its clinical program endeavor aim to affect real, positive, and substantive change within the world. The Center's efforts are wide in scope, comprising several distinct areas, as highlighted in this newsletter. For more background information on any of these projects, please see our website: [www.chrgj.org](http://www.chrgj.org)

We hope you will continue to engage with our work as it develops in the coming years.

### Global Impacts and Recent Developments in the Center's Core Project Areas

**Detainees and Counter-Terrorism:** Since its inception, CHR&GJ has played a critically important role in identifying, denouncing, and fighting human rights abuses in relation to U.S. counter-terrorism measures. The most prominent among these violations have been the practices of rendition, secret detention, and coercive interrogation, which violate human rights law binding on the United States and damage its relationships with key allies. In the past five years, the Center has focused its litigation, research, and advocacy efforts on the goal of ending these abuses and pursuing accountability for them.



*2010 Fellows Dinner*

### CHR&GJ Faculty and Staff



Faculty Directors: Margaret Satterthwaite, Philip Alston, Smita Narula (*Ryan Goodman not pictured here*)

**Philip Alston**

Faculty Director and Co-Chair

**Ryan Goodman**

Faculty Director and Co-Chair

**Smita Narula**

Faculty Director

**Margaret Satterthwaite**

Faculty Director

**Paul van Zyl**

Director, Transitional Justice Program

**Amna Akbar**

Clinical Fellow

**Patricia Armstrong**

Fellowship Coordinator

**Lama Fakhri**

Gender, Human Rights and Counter-Terrorism Fellow

**Jayne Huckerby**

Research Director and Adjunct Clinical Professor

**Sarah Knuckey**

Director, Project on Extrajudicial Executions

**Veerle Ogenhaffen**

Senior Program Director

**Kelly Ryan**

Program Assistant

**Zoe Salzman**

Clinical Contract Attorney

**Liz Sepper**

Center Fellow

**Hina Shamsi**

Senior Advisor, Project on Extrajudicial Executions

**Michelle Williams**

Clinic Administrator and Paralegal

In particular, the Center has successfully promoted accountability and redress initiatives, helped give voice to the victims, and promoted human-rights compliant national security policies. Recent developments and impacts of this work include:

- By continuing to represent Mohamed Bashmilah and Mohammed al-Asad, two men of Yemeni nationality who are among a handful of fewer than ten known individuals who the U.S. government abducted, tortured, and held incommunicado in secret CIA “black sites” before releasing them, the Center is giving voice to those who suffered some of the worst abuses of the “War on Terror.” Through litigation, publication of detailed accounts of our clients’ experience, and extensive media advocacy, we’ve ensured that the impact of these U.S. abuses would not remain invisible and that the legal framework for countering such practices would be reinforced.
- The Center has continued to participate in the Mohamed v. Jeppesen Dataplan Inc. case on behalf of our client Mohamed Bashmilah, including participating in briefings and attending oral argument before an en banc panel of the Ninth Circuit Court of Appeals in December 2009.
- Through its ongoing Freedom of Information Act lawsuit against the CIA and other agencies, the Center continues to dislodge key documents on the rendition and secret detention program, along with our client Amnesty International USA, and our partner organization, the Center for Constitutional Rights, thus helping to establish transparency for these secret programs.
- In 2009, the Center analyzed flight log data showing that Poland was used by rendition flights and likely housed a secret prison. Using this information, in March 2010, we filed a submission with Polish prosecutor, Robert Majewski, who has launched an inquiry into Poland’s role in the CIA’s secret detention program.
- In 2009 and 2010, the Center provided expert analysis and recommendations about how the U.S. could transform its rendition policy to ensure that individuals’ rights are respected when they are transferred across borders. In June 2009, the Center published a legal briefing recommending specific steps the U.S. government should take to ensure its transfer policies comply with binding human rights law. In 2010, Professor Satterthwaite contributed a paper and advice on transfer policy as part of an expert project on human rights and counter-terrorism convened by the government of the Netherlands.

**Racial Profiling and Counter-terrorism:** The Center addresses the disparate impacts the “War on Terror” has had on particular communities, both within and outside the United States, by exposing and addressing institutionalized policies of discriminatory profiling of individuals deemed to be terrorism “suspects” or “threats” on the basis of their race, religion, ethnicity, and/or national origin.

To that end, the Center has—through its cutting edge research, advocacy, and creative use of media—had an impact on naturalization delays and on profiling at borders and airports. Through its research contributions, it has also influenced scholarly approaches to discrimination and counter-terrorism policies. The Center consults and collaborates extensively with community-based groups and immigrant rights organizations that share our concerns about the pernicious influence of counter-terrorism on immigration policies. Recent developments and impacts of this work include:

- In Spring 2010, the Center completed work on its long-anticipated documentary project, “Americans on Hold” which chronicles citizenship delays and border-crossing detentions and delays that result from discriminatory profiling in the context of U.S. counter-terrorism and immigration policies. Groundbreaking as a multidisciplinary clinical project that will take advantage of new media—and the first such project of its kind in the clinical program—the film makes a unique contribution to advocacy campaigns to raise the profile of the impact of post-

## Center Mission

New York University School of Law has long been at the forefront of scholarly work on civil liberties and human rights. In 2002, the Center for Human Rights and Global Justice was established to bring together and expand the rich array of teaching, research, clinical, internship, and publishing activities undertaken within the Law School on issues of international human rights law. The Center aims to:

- Generate substantive, cutting-edge and sophisticated contributions to human rights research and legal scholarship on the part of faculty, staff, students, fellows and visitors; and
- Actively engage in public affairs and make original and constructive contributions to on-going policy debates relating to human rights.

It achieves these aims through:

- **Undertaking rigorous legal analysis and disseminating studies in several key Research and Project areas:** Detainees and Counter-Terrorism, Racial Profiling and Counter-Terrorism, Gender and Counter-terrorism, Caste Discrimination, Economic, Social and Cultural Rights, Business and Human Rights, Extrajudicial Executions, and Transitional Justice.
- **Developing a new generation of human rights scholars and advocates:** The Center uses its location at one of the world’s leading law schools to equip students with the knowledge and experience needed to play principal roles in governments, international organizations, academia, and civil society in the years to come. Through key program elements such as the International Human Rights Clinic; academic human rights courses taught by leading Faculty; a Fellowship Program that places student interns in a wide variety of key institutions; an annual Emerging Human Rights Scholarship Conference where students present original papers; and support of student organizations working on human rights issues, the Center is at the apex of one of the leading human rights programs in the world.
- **Performing a convening and collaborative function** in discussions among human rights leaders concerning the doctrinal and policy dimensions of key current issues. The Center capitalizes on its uniquely neutral position at a leading law school located in the same city as the principal international organization involved in human rights - the United Nations. The Center also collaborates with many major civil society groups based in New York to catalyze and coordinate networking among human rights organizations, litigators, regional groups, parliamentary bodies, and human rights training programs.

September 11 policies on South Asian, Middle Eastern, Muslim, and Arab communities.

- Slated for April 2010 release, the film will form the centerpiece of an advocacy campaign and will contribute substantially to calls for immigration and national security reform, while also countering the human rights impacts of counter-terrorism policies on affected communities.
- As part of laying the groundwork for this campaign, the Center attended a March 2010 Washington, D.C., meeting of key groups working on this issue, where a preliminary version of the film was screened and discussions were held on how to build a campaign to target lawmakers and catalyze policy change by using the film to humanize the impacts of discriminatory profiling. The Center also plans to screen the film at community events to promote public debate and call for greater accountability and transparency from the current administration.
- In January, the Center issued a press release criticizing the Transportation Security Administration's (TSA) policy of screening passengers from certain countries in the wake of the attempted Christmas Day attack, and cautioning against proposals to lower the criteria for inclusion in the Terrorist Watchlist. The Center also collaborated with partner organizations raising similar concerns. As a result of mounting pressure from community based organizations and rights groups, the administration recently announced a repeal of the TSA's policy. The Center continues to carefully monitor proposals for replacement policies, as well as the on-going congressional debate about lowering requirements for the Terrorist Watchlist and the No-Fly List.

**Gender, National Security, and Counter-terrorism:** Despite significant overlaps between human rights, gender, and national security—and the fact that the U.S.-led “War on Terror” has been a heavily gendered endeavor—the mechanisms and consequences of the interplay have gone largely unexamined and thus unchallenged by advocates and policy-makers alike. The Center has been working to address this gap in several ways. Recent developments and impacts of this work include:

- In early 2009, in concert with the UN Special Rapporteur on human rights and counter-terrorism, the Center conducted extensive research and hosted an Expert Consultation to assist in the drafting of a report on Gender and Counter-Terrorism.
- On October 26, 2009, the Special Rapporteur presented his groundbreaking report on gender and counter-terrorism measures to the UN General Assembly. The report addresses the long-ignored impacts of counter-terrorism on women and LGBTI individuals, condemning patterns such as government bartering of these individuals' rights to appease terrorists and the use of anti-terrorism laws to criminalize gender equality advocates.
- In January 2010, the Center launched a new phase of its work in this area by formally creating the *Project on Gender, National Security, and Counter-terrorism*, which focuses on U.S. counter-terrorism policies and analyzes their impacts on gender rights at both the national and international levels. The project will actively engage in fact-finding, capacity-building, and on-going policy debates through a series of regional workshops and targeted interventions, and will recommend changes to discriminatory policies.

**Caste Discrimination:** Since its inception, Center has worked on the much-neglected issue of “untouchability” and caste-based discrimination—a system of hidden apartheid, modern-day slavery, and exploitation that affects more than 260 million people worldwide, particularly in South Asia. As the only law school Center with a programmatic focus on caste discrimination, the Center has successfully raised the visibility of the enormous obstacles faced by millions of Dalits (so-called “untouchables”) in their full attainment of civil, political, economic, social, and cultural rights, and has secured concrete policy results at the U.N. and national level. CHRGI's longstanding work in India and Nepal, and before U.N. human rights

## Student Highlight

*From NYU to the  
World  
Andrea Gittleman  
JD '09*



I first interned with the Burma Lawyers' Council (BLC) during my 1L summer. I knew I wanted to work with a grassroots human rights organization, and I had heard that the BLC does substantial work along the Thai-Burma border. I had a wonderful experience as an intern and I learned a lot about the human rights situation in Burma and the region as a whole. While in law school, I pursued a variety of domestic and international human rights opportunities. Eager to work with the BLC after graduation, I was thrilled to learn about the Arthur Helton Global Human Rights Fellowship through which recent graduates can do exactly this sort of international human rights work. It's very rare for a recent law graduate to find substantive paid international human rights work and the fellowship has allowed me to break into the field directly after finishing law school. I feel very fortunate to be able to have my dream job right after graduation.

The focus of my work here is advocating for criminal accountability for perpetrators of crimes against humanity and war crimes in Burma. Our main goal is to urge the UN Security Council to establish a Commission of Inquiry (COI) to investigate international crimes in Burma. Recently we have had several successes in our campaign. I am also teaching international human rights at a local law school called the Peace Law Academy. I teach 25 student activists from Burma who represent varied ethnic groups and religions. A goal of the Academy is to encourage the future leaders of a democratic Burma to work together to protect human rights.

bodies and experts, has established the Center as an important voice for Dalit human rights in South Asia.



**Anand Grover, Mario D'Penha, Smita Narula, Vivek Divan, and Scott Long discuss the impact of Section 377 on homosexuality in India**

Over the past five years, the Center's work in this area has focused on the political transition in Nepal, where our pioneering efforts have drawn attention to the disproportionate impact of the civil war on Dalits in Nepal, and have resulted in concrete remedies for caste discrimination through our work informing the drafting of Nepal's new constitution. Recent developments and impacts of this work include:

- In February 2010, the Center published its latest report *Rights Within Reach: Securing Equality and Human Rights in Nepal's New Constitution*. The report examines proposals for Nepal's new constitution in light of Nepal's obligations under international human rights law, with a particular focus on the need to secure the rights to equality and non-discrimination. The report was released at a crucial moment in Nepal's constitutional drafting process, with the aim of having a significant impact on the language of proposed provisions for the new constitution. The report, which we translated into Nepali, is now in the hands of all 601 members of Nepal's Parliament and is regarded as the key source document on Nepal's human rights obligations vis-à-vis the Constitution.
- In March 2010, International Human Rights Clinic students Monica Iyer (JD '10), Nathalie Laureano (LLM '10), and Beatrice Lindstrom (JD '10) travelled to Nepal with Clinic Fellow Amna Akbar and Clinical Contract Attorney Zoe Salzman, to engage lawmakers, political party leaders, advocates, and activists in dialogue about implementing human rights, and to solicit detailed feedback from the various constituencies in order to help us maximize the report's short- and long-term impact. The team's recommendations were enthusiastically received and the report garnered a great deal of media and public attention.
- Given CHRJ's ongoing engagement in this process from its early stages, the Center is now seen as an important player in the process to ensure that the new constitution will comply with human rights and lay the groundwork for the elimination of caste discrimination. The Center continues to monitor the constitutional drafting process in Nepal, and to provide relevant international human rights law research and analysis tied to legal developments at this critical time in the constitutional drafting process.
- In March 2010, Professor Smita Narula traveled to Geneva to attend the annual Council Meeting of the International Dalit Solidarity Network and to help devise key research and policy strategies to address caste-based discrimination at the U.N., multi-lateral, regional, domestic, and private sector level in the year to come. The meeting also commemorated the ten-year anniversary of the formation of the Network, which Professor Narula co-founded in March 2000.
- In continuation of its longstanding work on India, the Center is working with a partner grassroots Dalit rights NGO to draw the attention of national and international bodies to forced labor practices against the children of Dalit manual scavengers in Indian schools.

## Center Events: Spring 2010

**"Americans on Hold" Documentary Launch** (April 28, 2010)

**Transitional Justice Series: "In the Absence of Transition: Veterans, Refugees, and the Search for Truth and Justice in Iraq"** (April 14, 2010)

**Litigating Human Rights Series: Demanding Justice for Business Abuses against the Western Shoshone Tribe** (April 13, 2010)

**Emerging Human Rights Scholarship Conference** (April 9, 2010)

**Panel discussion "CEDAW's Role in Advancing Women's Rights Worldwide – 30 Years of Success & Setbacks"** (March 30, 2010)

**The Special Tribunal for Lebanon One Year On: Challenges and Achievements** (March 22, 2010)

**Tracking Human Rights Worldwide: A Conversation on Human Rights in the 21st Century and the State Department's 2009 Country Reports** (March 12, 2010)

**Affluence and International Human Rights Law** (March 11, 2010)

**Transitional Justice and Bank Liability: Recent Developments in *re South Africa Apartheid Litigation*** (March 2, 2010)

**Rebuilding Haiti: The Challenges Ahead** (February 24, 2010)

**Policing Sexuality: Law, Society, and Homosexuality in sub-Saharan Africa** (February 17, 2010)

**Haiti in Context: Film & Discussion** (February 11, 2010)

**Managing Trauma II: Skills for Interviewing Victims of Human Rights Violations** (February 3, 2010)

**CHRJ Reception and Photo Opening** (January 22, 2010)

**Haiti in Context: Perspectives on the Current Crisis** (January 20, 2010)

**Economic, Social and Cultural Rights:** Although the Universal Declaration of Human Rights and the major human rights treaties recognize economic and social rights such as the rights to food, housing, and education alongside the rights to liberty, freedom of expression, and equal protection of the law, civil and political rights have often been favored while economic, social and cultural rights have been neglected. The Center aims to correct this imbalance by analyzing problems of implementation at the national level, examining the roles played by institutional and non-state actors, and fostering dialogue between the development and human rights communities. In 2008, Professor Smita Narula accepted an appointment as legal advisor to the mandate of the [UN Special Rapporteur on the Right to Food](#), Olivier De Schutter. The Center has been at the forefront of calls for corporate accountability standards and has also created a successful model for defending the rights to food and water.



*NYU Law alum Amanda Klasing and the Center's Veerle Opgenhaffen, in Haiti working on the "Right to Food" project, Summer 2009*

Recent developments and impacts of this work include the following (*also see the Business and Human Rights section*):

- Following on the success of our 2008 report on the right to water in Haiti, the Center and its partner organizations launched a new project on the right to food in the summer of 2009, which included conducting a field survey in Haiti and amassing preliminary data and research for a report on the topic.
- In response to the massive earthquake that struck Haiti on January 12, 2010, the Center mobilized a global advocacy push to ensure that Haitians' human rights and aid accountability be at the forefront of relief efforts, which included the following:
  - Conducting an aggressive media campaign aimed at bringing issues of transparency, accountability, and human rights visibly into the international dialogue on aid relief for Haiti, anchored in the publication of concrete recommendations to the donor community and expressed in numerous press releases and garnering widespread media coverage;
  - Sending a small delegation of experts from the Center and its partner organizations to conduct a preliminary assessment of conditions on the ground in Port-au-Prince and the surrounding areas. In March 2010, the Center's Meg Satterthwaite and Liz Sepper conducted interviews and traveled through the earthquake-affected region to help inform our work going forward.
  - Circulating a letter endorsing these recommendations to donor countries, signed on to by more than 300 NGOs worldwide and made public on March 17, 2010;
  - Delivering testimony before the Inter-American Commission on Human Rights on March 23, 2010, aimed at compelling the Organization of American States to conduct their own investigation into the conduct of member states in delivering aid to Haiti;
  - Reconfiguring our right to food project to make it more relevant to the current crisis, which will include using our data to publish a short briefing paper on the topic, and working closely with partners on the ground in Haiti on issues around access to health and legal aid for victims of gender-based violence.

## Center Press Releases: Spring 2010

**Rights Groups Testify about Haiti and Human Rights before Inter-American Commission** (March 23, 2010)

The groups based their testimonies both on their recent investigations into conditions in Haiti following the earthquake and their prior experiences working on advancing respect for human rights and improving conditions there.

**Groups Call for Respect for Human Rights, Accountability at Haiti Donors' Conference** (March 18, 2010)

**Groups to Testify on Haiti and Human Rights before Inter-American Commission** (March 17, 2010)

**CHRGJ to Address Critical Gaps in New Constitution at the CCD** (March 17, 2010)

Staff from CHRGJ in Nepal and presented key findings from CHRGJ's recently released report, Rights Within Reach: Securing Equality and Human Rights in Nepal's New Constitution. The report was drafted in consultation with Nepalese Dalit rights advocates, including DNF and FEDO.

**New Evidence Confirms Poland Complicit in CIA Secret Detention Program** (March 9, 2010)

**Rights Groups Travel to Haiti to Assess Human Rights Situation** (March 3, 2010)

**Albania can do more to eliminate blood feuds and domestic violence, says UN expert** (February 23, 2010)

**Rights Groups Present New Documents that Show Congress Knew More about CIA Rendition, Secret Detention, and Torture Than Previously Disclosed** (February 22, 2010)

**Groups Call on Donors to Advance Human Rights in Rebuilding Haiti** (February 17, 2010)

**CHRGJ Releases New Report Urging Nepal to Ensure Equality and Human Rights in the New Constitution** (February 9, 2010)

**CHRGJ Calls on Congress to Stop Discriminatory Profiling, Fix Watchlists** (January 20, 2010)

Congress must uphold respect for human rights by ending the use of illegal and discriminatory profiling under the guise of maintaining national security... The Center made its statement as three Senate committees convened to discuss the attempted Christmas Day terrorist attack and its implications for the Terrorist Watchlist and related databases.

**Rights Groups Urge Respect for Human Rights in Delivering Aid to Haiti** (January 14, 2010)

**Rights Groups Urge Congress Not to Block Disclosure of Details about CIA Rendition, Secret Detention, and Torture** (January 7, 2010)

**UN expert concludes that Sri Lankan video is authentic, calls for an independent war crimes investigation** (January 7, 2010)

Reports by three independent experts strongly point to the authenticity of a videotape released by Channel 4 in Britain which appears to show the summary execution of bound, blindfolded, and naked Tamils by Sri Lankan soldiers.

**Business and Human Rights:** Business activity has a profound influence on the lives and livelihoods of people around the world. Yet responses to the negative effects of business activity on human rights often emerge in response to specific controversies, cover a limited set of rights, or apply selectively to individual companies or industries or particular regional contexts, such as conflict areas.

The Center works to address this problem by exposing the enormous impact that businesses have on a wide spectrum of human rights in a variety of industries across the world, analyzing gaps in the international protection regime, and advocating the development of stronger legal standards for business and human rights.

Recent developments and impacts of this work include:

- In 2008, the Center partnered with the International Network for Economic, Social and Cultural Rights (ESCR-Net) in creating the Business and Human Rights Documentation Project (B-HRD), a cutting edge web-based advocacy and educational resource that will provide a much-needed legal and advocacy tool to better understand the relationship between business activities and human rights, and to assist in the development of progressive business norms. Designed to reach domestic and international non-governmental organizations, environmental groups, social movements, the media, United Nations officials, academics, the public at large, and businesses themselves, B-HRD is comprised of: a Database of human rights reports, an “In Focus” section, and a Working Papers series.
- The Database, which uses our innovative and unique B-HRD Human Rights-Based Framework to categorize the impact of business activity on human rights, has been under construction for most of 2009-10. The Project is expected to launch in the Fall of 2010.
- In its work on the impact of businesses on socio-economic rights, and in support of the mandate of the U.N. Special Rapporteur on the Right to Food, the Center has supported cutting edge research in two key areas: the agribusiness sector and large-scale land investments.
- In Spring 2009, and in honor of World Food Day, the Center made public the report “Transnational Corporations and the Right to Food.” The paper was authored by the group Law Students for Human Rights at NYU School of Law, under the guidance and direction of 2008-09 Center Fellow Lama Fakih and Center Faculty Director Smita Narula.
- The paper informed a June 2009 multi-stakeholder consultation convened by the Special Rapporteur in Berlin, Germany on the role of the agribusiness sector in the realization of the right to food, and also informed the Rapporteur’s December 2009 report to the U.N. Human Rights Council on Agribusiness and the Right to Food.
- In May 2010, the Center’s International Human Rights Clinic will release the results of its extensive research and analysis of four case studies on large-scale land investments in the developing world, and the impact of these investments on the rights of affected populations. This report will similarly inform the work of the Special Rapporteur on this critical and contentious issue.
- In late 2009, Center staff, together with the Harvard Human Rights Program, testified before the Canadian Foreign Affairs and International Development Committee on human rights abuses connected with a minesite in Papua New Guinea, and testified on the importance of Bill C-300, a bill being debated in Canadian Parliament that would create an accountability mechanism in Canada for the overseas actions of its multinational corporations.

**The Project on Extrajudicial Executions:** In 2004, Philip Alston was appointed the U.N. Special Rapporteur on extrajudicial, summary, or arbitrary executions. The Center provides him with needed support to act on allegations transmitted to him by victims and their families, engage governments in constructive dialogue, prepare for

## Center Events:

Fall 2009

**Who Will Speak for the Child? Human Rights at Home and the Convention on the Rights of the Child** (December 7, 2009)

**Book Launch for “The Guantanamo Lawyers”** (November 10, 2009)

**Peter Maass book presentation: “Crude World: The Violent Twilight of Oil”** (November 6, 2009)

**Managing Trauma: Dealing with Secondary Traumatization, Work with Victims of Abuse, and Exposure to Atrocity** (October 30, 2009)

**Engendering Counter-Terrorism and National Security** (October 27, 2009)

**Careers in Transitional Justice: A Discussion with Ruben Carranza of the ICTJ** (October 22, 2009)

**CHRGJ Litigating Human Rights Series: The Task and Implications of Decriminalizing Homosexual Sex in India** (October 22, 2009)

**“Managing Identity Conflicts in Africa”** (October 7, 2009)

**Professor Philip Alston and Business & Human Rights Resource Centre invite you to a discussion with Professor David Kinley as he launches his new book: “Civilising Globalisation: Human Rights and the Global Economy”** (September 30, 2009)

**International Supervision of Human Rights—A Threat to Democracy?** (September 29, 2009)

**Enforcing Economic, Social and Cultural Rights: The Hope and Challenge of the Optional Protocol** (September 23, 2009)

**CHRGJ Human Rights Community Welcome Reception** (September 9, 2009)

and carry out country fact-finding missions, provide early warning to the U.N. Human Rights Council of emerging patterns of unlawful violence, and to report to the Council and the General Assembly on factual, policy, and legal issues related to the Special Rapporteur mandate.

The Center's work has significantly raised the visibility of unlawful killings globally, encouraged higher standards and major reforms in the policies of several governments, and clarified legal standards concerning extrajudicial executions.

Over the last year, Professor Alston and his team have visited the Democratic Republic of the Congo (DRC), Colombia, and Albania; expanded their research projects into targeted killings, human rights fact-finding, police accountability, vigilante justice, and unlawful killings during elections. Recent developments and impacts of this work include:

- By carrying out rigorous fact-finding missions to countries of concern including visits to Albania, Colombia, and the DRC, the Center has continued to raise the visibility of unlawful killings on a global scale and dispelled the myth that certain countries or regions should consider themselves safe from scrutiny.
- In October 2009, the team's mission to the DRC covered: the radical privatisation of the state; popular justice; killings by the Congolese army and FDLR in North and South Kivu; LRA killings in Province Orientale; political killings in Bas Congo and Kinshasa; deaths in prisons; sexual violence and extrajudicial executions; impunity and the criminal and military justice systems; and the role of MONUC (the UN mission in the DRC) in human rights abuses committed by the Congolese Army. Following his mission to the DRC, UN officials said that MONUC would halt all support to units implicated in human rights violations.
- Following an investigation into footage originally shown by Channel Four in Britain which appears to show the summary execution of bound, blindfolded, and naked Tamils by Sri Lankan soldiers, Philip Alston called for the "establishment of an independent inquiry to carry out an impartial investigation into war crimes and other grave violations of international humanitarian and human rights law" allegedly committed in Sri Lanka. He announced that investigation, on the basis of detailed analyses conducted by recognised experts in forensic pathology, forensic video analysis, and firearm evidence, strongly pointed to the authenticity of the videotape released by Channel 4.
- In April 2010, the Project launched a new website with greatly expanded capacity to deliver timely information on the EJE's missions, research, press, and reports: <http://www.extrajudicialexecutions.org/>

**Transitional Justice:** The Center's Transitional Justice program investigates criminal trials, truth commissions, institutional reform, and reparations programs in countries undergoing transition, ranging from East Timor and Iraq to Sierra Leone, Nepal, and the United States. We work in close partnership with the International Center for Transitional Justice, as well as with NYU's adjunct professor of transitional justice, Paul Van Zyl.

In the past two years, the Center has significantly expanded its focus on transitional justice both the United States and Nepal and has raised the visibility of transitional justice as an. Recent developments and impacts of this work include:

- A continued push to expand the range of transitional justice-related academic and career events for students at NYU School of Law, through events such as:
  - Managing Identity Conflicts in Africa (October 7, 2009)

## CHRGJ in the News

CHRGJ Faculty Director, **Margaret Satterthwaite**, "Turning Scandal into Opportunity: Toward a Rights-Respecting Transfer Policy", **Prism**, April 2, 2010

Interview featuring CHRGJ Faculty Director, **Philip Alston**, "UN Special Rapporteur Philip Alston Responds to US Defense of Drone Attacks' Legality", **Democracy Now**, April 1, 2010

Interview featuring CHRGJ Faculty Director, **Margaret Satterthwaite**, **KPFA**, March 22, 2010

"CHR&GJ delegates handed over report to Mr. Nembang and Mr. Acharya", **Nepal Dalit Info**, March 18, 2010

Berlotte Israel and **Margaret Satterthwaite**, "Building Back Better: A New Future for Haiti's Women", **Huffington Post**, March 8, 2010

William Fisher, "HAITI: Experts Urge Sea Change in 'Culture of Aid'", **IPS News**, March 5, 2010

Scott Shane, "Destroying C.I.A. Tapes Wasn't Opposed, Memos Say", **The New York Times**, February 22, 2010

"Plug holes in statute: Report" **The Kathmandu Post**, February 10, 2010

William Fisher, "Haiti Beyond the Cleanup", **truthout**, February 9, 2010

Marguerite A. Suozzi, "HAITI: Military Playing Large Role in Relief Efforts", **IPS News**, January 25, 2010

Jordan Flaherty, "New Orleans' Heart Is in Haiti", **Huffington Post**, January 18, 2010

Tom Mellen, "Help Haitians to help themselves", **Morning Star Online**, January 15, 2010

John Heilprin "UN Expert Cites Video in Call for Sri Lankan Probe", **CBS News**, January 7, 2010

John Heilprin "UN Expert Cites Video in Call for Sri Lankan Probe", **Washington Post**, January 7, 2010

John Heilprin "UN Expert Cites Video in Call for Sri Lankan Probe", **Miami Herald**, January 7, 2010

John Heilprin "UN Expert Cites Video in Call for Sri Lankan Probe", **New York Times**, January 7, 2010

"Sri Lanka execution video 'authentic'", **Al Jazeera**, January 7, 2010

Louis Charbonneau, "Sri Lanka execution video appears authentic - U.N.", **Reuters**, January 7, 2010

"Sri Lanka execution video authentic - UN envoy", **BBC**, January 7, 2010

- Careers in Transitional Justice: A Conversation with Ruben Carranza (October 22, 2009)
- Transitional Justice and Bank Liability: Recent Developments in re South Africa Apartheid Litigation (March 2, 2010)
- The Special Tribunal for Lebanon One Year On: Challenges and Achievements (March 22, 2010)
- Transitional Justice Series: “In the Absence of Transition: Veterans, Refugees, and the Search for Truth and Justice in Iraq” (April 14, 2010)

- The Center continues to impact on the national discussion about truth and justice in the post-“War on Terror” era by engaging in wide-ranging media efforts to educate the American public about the need for both truth and justice. Urging President Obama to appoint a non-partisan commission to examine and provide a comprehensive report on policies and actions related to the detention, treatment, and transfer of detainees after 9/11, the Center has consistently been one of the only organizations in the United States to advocate both the creation of a commission and the use of criminal prosecutions.
- By emphasizing the issue of Caste discrimination in Nepal’s transitional justice experience—particularly through analysis and recommendations on its constitution-building process—the Center has given voice to Dalits while reducing the odds that the conflict in Nepal will reignite by addressing one of its root causes.

### Other

- In Fall 2009, the Center gained a new co-chair and Faculty Director when Ryan Goodman came on board. Since his arrival Professor Goodman has worked on a number of different projects, including:
  - Convening the Fall 2009 Hauser Globalization Colloquium: Interdisciplinary Approaches to International Law.
  - Co-convening a joint NYU-Harvard Workshop entitled “Social science perspectives on human rights, state compliance and national human rights institutions” at the Harvard Human Rights Program (HRP), September 17-18th September. That conference formed the basis of a forthcoming edited volume with Cambridge University Press, titled: ‘Human Rights, State Compliance, and Social Change: Assessing National Human Rights Institutions’ (co-edited with Thomas Pegrum).

- In Spring 2010, the Center started work on *a submission to the Human Rights Council* on the United States’ compliance with international human rights law, in preparation for the United States’ first universal periodic review before the Council in November 2010.



*Larry Cox, Michael Posner, and Philip Alston discuss the State Department’s human rights reports at NYU School of Law*

- From April 2009-April 2010, the Center had no less than 50 press mentions, including in the New York Times, BBC News, Democracy Now, Al-Jazeera. During that timeframe, the Center also released some 25 press releases and media advisories, double the amount it released the prior year.

### Center Highlight: Photo Exhibit

#### “Investigating Unlawful Killings in the Democratic Republic of the Congo” (October 2009)

The photographs in this exhibit were taken in October 2009 during the UN Special Rapporteur on extrajudicial, summary or arbitrary executions’ fact-finding mission to the Democratic Republic of the Congo (DRC).

The Special Rapporteur, Professor Philip Alston, and his Senior Advisors, Sarah Knuckey and Hina Shamsi, visited the DRC to investigate allegations of unlawful killings by Government forces and rebel groups in the east of the country, massacres by the Lord’s Resistance Army, killings of political opponents, deaths in custody and prisons, and “vigilante” justice.

More information is available at [www.extrajudicialexecutions.org](http://www.extrajudicialexecutions.org)



- In response to a growing need being expressed by students, faculty, and staff, in Fall 2009, the Center launched a ***seminar series on trauma and human rights work***. In its two-part, annual series, the seminars look closely at the secondary traumatization issues that can impact on human rights professionals and students, as well as specialized skills for human rights researchers dealing with traumatized victims of human rights violations.
- NYU's team in the ***2010 Jean-Pictet Competition on International Humanitarian Law*** made its way to the final round, for the first time since 2000. The competition took place in Orford, Quebec, Canada, and finished on March 27, 2010. The NYU team of Colin Gillespie ('11), Graham Dumas ('11) and J. Benton Heath ('11) were among only three teams to make it through to the Final Round. Eighty-seven teams from 47 countries had applied to compete, out of which 45 participated.
- ***International Law and Human Rights Student Fellowship Program***. The ILHR Fellowship Program was created in 2002 and is coordinated by CHRJ, with support from the Institute for International Law and Justice and the Public Interest Law Center. Twenty-seven NYU Law students were selected as 2009-10 ILHR Student Fellows at the end of 2009. The Fellowship includes an internship as a prestigious inter-governmental or non-governmental organization and a scholarly research paper. See the sidebar for a list of this year's Fellows and their internship placements. The Fellowship Program also includes a series of seminars during the Spring semester to prepare students for their internships.
- This year, the seminar subjects and lecturers were International Human Rights Law (Jayne Huckerby, CHRJ Research Director); International Criminal Law (Natalie Reid, Debevoise & Plimpton); International Law on Refugees and Internally Displaced Peoples (Kirsten Hagon, Humanitarian Policy Advisor, Oxfam International, and former UNHCR staff member); International Law Commission (Santiago Villalpando, UN Office of Legal Affairs); and International and Foreign Law Research (Mirela Roznovschi, Reference Librarian for International and Foreign Law). Further information about the Fellowship Program can be found at <http://www.chrgj.org/opportunities/fellowships.html>
- The Center also continues to offer its ***Arthur Helton Fellowship*** (see feature), which started in 2008. This fellowship supports one graduating student annually who has demonstrated a commitment to pursuing a career in international human rights law, and who has designed a sound proposal for work at a host organization that they have chosen. Applicants are invited to design projects to put their legal education to work on timely issues in countries where their efforts are most needed and where there are insufficient resources for human rights protection.



*Center Staff and IHRC students visit with a Women's group in Nepal*

## 2009-2010 ILHR Student Fellows

**Niran Anketell (LLM '10)**, ECCC, Phnom Penh  
**Carlos Arevalo (LLM '10)**, ILC, Geneva  
**Farrell Brody (Class of '12)**, Timap for Justice, Sierra Leone  
**Pamela Clarke (LLM '10)**, ICTJ New York  
**Willow Crystal (LLM '10)**, ICTY, The Hague  
**Stewart Dearing (Class of '12)**, ERRC, Budapest  
**Matthew Gabbard (Class of '12)**, ILC, Geneva  
**Adam Herling (Class of '12)**, ICTJ Cape Town  
**Alice Huling (Class of '12)**, IWRAW-Asia Pacific, Kuala Lumpur  
**Mercy Imahiyerobo (Class of '12)**, IACHR, Washington  
**Joseph Jerome (Class of '11)**, ILC, Geneva  
**Rahela Khorakiwala (LLM '10)**, Special Tribunal for Lebanon, The Hague  
**Sarah Koper (Class of '12)**, ILC, Geneva  
**Nathalie Laureano (LLM '10)**, LRC – CLU, Johannesburg  
**Veronica Lavista (LLM '10)**, ILC, Geneva  
**Stephanie Morris (Class of '12)**, Refugee Law Project, Kampala  
**Katherine Pannella (Class of '12)**, KNCHR, Nairobi  
**Christopher Roberts (Class of '12)**, UNHCR Geneva  
**Erika Sasson (LLM '10)**, ACRI, Jerusalem  
**Kara Schleiden (Class of '12)**, UNHCR, Kuala Lumpur  
**Mathew Schutzer (Class of '12)**, ILGA Europe, Brussels  
**Shawn Sebastian (Class of '12)**, ILC, Geneva  
**Amanda Sen (Class of '12)**, BLAST, Dhaka  
**Eran Sthoeger (LLM '10)**, ILC, Geneva  
**Ludwig Ureel (LLM '10)**, ICTJ Bogotá  
**Leonela Vaccaro (Class of '12)**, IDEH, Lima  
**Smita Walavalkar (Class of '12)**, EIPR, Cairo