



COLUMBIA LAW SCHOOL



# Human Rights Institute

ANNUAL REPORT  
2014-2015

## The Human Rights Institute at Columbia Law School

The Human Rights Institute sits at the heart of human rights teaching, practice, and scholarship at Columbia Law School. Founded in 1998 by the late Professor Louis Henkin, the Institute draws on the Law School's deep human rights tradition to support and influence human rights practice in the United States and throughout the world. The activities of the Human Rights Clinic are included in the Institute's work, enabling us to multiply our impact on the field and engage students more fully in our efforts. The Institute's newly formed Columbia Advisory Committee provides input and feedback on the Institute's activities and promotes awareness of the Institute's activities within the law school and Columbia University community.

The Institute currently focuses its work in several substantive areas: Counterterrorism, Armed Conflict, and Human Rights; Human Rights in the United States; Business and Human Rights in the Global Economy; and University Human Rights Education in Burma. We have developed distinct approaches to work in each area, building bridges between scholarship and activism, developing capacity within the legal community, engaging governments, and modeling new strategies for progress.

This report details our activities from September 2014 to August 2015.

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# Counterterrorism, Armed Conflict, and Human Rights

The Human Rights Institute and the Human Rights Clinic aim to strengthen respect for human rights and international law in the contexts of counterterrorism and armed conflict through promoting dialogue among governments, academics, and civil society advocates, and carrying out independent research, legal analysis, training, and advocacy on issues of contemporary concern. As national and geopolitical events in the counterterrorism and armed conflict areas have unfolded, the Institute and clinic have adapted to the changed environment and policies and responded to emerging issues. The Institute and clinic hosted a number of meetings during the year to explore current challenges in U.S. counterterrorism practices, including national approaches to accountability for violations of international law in armed conflict, the concept of co-belligerency, implications for detention operations when hostilities in an armed conflict have ended, and advocacy strategies to improve states' respect for international law. The clinic also carried out advocacy with NGOs to the U.N. and the U.S. government to promote accountability for the use of lethal force, and worked with civil society in the Central African Republic to investigate war crimes.

## Harmonizing Standards for Armed Conflict

The Institute continued its work on Harmonizing Standards for Armed Conflict, led by Institute Faculty Co-Director **Sarah Cleveland**; Senior Fellow **Sir Daniel Bethlehem**, a visiting professor at Columbia Law School and the former Legal Adviser of the U.K. Foreign & Commonwealth Office; **Nathalie Weizmann**, senior director of the Institute's Counterterrorism and Human Rights project; and Project Consultant **Rebecca Ingber**, associate research scholar at Columbia Law School. This project explores avenues for raising legal standards regarding humanitarian protection in non-international armed conflicts.

The goal of the Harmonization project is to explore the feasibility of extending the entire 1949 Geneva Convention regime, which was developed for conflicts between states, to conflicts between states and non-state armed groups. Individual states, or groups of states, would adhere to this regime as a minimum baseline for all armed conflicts through legally binding unilateral declarations. If this approach proves feasible, it will have the effect of harmonizing the legal standards for the conduct of all armed conflicts, regardless of classification, clarifying legal requirements, raising the level of protection for individuals, and reducing multilateral coordination problems, based upon the highest current levels of protection under international humanitarian law and rules that states are already comfortable administering in situations of international armed conflict.

In October 2014, the project leaders hosted the fifth meeting of the Harmonization project's steering committee, composed of high-level current and former military personnel from the U.S., Canada, the Netherlands, and Australia, as well as leading academic and



**Professor Sarah Cleveland, Louis Henkin Professor of Human and Constitutional Rights; Faculty Co-Director, Human Rights Institute**

civil society experts on the law of war and human rights. Project leaders also continued to consult with many outside experts, including representatives of civil society and governments. The final project report is forthcoming.



Human Rights Clinic students Bassam Khawaja '15 and Surya Gopalan LL.M. '15 meet with Christof Heyns, U.N. Special Rapporteur on extrajudicial, summary or arbitrary executions.

## Accountability for “Targeted Killings” and Drone Strikes

In September 2014, under the guidance of Human Rights Institute Faculty Co-Director and Human Rights Clinic Director **Sarah Knuckey**, the clinic launched a new project to promote accountability for U.S. “targeted killings” and drone strikes. This work builds upon prior work undertaken by the clinic under the direction of **Naureen Shah '07**. Knuckey and clinic students **Bassam Khawaja '15**, **Balqees Mihirig '15 LL.M.**, and **Surya Gopalan '15 LL.M.** worked with U.S. and international civil society groups to develop joint NGO letters to both the U.N. and the U.S. government urging greater transparency, accountability, and compliance with international law in the use of drones

for lethal targeting. The clinic also prepared extensive research on advocacy work and strategies, hosted strategy meetings with civil society organizations, and conducted consultations with military, civil society, U.N., and international law actors, as well as journalists and Yemeni experts, to develop new advocacy projects to address drone strikes. Knuckey gave numerous presentations on drone-related issues, including on the human rights concerns surrounding current U.S. targeted killings practices, and advised various parts of the U.N. system on targeted killing-related issues.

## Compensation for Torture Victims

In preparation for the United States' appearance for its second Universal Periodic Review under the auspices of the United Nations Human Rights Council, the Human Rights Institute and New York University's Global Justice Clinic **co-wrote and distributed a paper** calling on foreign government representatives participating in the UPR to emphasize the United States' international legal obligations to compensate those persons it secretly detained and tortured as part of the CIA's rendition, detention, and interrogation (RDI) program.

## Domestic and Transatlantic Dialogue and Research on Select Legal Issues

### PRIVACY AND DIGITAL SURVEILLANCE

In September 2014, Human Rights Institute Faculty Co-Director **Sarah Cleveland** participated as an independent expert on the U.N. Human Rights Council's panel discussion on “The Right to Privacy in the Digital Age,” during the Council's plenary session in Geneva.

In March 2015, together with the American Civil Liberties Union and the International Network of Civil Liberties Organizations (INCLO), the Institute co-hosted a two-day convening and



strategy meeting on global digital surveillance and information privacy issues, which brought together civil society advocates working on data privacy around the globe.

The agenda included a briefing with Edward Snowden, as well as discussion of potential U.S. surveillance “reform,” the surveillance debate in INCLIO member countries, opportunities to work with technology companies, and litigation and advocacy strategies and opportunities.

The Institute also hosted a public lecture series on domestic and international legal issues surrounding privacy in the digital age. [See Events, page 21.]

### CONTEMPORARY LEGAL CHALLENGES IN NON-INTERNATIONAL ARMED CONFLICT

In October 2014, the Institute, led by **Sarah Cleveland** and **Nathalie Weizmann** along with the International Committee of the Red Cross (ICRC), organized a two-day roundtable on legal challenges arising in contemporary non-international armed conflicts. The discussion explored the interface between human rights law, international humanitarian law, and rules relating to the resort to force on foreign territory. The roundtable brought together high-level U.S. government legal representatives from relevant agencies, as well as select current and former foreign government lawyers, U.S. and foreign academics, and ICRC legal advisers. The roundtable discussion was informed by a number of background papers.

In April 2015, in conjunction with the American Society of International Law’s annual meeting, the Institute and the Asia Pacific Centre for Military Law co-hosted a roundtable featuring U.S. and foreign government perspectives on current challenges in international humanitarian law. [See Events, page 17.]

**Nathalie Weizmann** drafted a white paper exploring criteria to determine whether an armed conflict, participation in an armed conflict, or active hostilities in an armed conflict have ended. The paper also examines which rules of international law govern targeting and detention activities when the law of armed conflict no longer applies.

**Sarah Cleveland**, **Sarah Knuckey** and **Nathalie Weizmann** engaged with *Just Security* and other blogs on issues at the intersection of national security, armed conflict, and human rights. This included providing commentary on drone strikes and lethal targeting, ending the armed conflict against the Taliban and al Qaeda, repatriation of Guantánamo detainees, compensation for victims of torture, and the United States’ application of the U.N. Convention Against Torture.

## Armed Conflict in the Central African Republic

In 2014–2015, the Human Rights Clinic developed a new partnership and project with a Central African Republic (CAR) NGO to support its work related to war crimes investigations, accountability, and the promotion of peace and reconciliation in the country. In December 2012, a brutal civil war erupted in the CAR, with frequent occurrences of war crimes and widespread displacement of the civilian population. There is now a U.N. peace-keeping mission in the country, although humanitarian conditions remain poor for many residents, and there is widespread impunity for war crimes. Under the direction of **Sarah Knuckey**, clinic students **Shanmuga Kanesalingam ’15 LL.M.** and **Nuzhat Chowdhury ’15** designed a joint project with CAR civil society to develop a secure war crimes evidence database, prepare legal advice on the elements of war crimes and international humanitarian law violations, and develop guidelines on gathering and storing evidence. In June 2015, Knuckey traveled to the CAR to support the domestic NGO’s investigations.



Civil society advocates at briefing with Edward Snowden during March meeting on digital surveillance and information privacy issues.



From left: Carly Nyst, Privacy International; Professor Sarah Knuckey, Lief Cabraser Associate Clinical Professor of Law; Faculty Co-Director, Human Rights Institute; Director, Human Rights Clinic

# Human Rights in the United States

The Institute's Human Rights in the United States project develops the capacity of U.S. lawyers, policymakers, and advocates to incorporate a human rights framework into domestic advocacy efforts. We build networks, facilitate trainings, conduct educational outreach, and promote coordination among progressive public policy and advocacy groups. The project also directly contributes to the development of legal theories and positive precedents based on international law through work on select litigation before U.S. courts, in international and regional fora, and through other research and advocacy projects.



From left: JoAnn Kamuf Ward, Associate Director, Human Rights in the United States Project, Human Rights Institute; Professor Sarah Cleveland; Risa Kaufman, Executive Director, Human Rights Institute

## Building the Field of Domestic Human Rights Lawyers

A centerpiece of the Institute's Human Rights in the United States project, our **Bringing Human Rights Home (BHRH) Lawyers' Network** connects more than 800 lawyers from the domestic civil rights, human rights, and legal services communities to share information and develop strategies for integrating human rights to advance U.S. social justice advocacy. The Network's membership, which includes individuals working in 37 states across the United States, is drawn from approximately 200 advocacy and legal services organizations, 50 universities and law schools, and a number of private law firms and state and local human rights bodies. Members range from law students to attorneys in practice for more than 50 years.

This year's bi-annual BHRH Lawyers' Network meetings brought members together to discuss common challenges, engage in strategic conversation, and develop collaborative approaches to U.N. advocacy, U.S. policy initiatives, U.S. matters before the Inter-American Commission on Human Rights, and pending human rights-related cases in U.S. courts. The Institute also convened periodic meetings of the Network's Working Group on the Inter-American System and launched a new Working Group on State and Local Human Rights Implementation. Through the former group, the Institute facilitated periodic communication and meetings among Network members, the U.S. State Department, and the Inter-American Commission on Human Rights. In between meetings, BHRH Network members stayed connected through the BHRH Lawyers' Network listserv, roundtable events, and closed meetings with U.N. human rights experts. In addition, members participated in the Institute's annual Human Rights in the U.S. Symposium/Continuing Legal Education program [See Events, page 16.] Members also made use of the Institute's U.S. Human Rights Online Library, a clearinghouse for domestic human rights resources, including sample briefs, pleadings, and other materials relevant to this work.

In July 2015, the Institute issued a new resource for U.S. human rights advocates seeking to work with U.N. human rights experts. The report, **Engaging U.N. Special Procedures to Advance Human Rights at Home: A Guide for U.S. Advocates**, is based on more than 40 interviews conducted by students in the Columbia Law School Human Rights Clinic during the 2013-2014 academic year. The student team, supervised by Human Rights Institute executive director **Risa Kaufman**, spoke with human rights advocates, current and former U.N. special procedures mandate holders, and current and former U.S. government officials to explore ways in which U.S. advocates are making strong use of the U.N. special procedures. A resource for the BHRH Lawyers' Network and other



Erin Foley Smith '10, Project Attorney, Human Rights Institute

advocates, the report provides an inside perspective on both the challenges and opportunities associated with the U.N. special procedures and offers case studies and recommendations for how to increase the effectiveness of domestic advocacy efforts.

## State and Local Implementation of Human Rights

State and local governments have a significant role to play in ensuring that the United States meets its international human rights treaty commitments. The Human Rights Institute works directly with state and local agencies and officials to enhance their capacity to implement human rights locally. The Institute also advocates for greater federal coordination and support of state and local human rights initiatives. This work is led by **JoAnn Kamuf Ward**, associate director of the Institute's Human Rights in the United States project, along with **Risa Kaufman** and Human Rights Institute project attorney **Erin Foley Smith**.

During the past year, the Institute strengthened partnerships and developed new models for local implementation.

The Human Rights Institute supported Birmingham, Alabama Mayor William Bell's efforts to convene a local human rights dialogue, timed to coincide with the 50th anniversary of the Bloody Sunday March from Selma to Montgomery. The March 6, 2015, dialogue included local Birmingham advocates and government officials, as well as the U.S. State Department. The event was a forum to discuss strategies to improve equality and opportunity in Birmingham.

The Institute is working, too, to strengthen human rights protections in New York City. In 2014, the Institute joined a coalition of legal service providers and civil and human rights advocates focused on revitalizing the New York City Commission on Human Rights. The Institute is engaged in research and advocacy to promote the integration of human rights principles into the commission's work.

The Human Rights Institute continues to advocate for the federal government to more actively foster local human rights compliance. In the past year, we have seen progress on this front. On the Institute's recommendation, the Equal Employment Opportunity Commission included discussion of human rights in its 2014 conference for state and local agencies. In 2015, the Office of the Legal Adviser to the U.S. Department of State disseminated to state and local actors the recommendations made to the United States by U.N. human rights treaty bodies. And Acting Legal Adviser Mary McLeod discussed the role of state, territorial, and local governments in promoting, respecting, and defending human rights during her keynote address at the 2015 conference of the National Association of Attorneys General.

The Human Rights Institute serves as a clearinghouse for research, advocacy, and other resources on state and local human rights implementation. This year, the Institute partnered with the University of Miami International Human Rights Clinic and Cornell Law School's Global Gender Justice Clinic to track and support local efforts to recognize freedom from domestic violence as a human rights issue. Together with our partners, the Institute **launched a website** that catalogues local resolutions. In May 2015, the Institute hosted a half-day convening at Columbia Law School to explore these local government commitments and identify strategies for advancing related advocacy.



JoAnn Kamuf Ward



Human Rights Institute and Clinic traveled to Selma, Alabama for the 50th anniversary of the Bloody Sunday March after participating in a local human rights dialogue in Birmingham. From left: Glory Nwaugbala '16; Risa Kaufman; Benjamin Setel '16; Daniel Pedraza '16; Audrey Son '15; Joshua Cooper, Hawai'i Institute for Human Rights; JoAnn Kamuf Ward



Also in 2015, the Institute established a State and Local Working Group of the BHRH Lawyers' Network. This joint initiative with the U.S. Human Rights Network's Human Rights at Home Campaign provides a space for state and local government representatives and civil society groups to share perspectives and expertise on local human rights implementation, and to develop new research agendas and advocacy strategies.

## Access to Justice

Legal representation is fundamental to safeguarding fair, equal, and meaningful access to the legal system. Yet, in the United States, only a small fraction of the civil legal problems experienced by low-income people—less than one in five—are addressed with the assistance of legal representation, including in cases of eviction, foreclosure, domestic violence, loss of child custody, and deportation. This civil justice gap disproportionately impacts racial minorities, immigrants, and women.

In response, the Human Rights Institute is strengthening domestic human rights advocacy for meaningful access to justice in civil cases, including in basic needs cases and immigration proceedings. Led by **Risa Kaufman**, the Institute is engaging a range of human rights theories, strategies, and forums, both international and domestic, to advance advocacy for meaningful access to justice in the United States.

Building from last year's successful advocacy with the U.N. human rights treaty bodies, the Institute this year participated in the second Universal Periodic Review of the United States to highlight the U.S. civil justice gap. In its advocacy, the Institute highlighted promising federal programs such as the U.S. Department of Justice's Access to Justice Initiative, and emphasized the importance of meaningful and equal access to counsel in civil cases (including immigration proceedings) for ensuring U.S. human rights compliance.

The Institute also worked with the U.S. access to justice community to incorporate international access to justice standards and recommendations into domestic litigation, administrative advocacy, and policy work. In December 2014, the Institute, along with Northeastern University School of Law's Program on Human Rights and the Global Economy, provided testimony regarding access to justice to the U.S. Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights for its hearing on the State of Civil and Human Rights in the United States.

The Human Rights Institute provided support to the New York City Right to Counsel Coalition, which is urging the establishment of a right to counsel in housing eviction cases in New York City housing court. As part of this work, the Institute, working with a team of students in the Human Rights Clinic, organized a human rights panel for a city-wide Housing Justice Forum, held at New York Law School in December 2014, and provided testimony to the New York City Council detailing the importance of access to justice in ensuring human rights. New York City is poised to become the first city in the country to establish a right to counsel for people in housing court facing the threat of eviction.

In addition, this year, the Institute embarked on a new project related to access to justice and the post-2015 Sustainable Development Goals (SDGs). The SDGs, which are explicitly grounded in human rights, are to be adopted by the international community in September 2015 as an agenda for eradicating poverty around the globe. The SDGs cover a broad range of social, economic and environmental issues. Goal 16 of the SDGs calls on countries to pro-



The Housing Justice Forum at  
New York Law School



Risa Kaufman



vide access to justice for all. The Institute is working with the National Center for Access to Justice (NCAJ) to deepen the impact of the post-2015 SDGs, and in particular Goal 16, on efforts to advance access to justice in the United States. Together this year, Risa Kaufman and NCAJ's executive director David Udell conducted a series of interviews to determine ways in which proposed Goal 16 will potentially raise the profile of access to justice concerns in the U.S., draw on cross-global learning to promote access to justice in the United States, increase financial support for research, and increase incentives for U.S. officials to make needed reforms. This research lays the groundwork for projects that the Institute will undertake in the coming year.

## The Inter-American Human Rights System

The Institute works to deepen advocates' engagement with the Inter-American Commission on Human Rights (IACHR) to promote and protect human rights within the United States and the Americas. **JoAnn Kamuf Ward** leads the Human Rights Institute's efforts to enhance the effectiveness of the Commission and its impact in the United States.

To improve U.S. engagement with the Commission and implementation of Commission recommendations, the Institute tracks U.S. cases, analyzes developments within the Inter-American System, and identifies opportunities for advocates to further their work. In 2015, the Institute published an updated ***Primer on Recommendations from the Inter-American Human Rights Commission and the United Nations***, which distills recommendations from the Inter-American Commission and the United Nations in a number of thematic areas, and offers guidance on how to use the Inter-American system to advance domestic social justice advocacy.

This year, the Institute focused its annual domestic human rights symposium on U.S. engagement with the Inter-American Human Rights System. The June 12th event, attended by more than 100 advocates, experts, and officials, explored strategies for effective engagement with the Inter-American Commission and challenges and opportunities offered by the Inter-American Human Rights System for strengthening human rights accountability throughout the region. [See Events, page 16.]

Through the Inter-American Working Group of the BHRH Lawyers' Network, the Institute raises awareness of the Inter-American system and coordinates U.S. advocates to more effectively engage with its mechanisms. The Institute leads the working group together with the University of Pennsylvania School of Law's Transnational Legal Clinic. In the fall of 2014, the Working Group held its sixth annual meeting with IACHR commissioners and staff, as well as with the U.S. State Department. These annual meetings are an opportunity to explore ways to strengthen U.S. engagement with the Commission and the Organization of American States, and to develop a more institutionalized approach to implementing IACHR recommendations.

Also in the fall of 2014, the Human Rights Institute participated in a Commission hearing focused on ways in which the U.S. can bolster compliance with the Commission's landmark 2011 decision in *Jessica Lenahan (Gonzales) vs. United States*. In *Lenahan*, the Commission found the United States had failed to meet its legal obligations to protect women and girls from domestic violence in the case of a Colorado woman and her three deceased children. The Human Rights Clinic previously served as co-counsel in the case, with the ACLU Women's Rights Project, the University of Miami School of Law's Human Rights Clinic, and Robert F. Kennedy Partners for Human Rights.



June 12 Symposium on "Engaging with the Inter-American Human Rights System for U.S. Advocacy"



From left: Professor Ariel Dulitzky, UT Austin School of Law, and Commissioner Tracy Robinson, Inter-American Commission on Human Rights

# Human Rights Institute Participates in United States' Second Universal Periodic Review



From left: Benjamin Setel '16; Audrey Son '15; Daniel Pedraza '16; Glory Nwaugbala '16; at UPR Consultation at the U.S. State Department

This year, the U.S. underwent its second Universal Periodic Review (UPR). The UPR is a “peer review” of the human rights record of each country belonging to the U.N. The review is conducted through the U.N. Human Rights Council. The first UPR of the U.S. occurred in 2010. Building off of its robust involvement in the United States’ first UPR and in recent human rights treaty reviews of the United States, the Human Rights Institute played a key role in civil society engagement with the second UPR, working in partnership with organizations around the country.

For the review, the Institute focused on four substantive areas: strengthening support for state and local implementation of human rights; ensuring meaningful access to counsel in civil cases; increasing accountability and transparency for the U.S. targeted killings program; and promoting a right to reparations for victims of the CIA torture program. The Institute led a civil society working group focused on the issue of state and local implementation, and **submitted a shadow report** (with our partner the International Association

of Official Human Rights Agencies) emphasizing state and local actors’ important role in U.S. human rights compliance. The report also highlighted the need for federal support and coordination of state and local efforts. The Institute submitted stakeholder reports and engaged in extensive in-person advocacy on the three other issue areas, as well. Institute representatives joined the U.S. civil society delegation that traveled to Geneva for the review in May 2015, and likewise participated in civil society consultations with the U.S. State Department before and after the review.

In addition to issue-specific advocacy, the Institute supported broader civil society participation by creating opportunities for other U.S. advocates to engage in the UPR process. A team of Human Rights Clinic students, supervised by **Risa Kaufman** and **JoAnn Kamuf Ward**, organized a UPR diplomacy dialogue at the U.N. Church Center in March 2015. The event, co-hosted by the Institute and the U.S. Human Rights Network, offered U.S. advocates the opportunity to present on a wide array of human rights concerns to more than a dozen U.N. mission representatives. Topics included national security, indigenous peoples’ rights, housing, immigration, and racial justice. In addition, the Institute, with the clinic team, helped to organize a human rights dialogue hosted by the Birmingham, Alabama mayor’s office, in conjunction with the UPR. Topics explored at the Alabama event included marriage equality, housing and homelessness, and education.

The Institute continues to conduct advocacy to advance its substantive goals through ongoing engagement with the UPR process.





# Business and Human Rights in the Global Economy

The Human Rights Institute and Human Rights Clinic develop and draw upon innovative human rights and interdisciplinary methodologies to investigate and assess the human rights implications of—and to promote respect for human rights in—business operations and developments in the global economy. The Institute and clinic seek to use, promote, and strengthen legal frameworks and strategies to advance human rights, to achieve accountability for rights violations, and to limit the subjugation of rights to the profit-motive of business enterprises around the globe. Our research seeks to recalibrate global and corporate-community power imbalances that reinforce the disparate allocation of wealth, community exploitation, threats to physical security, and the perpetuation of systems of poverty and violations of economic, social, and cultural rights. In addition to publishing policy-level analysis, the Institute and clinic undertake site-specific projects to strengthen the power of groups negatively impacted by resource extraction, development projects, and industry, and to assist impacted groups in their pursuit of economic, social, and environmental justice. In 2014, the Human Rights Institute and the Human Rights Clinic launched two new projects to assess the human rights impacts of extractives projects in the Global South, and to promote accountability for alleged violations: one in Peru, and a second in Papua New Guinea.



Human Rights Clinic student  
Carolyn Forstein '15 in Peru

## Peru

In 2014, the Human Rights Clinic launched a new effort to support communities and social organizations mobilizing against a proposed gold mining project known as Conga in Cajamarca, Peru. Community members fear that the project, if allowed to go forward, will result in negative impacts to the environment and human health stemming primarily from harm to water quality and access. Local communities say that the mere existence of the project has already adversely impacted human rights, calling attention to violence against protesters by security forces acting on behalf of the company, and harassment and efforts to forcibly displace those living near the mine concession area.

The Human Rights Clinic is supporting the affected communities through an exploration of the responsibility of the different companies and institutions involved in the project (including a U.S. mining company and the International Financial Corporation of the World Bank) in light of the application of international legal norms and standards. In March 2015, Clinic Teaching Fellow **Benjamin Hoffman** and clinic students **Carolyn Forstein '15** and **Daniela Paez Cala '15 LL.M.** traveled to Lima and Cajamarca to meet with organizations, activists, and affected communities to discuss and advance legal strategies seeking to stop the project. The clinic also supported a legal action in a U.S. federal court seeking discovery of information held by the U.S. company regarding an incident of violent repression of protest activity at the mine site in November 2011 that left many protesters injured.



Celendin Province, Cajamarca  
Region of Peru

## Papua New Guinea

The Human Rights Institute and the Human Rights Clinic support communities dealing with the environmental and social consequences of the Porgera Gold Mine, a mine owned by a Canadian company, in the remote highlands of Papua New Guinea.

The thousands of indigenous people living in villages surrounding the mine fear that mine operations have polluted their rivers and streams, contaminated rainwater, caused erosion and landslides, and contributed to poor air quality and low crop yield—but have

had little access to independent assessments of these environmental concerns. Residents requested the clinic to carry out independent research of any environmental and health impacts. In December 2014 through January 2015, after extensive research and preparation—including on rights-based mixed-methods research, the rights to water and health, international and domestic environmental law, and interviewing technique—clinic students **Alison Borochoff-Porte '15**, **Holly Stubbs '15**, **Stephanie Persson '15**, and **Genevieve Taylor '15 LL.M.**, with **Sarah Knuckey** and **Benjamin Hoffman**, traveled to the region along with environmental scientists from the Earth Institute of Columbia University and a filmmaker. The team conducted an interdisciplinary rights-based study, blending physical science and human rights methodology, to assess the mine's environmental and human rights impacts. Knuckey also traveled to the region for a month in July 2015 to carry out additional research. The results of the study will be published and shared with the communities in early 2016.

Separately, the clinic also works on issues related to physical abuse by the mine's security guards. For years, residents have alleged that mine security guards engaged in beatings and sexual assault, including gang rapes, of local residents. After earlier work investigating these violations, the Human Rights Institute and the Human Rights Clinic have been analyzing the mining company's recent efforts to compensate sexual assault victims through the creation of a non-judicial remedy mechanism. A major report and an academic article will be published in 2015 as part of a multi-pronged analysis of corporate non-judicial grievance mechanisms for human rights abuses. In October 2014, the Institute and clinic also hosted, with EarthRights International, a workshop of international experts to discuss community-led grievance mechanisms, as an alternative model for remedying these types of abuses.



Professor Sarah Knuckey and clinic students meet with community members in Papua New Guinea.



The clinic traveled to Papua New Guinea to conduct an interdisciplinary rights-based study to assess the environmental and human rights impact of the Porgera Gold Mine.



# University Human Rights Education in Burma

In April 2015, **Sarah Knuckey** traveled to Myanmar with **Bassam Khawaja '15**, as well as with Elazar Barkan, Kristina Eberbach, and Benedict Fleming from the Columbia University Institute for the Study of Human Rights (ISHR), to conduct human rights trainings for tutors, lecturers, and professors from across Myanmar.

## HUMAN RIGHTS TRAINING AND SUPPORT

The three-day session at Yangon University was the beginning of what will be at least a year-long program to build the capacity of university professors in Myanmar to teach human rights. Twenty-nine law and international relations faculty from 18 universities in Myanmar participated, including many who traveled from remote parts of the country to attend.

The goal is to support local actors who are interested in teaching human rights law and advocacy. It is also an opportunity to bring educators together, to support the development of human rights networks, and to promote engagement among university faculty, the government, and civil society.

**Knuckey** and **Khawaja** worked together to design and teach some of the sessions, including a problem-based workshop on using the human rights law framework as a tool to identify and respond to human rights abuses. Human rights law is not yet taught at most universities in Myanmar, and part of the training involved participants exchanging ideas on the many pedagogical approaches to teaching human rights law and practice.

The trip was not the Institute's first involvement with Myanmar. In 2013, **Sarah Cleveland** traveled to the country to provide assistance to its parliament on constitutional issues at the request of Nobel Peace Prize Laureate and opposition leader Aung San Suu Kyi. In addition, in 2014, Dr. Khin Mar Yee, the head of the University of Yangon Law Department, served as a visiting scholar at Columbia Law School.

ISHR's University Human Rights Education in Myanmar project was conceived by Ben Fleming following extensive research and consultations with educators in the country. The project was designed and organized by Fleming, ISHR Director Elazar Barkan, and ISHR Director of Education Programs Kristina Eberbach, with guidance from an interdepartmental advisory board, including **Sarah Knuckey** and **Risa Kaufman**. The ISHR, with the support of the Human Rights Institute, will continue working with faculty participants in Myanmar over the next year through an online course that explores human rights law in more detail, as well as through future in-person trainings. The ISHR will also be selecting three of the faculty participants to spend a semester at Columbia University as visiting scholars during the fall of 2015.



Professor Sarah Knuckey meets with university professors in Myanmar.

# The Institute Welcomes Distinguished International Law Faculty and Practitioners

This year, the Institute welcomed several distinguished international law experts as visitors to the law school and to the Institute.

**Sir Daniel Bethlehem**, KCMG QC, is a longstanding Senior Fellow at the Human Rights Institute, a Visiting Professor at Columbia Law School, and a Barrister with 20 Essex Street Chambers, London. Together with Professor Sarah Cleveland, he co-taught a seminar on International Lawyering for Governments. Professor Bethlehem co-directs the Institute's project on Harmonizing Standards for Armed Conflict and provides ongoing consultation and assistance to the Project on Counterterrorism, Armed Conflict, and Human Rights. He participated in the Harmonization Steering Committee meeting and the roundtable on legal challenges arising in Contemporary Non-International Armed Conflicts at Columbia Law School in October. As the former legal adviser to the U.K. Foreign & Commonwealth Office, Professor Bethlehem was responsible for the legal oversight of all U.K. military, intelligence, and foreign relations activities from 2006 through May 2011. He has extensive personal and professional relationships with legal and policy decision makers in the U.K. and other European governments, as well as with the U.S. military and intelligence leadership from both the Obama and Bush Administrations. As a former member of the law faculty at Cambridge University and director of the Lauterpacht Center for International Law, he has an extensive background in the law of human rights protection.

**Amal Clooney** was a Senior Fellow at the Human Rights Institute and a Visiting Professor at Columbia Law School. A barrister with Doughty Street Chambers, London, Professor Clooney co-lectured in Sarah Cleveland's Human Rights course during the Spring 2015 semester, and taught a class on human rights litigation strategies to students in the Human Rights Clinic. Professor Clooney served as a senior adviser to Kofi Annan when he was the U.N.'s envoy on Syria, and she represented WikiLeaks founder Julian Assange in extradition proceedings. Professor Clooney has also handled cases before the International Criminal Court, the International Court of Justice, and the European Court of Human Rights, as well as cases in domestic courts in the U.S. and the U.K.

**Guy Goodwin-Gill** was a Scholar-in-Residence with the Institute this spring. Professor Goodwin-Gill is the world's leading expert on international refugee law and a barrister with Blackstone Chambers, London. While at Columbia, he delivered a public lecture on the current crisis on refugee law, and taught a class on the human rights of refugees. Professor Goodwin-Gill recently stepped down as the Senior Research Fellow at All Souls College, Oxford University, and he has written extensively on refugees, migration, international organizations, elections, democratization, and child soldiers. He recently advised the Office of the United Nations High Commissioner for Refugees on statelessness and assisted the U.N. Division on Legal Affairs in drafting treaties on refugees and stateless persons.



Daniel Bethlehem



Amal Clooney



Guy Goodwin-Gill

**Claus Kress** joined the Institute and law school as Visiting Faculty this spring. Kress is a professor at the University of Cologne and an expert on international criminal law, international humanitarian law, and human rights. While at Columbia, he gave a public lecture on navigating peace and justice in the Colombian peace negotiations, participated on a panel discussing the International Criminal Court and Israel/Palestine, and taught a class on the relationship between international humanitarian law and human rights law. Director of the Institute for International Peace and Security Law at the University of Cologne, Professor Kress has represented Germany in state negotiations regarding the International Criminal Court since 1998, and was an external adviser to the Turkel Commission in 2011-12. In 2014, he was awarded the M.C. Bassiouni Justice Award for “outstanding academic service to international criminal law.”

**Bruce Oswald**, Associate Professor and Director of the Asia Pacific Centre for Military Law in the Melbourne Law School at the University of Melbourne, joined the Institute this spring as a Visiting Faculty at Columbia Law School. Bruce “Ossie” Oswald serves as a key member of the steering committee for the Human Rights Institute’s Project on Harmonizing Standards for Armed Conflict. While at Columbia, Professor Oswald met with international law faculty and practitioners, as well as advocates and government officials in the New York area. He is an expert in the areas of international humanitarian law, peace operations, state-building, accountability and responsibility, and the application of human rights law to military operations. His interests are in examining the law and practice surrounding the protection of civilians, the taking and handling of detainees during military operations, and militias undertaking law and order functions. Professor Oswald has served in the Australian Regular Army as a legal officer. During his service in Australia he provided legal advice to the Deployable Joint Force Headquarters, Headquarters Australian Theatre, Strategic Command and Directorate of Operations and International Law.

**Guglielmo Verdirame** joined the Institute and law school as Visiting Faculty this spring. He taught a course at the law school on contemporary issues in international human rights and gave a public lecture on the relationship between human rights and international humanitarian law. Verdirame is a professor of international law at the Department of War Studies and the School of Law at King’s College London and a barrister with 20 Essex Street Chambers. Professor Verdirame has served as counsel and an adviser to governments and corporations on a wide range of issues of public international law, including human rights and the law of armed conflict, boundary disputes, immunity, and the law of the sea.



Claus Kress



Bruce Oswald



Guglielmo Verdirame



## Spotlight on the Human Rights Clinic



In 2014, Professor **Sarah Knuckey** joined Columbia Law School and was appointed to be Director of the Human Rights Clinic. Knuckey co-teaches the clinic with Clinic Teaching Fellow **Benjamin Hoffman**, who joined Columbia in 2014 as well. **Risa Kaufman** and **JoAnn Kamuf Ward** also guest lecture in the clinic and supervise clinic projects.

In 2014-2015, Knuckey and Hoffman focused on advancing the clinic's approach to the integration of critique into teaching human rights practice; community empowerment in the human rights field; deeper methods for student involvement in building the clinic as an institution; advanced strategizing for social change; investigating complex human rights abuses with interdisciplinary techniques; and advancing ethical frameworks in human rights work.

The Human Rights Clinic is a community of advocates engaged in innovative education, social justice, critical reflection, and scholarly research. The clinic's methodology is collaborative, rigorous, and self-reflexive, providing a unique space for the education of strategic and creative advocates who pursue social justice in partnership with civil society and communities, and critically engage with the human rights field's existing approaches and work to advance human rights methodologies and scholarship. The clinic aims to provide a foundation for students to engage in lifelong social justice education and advocacy.

Clinic seminars provide a map of the terrain of international human rights advocacy, including the field's dominant forms of action, strategies, methods, and critiques. Students learn the fundamental aspects of human rights work, including: project selection, design, and strategy; choice and sequence of advocacy

tactics; fact-finding methodologies and evidence assessment; interdisciplinary research methods; interviewing witnesses, experts, and perpetrators; digital and physical security; report and brief-writing; using judicial and quasi-judicial processes; advocacy options at the local, national, regional, and international levels; engaging the press and using social media; mitigating vicarious trauma and promoting resilience; ethical frameworks and the navigation of ethical dilemmas; and accountability and project evaluation.



(top left) Clinic team in Papua New Guinea; (middle left) From left: Bassam Khawaja '15; Professor Sarah Knuckey, Clinical Teaching Fellow Benjamin Hoffman; (bottom right) Clinic students present on their projects at the end of the year



Students in the clinic are assigned to clinic projects in small teams. This aspect of the clinic functions similarly to a non-governmental organization, and the clinic pursues a range of human rights projects each year. The projects address marginalized, urgent, and complex human rights issues around the world. Projects vary from year to year—in 2014-2015, they included work on targeted killings and drone strikes, corporate accountability for sexual violence in Papua New Guinea, environmental harm in the extractive industry, police violence in Peru, armed conflict in the Central African Republic, and access to justice in the United States.

The clinic interrogates its own foundations, goals, ethics, language, methods, and effectiveness, and acknowledges the limits of human rights discourse. The clinic seeks to employ a transparent and evolving pedagogy, and students are active partners in building upon prior clinic practice and are engaged in building the methods, pedagogy, and institution of the clinic itself through the course of the year. The clinic is also a laboratory for testing and modeling new and innovative modes of human rights work, with a focus on enhancing human rights methods through interdisciplinary partnerships. Clinic projects are also designed to enable the production of research with broader applicability to the human rights field, and students and supervisors are supported in pursuing scholarly research and writing related to their clinic projects.

### CLINIC MENTORSHIP PROGRAM

During the 2014-2015 academic year, the Human Rights Clinic launched the Human Rights Clinic Mentorship Program. Through the Mentorship Program, each clinical student is connected to a mentor drawn from the global community of practicing human rights advocates. Mentors provide personal and career guidance throughout the year that the students participate in the clinic. The mentorship program is intended to foster a supportive environment for students' human rights practice while simultaneously increasing practitioner links to new allies and advocates, to grow professional networks in the human rights field, to increase student exposure to diverse professional influences and the range of types of work undertaken in the human rights field, and to provide mentors additional opportunities to influence the development of new generations of advocates. This year's mentors were: **Alex Abdo**, American Civil Liberties Union; **Chris Albin-Lackey '04**, Human Rights Watch; **Allison Corkery '10 LL.M.**, Center for Economic and Social Rights; **Katy Glenn Bass**, PEN America Center; **Jehanne Henry**, Human Rights Watch; **Jonathan Horowitz**, Open Society Foundations; **Jonathan Kaufman**, Earth Rights International; **Wade McMullen**, RFK Partners; **Sara Mehta**, ACLU Human Rights Program; **Christopher Rogers**, Open Society Foundations; **Naureen Shah '07**, Amnesty International USA; and **Omar Shakir**, Center for Constitutional Rights.



Mural in Scelendin, Peru



Human Rights Clinic winter retreat

# Events

## Continuing Legal Education

### USING HUMAN RIGHTS PRINCIPLES TO ADDRESS DOMESTIC VIOLENCE AND SEXUAL ASSAULT

April 16, 2015, hosted by the Brooklyn District Attorney's Office, New York City: This training discussed the decision by the Inter-American Commission on Human Rights in *Jessica Lenahan (Gonzales) v. United States*, including core human rights principles from the international due diligence framework, and explored the ways these principles can inform the day-to-day work of district attorneys handling domestic violence cases. More than 30 district attorneys from the Domestic Violence Bureau participated in the training, which was organized by the Human Rights Institute and the American Civil Liberties Union's Women's Rights Project.

### ENGAGING WITH THE INTER-AMERICAN HUMAN RIGHTS SYSTEM FOR U.S. ADVOCACY

June 2, 2015, hosted by Skadden, Arps, Slate, Meagher & Flom, New York City: This year's Bringing Human Rights Home Lawyers' Network annual symposium on domestic human rights brought together more than 100 lawyers, advocates, and government officials to explore ways to effectively engage with the Inter-American Human Rights System (IAHRS) to advance U.S.-based advocacy, as well as challenges of and opportunities for strengthening human rights accountability throughout the region. The full-day symposium featured keynote addresses by current IACHR Commissioners James Cavallaro and Tracy Robinson. The event was co-sponsored by the Center for Justice and International Law, the International Justice Resource Center, the American Civil Liberties Union, Robert F. Kennedy Human Rights, and the University of Pennsylvania Transnational Legal Clinic.



June 12 Symposium on "Engaging with the Inter-American Human Rights System for U.S. Advocacy"

## Conferences and Workshops

### GRIEVANCE MECHANISM WORKSHOP

October 24, 2014, New York City: The Institute and clinic hosted an international workshop with EarthRights International (ERI) in collaboration with The Centre for Research on Multinational Corporations to discuss ERI's new model for community-driven operational level grievance mechanisms. The workshop allowed organizers to receive input from expert practitioners, academics, civil society, and businesses on issues that have arisen in the first stage of development of these mechanisms.

### HARMONIZATION PROJECT STEERING COMMITTEE MEETING

October 29, 2014, New York City: The Institute hosted the fifth meeting of the steering committee of the project on Harmonizing Standards for Armed Conflict, composed of high-level current and former military personnel from the U.S., Canada, the Netherlands, and Australia, as well as leading academic and civil society experts on the law of war and human rights.

### ROUNDTABLE ON LEGAL CHALLENGES ARISING IN CONTEMPORARY NON-INTERNATIONAL ARMED CONFLICTS

October 30–31, 2014, New York City: Together with the International Committee of the Red Cross (ICRC), the Institute hosted a two-day roundtable on legal challenges arising in contemporary non-international armed conflicts, including the interface between human rights law, international humanitarian law, and rules relating to the resort to force on foreign territory. The roundtable brought together high-level U.S. government legal representatives from relevant agencies, as well as select current and former foreign government lawyers, U.S. and foreign academics, and ICRC legal advisers. The roundtable discussion was informed by a number of background papers.

### **2015 IHL ROUNDTABLE: “CHALLENGES IN INTERNATIONAL HUMANITARIAN LAW: PERSPECTIVES FROM GOVERNMENTS”**

April 20, 2015, Washington, D.C.: This second-annual roundtable was organized by the Human Rights Institute and the Asia Pacific Centre for Military Law in conjunction with the American Society of International Law’s annual meeting. The roundtable featured a discussion of contemporary IHL challenges confronting governments, ranging from the problem of foreign fighters to human rights law on the battlefield. Participants included legal advisers from U.S. and foreign governments.

### **CONVENING AND STRATEGY MEETING ON GLOBAL DIGITAL SURVEILLANCE AND INFORMATION PRIVACY ISSUES**

March 5, 2015, New York City: The Institute co-hosted a convening and strategy meeting on global digital surveillance and information privacy issues, together with the ACLU and the International Network of Civil Liberties Organizations (INCLO). The agenda included a briefing with Edward Snowden, discussion of what U.S. surveillance “reform” might look like, the surveillance debate in INCLO member countries, opportunities to work with technology companies, as well as litigation and advocacy strategies and opportunities. [See *also*, Privacy in the Digital Age Series, page 21.]

### **CIVIL SOCIETY SPONSORED CONSTRUCTIVE DIALOGUE IN ADVANCE OF THE MAY 2015 UNIVERSAL PERIODIC REVIEW**

March 27, 2015, New York City: In advance of the United States’ second UPR, the Institute, together with the U.S. Human Rights Network, hosted an event to provide U.S. civil society an opportunity to share perspectives on human rights concerns with U.N. mission representatives. These conversations informed questions and recommendations that countries offered during the Review in Geneva. The event began with a welcome keynote by Ejim Dike, executive director of the U.S. Human Rights Network, followed by presentations from human rights advocates. U.N. mission representatives from more than a dozen U.N. member states attended.

### **TEACHING BUSINESS AND HUMAN RIGHTS WORKSHOP**

May 18-19, 2015, New York City: This year, the Institute hosted the fifth annual Teaching Business and Human Rights Workshop. Co-sponsored by the Institute for the Study of Human Rights, this annual workshop is a product of the Teaching Business and Human Rights Forum, an active platform for collaboration among individuals teaching business and human rights worldwide, organized by Anthony Ewing and Joanne Bauer. This year’s workshop agenda blended practical and thematic topics, providing an opportunity for teachers in various disciplines to share teaching strategies and methodologies for issues including grievance mechanisms, emerging markets, and the state duty to protect human rights.

### **HUMAN RIGHTS METHODOLOGY LAB**

May 13, 2015, New York City: The Institute developed a Human Rights Methodology Lab with Human Rights Watch and the Center for Human Rights and Global Justice at New York University School of Law. The lab aims to deepen interdisciplinary human rights investigations and to expand methods and increase methodological rigor in the human rights field. The pilot lab was held in May at Columbia. It was attended by leading human rights advocates and experts from other disciplines, including architecture, social sciences, public health, economics, political science, and environmental science.



**Teaching Business and Human Rights Workshop, May 18-19**



### ROUNDTABLE: ADDRESSING DOMESTIC VIOLENCE AS A HUMAN RIGHT THROUGH LOCAL RESOLUTIONS

May 28, 2015, New York City: Together with the Cornell Law School Global Gender Justice Clinic, the Institute hosted a half-day convening at Columbia Law School for advocates from law schools, legal services organizations, and NGOs to explore local human rights-based strategies for addressing domestic violence. The roundtable offered participants an opportunity to share experiences with local resolutions recognizing freedom from domestic violence as a human right, and to develop strategies for advancing related advocacy.

## Bringing Human Rights Home (BHRH) Lawyers' Network

The Institute's bi-annual Bringing Human Rights Home (BHRH) Lawyers' Network meetings, which took place on November 18, 2014, and May 28, 2015, brought together network members to discuss common challenges, advocacy strategies, U.S. policy initiatives, developments in the Inter-American Commission on Human Rights, and pending cases in U.S. courts.

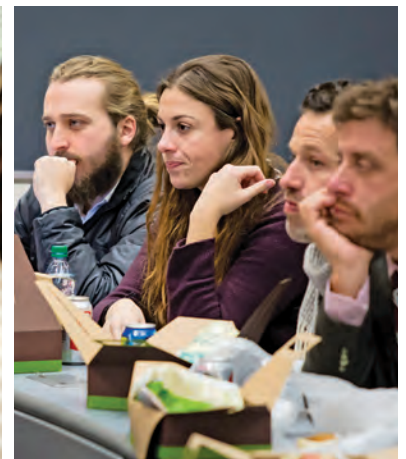
On October 10, 2014, the Institute organized a meeting between the Special Rapporteur on Extreme Poverty and Human Rights Philip Alston and BHRH Lawyers' Network members working in the area of his mandate. This informal meeting was an opportunity for Network members to learn about the Special Rapporteur's areas of focus, as well as ways in which U.S. advocates might engage with and support the mandate.



Jamil Dakwar,  
ACLU Human Rights Project



Participants and panelists at Inter-American Symposium



Privacy experts attend discussion  
of U.S. surveillance reform



# Speaker Series

**September 15, 2014:** "The Central African Republic: Human Rights Challenges and Armed Conflict," Alexis Mbolinani and Tony Lakouetene, human rights advocates with Jeunesse Unie pour la Protection de l'Environnement et le Développement Communautaire (JUPEDEC), an NGO based in the Central African Republic. Co-sponsored by the African Law Students Association.

**September 24, 2014:** "Investigations, Accountability, and Remedies in the U.S. Military," Brigadier General Rich Gross, U.S. Army, Legal Counsel to the Chairman of the Joint Chiefs of Staff. Co-sponsored by the Roger Hertog Program on Law and National Security.

**September 25, 2014:** "Local Innovation for Immigrant Rights: NYC's Approach in the de Blasio Administration," Nisha Agarwal, Commissioner for the Mayor's Office of Immigrant Affairs. Co-sponsored by the Society for Immigrant and Refugee Rights and the Immigrants' Rights Clinic.

**October 1, 2014:** "Due Diligence and Gender Violence: Parsing Its Power and Its Perils," Julie Goldscheid, Nathaniel Fensterstock Visiting Professor of Law and Professor Debra J. Liebowitz, Drew University. Co-sponsored by the Center for Gender and Sexuality Law.

**October 6, 2014:** Joanna Fine, Deputy Director of Global Programs, Center for Reproductive Rights. Co-sponsored by Social Justice Initiatives.

**October 9, 2014:** "Inside the Blackwater Trial," James Stewart, University of British Columbia Faculty of Law. Co-sponsored by the National Security and Law Society and the Columbia Society of International Law.

**October 14, 2014:** "A Fear of Too Much Justice: Central American Asylum Seekers and Current U.S. Immigration Policy," Cecilia Wang, Director, ACLU Immigrants' Rights project. Co-sponsored by the Society for Immigrant and Refugee Rights and the Immigrants' Rights Clinic.

**October 20, 2014:** "The Curious Tale of 'Human Rights' in the U.N. Charter," Christof Heyns, U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions. Co-sponsored by Rightslink and the Institute for the Study of Human Rights.

**October 21, 2014:** "Investigating the Rab'a Massacre in Egypt," A Talk with Human Rights Lawyer Omar Shakir. Co-sponsored by the Columbia Human Rights Law Review, Rightslink, Middle Eastern Law Students Association, Social Justice Initiatives, and the Columbia Middle East Institute.

**October 23, 2014:** "Pakistan's Ahmadis: Blasphemy, Identity and Persecution," a talk by Pakistani Jurist Mujeeb-ur-Rahman. Co-sponsored by Social Justice Initiatives, South Asian Law Students Association, and Middle Eastern Law Students Association.

**October 28, 2014:** "Somali Refugees in Kenya: The Case of the Dadaab Camp," Ben Rawlence, Open Society Fellow with the Open Society Foundations. Co-sponsored by the Institute for African Studies, the Columbia Law in Africa Student Society, and the Society for Immigrant and Refugee Rights.

**November 4, 2014:** "China's Weiquan: A discussion with Rights Defenders from China," Biao Teng, Visiting Fellow, Human Rights Program at Harvard Law School and Founder and President, China Against the Death Penalty and Xiaojun Liang, criminal defense lawyer and Director, Daoheng Law Firm.

**November 6, 2014:** "The Rights of Indigenous Peoples: The Power of Ideas and the Challenges of Practice," James Anaya, Former U.N. Special Rapporteur on the Rights of Indigenous Peoples. Co-sponsored by the Center for the Study of Race and Ethnicity, the University Seminar on Indigenous Studies Indigenous Forum of CSER.



**Nisha Agarwal, Commissioner for the New York City Mayor's Office of Immigrant Affairs**



**Christof Heyns, U.N. Special Rapporteur on extrajudicial, summary or arbitrary executions**



**Professor Sarah Cleveland with Eduardo Montealegre, Attorney General of Colombia. Attorney General Montealegre gave a public lecture, “International Law and The Peace Process,” on April 22.**



**Amrit Singh, Open Society Justice Initiative**

**November 12, 2014:** “Adivasis in Contemporary India,” Virginius Xaxa, Deputy Director and Professor at the Tata Institute of Social Studies in Guwahati. Co-sponsored by the Institute for the Study of Human Rights and Development in South Asia.

**November 25, 2014:** Katy Glenn Bass, Deputy Director of PEN America’s Free Expression Programs.

**December 4, 2014:** “The One and the Many: The Struggle between ‘Genocide’ and ‘Crimes against Humanity,’” Philippe Sands, Professor of Law and Director, Centre on International Courts and Tribunals, University College of London. Co-sponsored by the Center on Global Governance at Columbia Law School, the Institute for the Study of Human Rights, and the Columbia Society of International Law.

**January 29, 2015:** “National Human Rights Institutions and Domestic Implementation of Human Rights,” Professor Dr. C. Raj Kumar, Founding Vice Chancellor, O. P. Jindal Global University and Dean, Jindal Global Law School. Co-sponsored by Rightslink.

**February 11, 2015:** “Developments in the International Criminal Court: Israel and Palestine,” Panelists: Lori Damrosch, Columbia Law School; Katherine Franke, Columbia Law School; Claus Kress, University of Cologne and Visiting Professor at Columbia Law School; and Jamil Dakwar, ACLU and John Jay College of Criminal Justice at CUNY. Co-sponsored by the Center for Palestine Studies, the Columbia Society of International Law, and the Institute for the Study of Human Rights.

**February 16, 2015:** “The International Protection of Refugees: A Regime in Crisis?” Guy Goodwin-Gill, Blackstone Chambers London. Co-sponsored by the Society for Immigrant and Refugee Rights, the Columbia Society of International Law, and the Immigrants’ Rights Clinic at Columbia Law School.

**February 17, 2015:** “Navigating Peace and Justice: The Case of Colombia,” Claus Kress, University of Cologne and Visiting Professor at Columbia Law School. Co-sponsored by Rightslink and the Columbia Society of International Law.

**February 19, 2015:** “Food Democracy,” Olivier de Schutter, Former U.N. Special Rapporteur on the Right to Food and Member, U.N. Committee on Economic, Social and Cultural Rights. Co-sponsored by the Columbia Center on Sustainable Investment, Rightslink, and Graduate Legal Studies.

**February 23, 2015:** Heba Morayef, Egyptian Human Rights Advocate.

**March 2, 2015:** “Between War and Peace: Human Rights, Armed Conflict and the Foundations of International Law,” Guglielmo Verdirame, King’s College London and Visiting Professor at Columbia Law School. Co-sponsored by Rightslink, the Columbia Society of International Law, and the Institute for the Study of Human Rights.

**March 4, 2015:** “Accountability for European Complicity in CIA Torture,” Amrit Singh, Open Society Justice Initiative. Co-sponsored by Rightslink.

**March 11, 2015:** Cathy Amirite, Chief Legal Officer, Human Rights Network for Journalists in Uganda.

**April 6, 2015:** Philippe Boloipon, United Nations Director for Human Rights Watch.

**April 16, 2016:** Zeke Johnson, Managing Director, Individuals at Risk Program, Amnesty International USA. Co-sponsored by Rightslink.

**April 22, 2015:** “International Law and the Peace Process,” Eduardo Montealegre, Attorney General of Colombia. Co-sponsored by Columbia Society of International Law.

**May 18, 2015:** “The Shareholder Value Myth and Corporate Responsibility,” Lynn Stout, Cornell Law School. Co-sponsored by the Institute for the Study of Human Rights in conjunction with the Teaching Business and Human Rights Workshop.

# Privacy in the Digital Age Series

This year, the Institute organized a series of public talks focusing on Privacy in the Digital Age to explore issues of surveillance, civil liberties, and human rights in the modern age. The series included two lunchtime events in the fall and a two-part event on March 5, 2015, examining U.S. surveillance reform and global perspectives on privacy two years after the Snowden revelations.

## HUMAN RIGHTS TREATIES AND FOREIGN SURVEILLANCE, OCTOBER 27, 2014

Marko Milanovic, University of Nottingham School of Law

## THE VIEW FROM BEYOND THE U.S., NOVEMBER 18, 2014

Michael Drury, former Director for Legal Affairs at the Government Communications Headquarters (GCHQ), the United Kingdom's intelligence service; and Gus Hosein, Executive Director of Privacy International, London



From left: Jameel Jaffer, Deputy Legal Director, ACLU; Robert Litt, General Counsel to the Office of the Director of National Intelligence

## TWO YEARS AFTER SNOWDEN:

## WHERE ARE WE NOW AND WHERE ARE WE GOING?, MARCH 5, 2015

### WHAT WOULD U.S. SURVEILLANCE 'REFORM' LOOK LIKE, AND DO WE NEED IT?

**MODERATOR:** Sarah Cleveland, Columbia Law School

**DISCUSSION WITH:** Robert S. Litt, General Counsel to the Office of the Director of National Intelligence; Jameel Jaffer, Deputy Legal Director, ACLU

### HOW THE SNOWDEN REVELATIONS ARE RESHAPING GLOBAL PERCEPTIONS OF PRIVACY AND BIG BROTHER: PERSPECTIVES FROM AROUND THE WORLD

**INTRODUCTION:** Sarah Knuckey, Columbia Law School

**MODERATOR:** Aryeh Neier, President Emeritus, Open Society Foundations

**PANELISTS:** Joana Varon, Antivigilancia (Brazil); Stefánia Kapronczay, Hungarian Civil Liberties Union; Stefan Heumann, Stiftung Neue Verantwortung (Germany); Carly Nyst, Privacy International (U.K.); Neema Singh Guliani, ACLU (U.S.); Ambassador Antonio de Aguiar Patriota (Permanent Representative of Brazil to the U.N.)

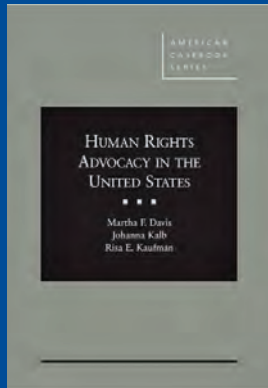


From left: Neema Singh Guliani, ACLU; Stefánia Kapronczay, Hungarian Civil Liberties Union; Stefan Heumann, Stiftung Neue Verantwortung; Aryeh Neier, Open Society Foundations; Ambassador Antonio de Aguiar Patriota; Joana Varon, Antivigilancia; Carly Nyst, Privacy International



# Publication Highlights

## BOOKS



Martha F. Davis, Johanna Kalb, and Risa E. Kaufman, **Human Rights Advocacy in the United States** (West 2014)

Sarah Knuckey, ed., **Drones and Targeted Killings: Ethics, Law, and Politics** (Open Society Foundations' National Security and Human Rights Campaign series, December 2014)

## ARTICLES

Sarah Cleveland and William Dodge, **Defining and Punishing Offenses Under Treaties**, 124 Yale L.J. 2202 (2015)

Benjamin Hoffman and Marissa Vahlsing, **Collaborative Lawyering in Transnational Human Rights Advocacy**, 21 CLINICAL L. REV. 255 (2014)

## REPORTS

The Human Rights Institute, **Engaging U.N. Special Procedures to Advance Human Rights at Home: A Guide for U.S. Advocates** (July 2015)

## SELECT BLOG POSTS

### ON JUST SECURITY

A Drone Strike and the Debate on the Geography of the War Against al Qaeda and its Associates  
Nathalie Weizmann, July 14, 2015

Questions That Should be Asked About Seal Team 6 and the Laws of War  
Nathalie Weizmann, June 22, 2015

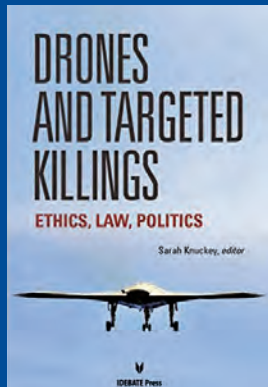
We Need a Full, Transparent Review of the U.S. Targeted Killing Program  
Sarah Knuckey and Hina Shamsi, May 4, 2015

Ten More Strikes the Obama Administration Should Immediately Acknowledge and Investigate  
Sarah Knuckey, Balqees Mihirig, Bassam Khawaja and Surya Gopalan, April 28, 2015

Three Quick Thoughts on the Drone Strike in Pakistan That Killed Two Innocent Civilians  
Sarah Knuckey, April 23, 2015

When Does Int'l Humanitarian Law Call for Releasing Prisoners in Armed Conflicts  
Nathalie Weizmann, April 2, 2015

International Law on the Saudi-Led Military Operations in Yemen  
Nathalie Weizmann, March 27, 2015



**Women We Want to See at this Year's Aspen Security Forum**  
Sarah Knuckey, Megan Graham, and John Reed, March 5, 2015

**Associated Forces and Co-belligerency**  
Nathalie Weizmann, February 24, 2015

**Washington's New Drone Sales Policy Could Export US-Style Drone War**  
Sarah Knuckey, February 20, 2015

**Did the U.S.-Israeli Killing of Mughniyah Violate International Law?**  
Sarah Knuckey and Ryan Goodman, February 2, 2015

**Why U.S. Being A Party To Armed Conflict In Afghanistan May Not End Soon**  
Nathalie Weizmann, January 7, 2015

**State Responsibility and Reparation for Torture as a Violation of IHL**  
Nathalie Weizmann, December 10, 2014

**The United States and the Torture Convention, Part II: Armed Conflict**  
Sarah Cleveland, November 19, 2014

**The United States and the Torture Convention, Part I: Extraterritoriality**  
Sarah Cleveland, November 14, 2014

**Remarkable Statement by U.N. Secretary General on U.S. Airstrikes in Syria**  
Sarah Knuckey and Ryan Goodman, September 23, 2014

## ON LAWFARE

**Whatever Happened to Umm Sayyaf?**  
Nathalie Weizmann with Rebecca Ingber, June 11, 2015

**The End of Active Hostilities Versus the End of Armed Conflict**  
Nathalie Weizmann, May 28, 2015

## EJIL TALK!

**Harmonizing Standards in Armed Conflict**  
Sarah Cleveland, September 8, 2014

## ON HUMAN RIGHTS AT HOME LAW PROFESSORS BLOG

**Ban the Box and Open the Door to Opportunity**  
JoAnn Kamuf Ward, August 20, 2015

**The Global Access to Justice Goal**  
Risa Kaufman and David Udell, August 3, 2015

**Widening the Circle, Changing the Conversation**  
JoAnn Kamuf Ward, July 23, 2015

**The Inside Scoop on Working with U.N. Experts**  
Risa Kaufman, July 6, 2015

**The U.S. on Review**  
Risa Kaufman, May 11, 2015

**The "Trickle Up" Effect**  
Risa Kaufman, April 9, 2015

**Budgeting and Participation: A Recipe for Change?**  
JoAnn Kamuf Ward, March 31, 2015

**Keep Marching: From Civil Rights to Civil and Human Rights**  
Glory Nwaugbala, Dan Pedraza, Ben Setel, and Audrey Son, Columbia Law School Human Rights Clinic, March 16, 2015

**The U.S.'s 2nd UPR Report: A Conversation Opener**  
Risa Kaufman, February 11, 2015

**Where Would You Draw the (District) Line?**  
JoAnn Kamuf Ward, January 27, 2015

**Update on the SDGs and Human Rights**  
Risa Kaufman, January 9, 2015

**On Human Rights Day: Isn't it Time for a U.S. Human Rights Institution?**  
Risa Kaufman, December 10, 2014

**Human Rights at the Border: Front and Center**  
Risa Kaufman, November 10, 2014

**Sustainable Development Goals and U.S. Human Rights**  
Risa Kaufman, October 20, 2014

**The Fundamental Right to Be Free of Violence and Abuse**  
Erin Smith and JoAnn Kamuf Ward, October 6, 2014

**Is the UPR Worth It?**  
Risa Kaufman, September 10, 2015

# Faculty and Staff

Columbia Law School has been a pioneer in international human rights since the 1960s, when the late Professor Louis Henkin transformed the teaching of law here to reflect the growing need for this new field of study. Today, Institute faculty and scholars continue to break new ground, drawing on the law school's deep human rights tradition to support and influence human rights practice in the United States and throughout the world.



**PROFESSOR SARAH CLEVELAND**, the Louis Henkin Professor of Human and Constitutional Rights and Faculty Co-Director of the Institute, continues to pursue her interests in the domestic application of human rights law and the intersection of human rights, constitutional law, and the law of armed conflict.

This year, Cleveland commenced her four-year appointment as the U.S. independent expert on the U.N. Human Rights Committee, which oversees state implementation of the International Covenant on Civil and Political Rights. In this capacity she participated in the March and July plenary sessions of the

Committee, engaging in dialogue with states regarding their human rights compliance, including the Russian Federation, Venezuela, Uzbekistan, the United Kingdom, France, and Canada, and helping to develop Committee views on individual communications. She was also appointed Special Rapporteur for Follow-up to the Committee's Concluding Observations in March 2015.

Together with Sir Daniel Bethlehem, Nathalie Weizmann, and Rebecca Ingber, Cleveland continued work on the project on Harmonizing Standards for Armed Conflict, including organizing the fifth meeting of the project steering committee, and engaging with civil society groups and government representatives regarding the project. The project's final report is forthcoming. [See "**Harmonizing Standards in Armed Conflict**," *EJIL: Talk!* (Sept. 2014).]

In other work relating to the law of armed conflict, she assisted in developing a set of recommended principles to govern any legislative authorization of U.S. military engagement with ISIL, "**Principles to Guide Congressional Authorization of the Continued Use of Force Against ISIL**," *Just Security* (November 2014). Cleveland was appointed to the Board of Editors of the *International Review of the Red Cross*, the world's leading peer review journal on international humanitarian law and armed conflict, and to the Advisory Board of the Institute of International Peace and Security Law of the University of Cologne. Cleveland continues to serve on the Council of the International Bar Association's Human Rights Institute and is a member of that Council's working group on developing a draft resolution on the use of drones and lethal targeting.

As the independent U.S. Member on the European Commission for Democracy through Law (Venice Commission), Cleveland participated in the ongoing work of the Commission in evaluating the compatibility of national laws and legal reforms with fundamental rights, including serving on the Commission's Working Group on the Rule of Law, and as rapporteur for an amicus brief to the Constitutional Court of Georgia on international and comparative approaches to appellate review of the fundamental rights of criminal defendants.

Cleveland continues to serve on the executive council of the American Society of



International Law and the Secretary of State's Advisory Committee on International Law. She is the Co- Coordinating Reporter directing and overseeing the development and production of the American Law Institute's RESTATEMENT (FOURTH) OF THE FOREIGN RELATIONS LAW OF THE UNITED STATES. In that capacity, over the past year she has helped produce Restatement drafts on the status of treaties in U.S. law, participated in meetings with experts and advisers to the Restatement project, and discussed the Restatement project on panels at the ASIL and ALI annual meetings, with the legal advisors of foreign governments, and in other contexts. She also helped organize and co-chaired a day-long meeting with the Project's International Advisory Panel in Washington.

Cleveland traveled frequently this year, joining delegations and presenting on a number of panels covering a variety of issues in international law. In September, she served as an independent expert on the U.N. Human Rights Council's Panel Discussion on the Promotion and Protection of the Right to Privacy in the Digital Age, in Geneva, and in October she moderated a roundtable of governmental and non-governmental experts on privacy and digital surveillance sponsored by the American Society of International Law in Washington. In November, she participated in a three-day Chatham House meeting on China's approach to International Human Rights Law in Beijing. In December and May, she traveled to the American Academy in Berlin to participate in the Richard Holbrooke Forum's workshops with representatives of the German Foreign Ministry and U.S. and German academics on "Justice and Peace" and "Germany, the United States, and the Emerging International Order." In July, she participated as a commentator on comparative approaches to regulating war in a two-day workshop on comparative foreign relations law in Geneva, sponsored by Duke Law School and the University of Geneva. In other activities, she served as a panelist on "Closing Guantanamo: What will it take?", for the NYU Center for Global Affairs in New York in April, and delivered a lecture on international human rights oversight mechanisms to the Rotary Club of Birmingham, Alabama in April.

Cleveland organized and participated in a number of events at Columbia University. At the law school, she organized and moderated the Institute's programs on Privacy in the Digital Age, programs on the peace and justice process in Colombia with the Attorney General of Colombia and Visiting Professor Claus Kress, the October roundtable on legal challenges arising in contemporary non-international armed conflicts, and the April roundtable on government perspectives

on international humanitarian law issues co-organized with the Asia Pacific Centre for Military Law in Washington, as well as a number of the Institute's other events. She also served as a panelist on "Regional Courts and their jurisprudence in 2014: An increasingly important role?" for the University's second annual conference on global freedom of expression, in March, and on the selection committee for the University's inaugural Global Freedom of Expression Award.

Cleveland published *Defining and Punishing Offenses Under Treaties*, 124 Yale L.J. 2202 (2015) (co-authored with William Dodge), the lead article on the relationship between the Constitution's Define and Punish Clause and Congress's ability to implement treaties after the Supreme Court decision in *Bond v. United States*. She served as amicus for a brief on comparative foreign approaches to the legal protection of same-sex marriage in the U.S. Supreme Court case of *Obergefell v. Hodges* (No. 14-556) (March 2015). See *Brief for Foreign and Comparative Law Experts Harold Hongju Koh, Thomas Buergerthal, Sarah H. Cleveland, Laurence R. Helfer, Ryan Goodman, and Sujit Choudhry as Amici Curiae in Support of Petitioners*, *Obergefell v. Hodges* (No. 14-556) (March 2015). She also developed two detailed blogs analyzing the U.S. appearance before the Committee Against Torture and its positions relating to application of the Convention Against Torture extraterritorially and in armed conflict. See "[The United States and the Torture Convention, Part I: Extraterritoriality](#)", *Just Security* (Nov. 2014), "[The United States and the Torture Convention, Part II: Armed Conflict](#)", *Just Security* (Nov. 2014).



**PROFESSOR SARAH KNUCKEY**, the Lief Cabraser Associate Clinical Professor of Law, joined Columbia Law School in July 2014 as Faculty Co-Director of the Institute and as the Director of the Human Rights Clinic. In her first year at Columbia Law School, Knuckey focused her work on building the clinic's and the Institute's new projects, innovating

human rights clinical pedagogy, and supporting the expansion of human rights opportunities for students at Columbia Law School.

Knuckey's substantive human rights advocacy and writing addressed the use of lethal force and accountability in counterterrorism and armed conflict situations, the implications of

increasingly autonomous weapons systems, advancing interdisciplinary human rights investigation methodologies, and the human rights impacts of business activities in the Global South.

Knuckey led the clinic's work on accountability for drone strikes and targeted killings, supervising clinic advocacy work, in partnership with numerous NGOs, to the U.N. and the U.S. government. Knuckey gave frequent talks on related international law issues, speaking as an invited expert at the U.N. and to governments, guest lecturing at numerous law schools, and presenting at international human rights organizations and think tanks on topics ranging from arms control to ethical and legal frameworks for targeted killings. Columbia students often had the opportunity to join Knuckey for these talks, at times as co-presenters, or otherwise engaging with human rights practitioners and policymakers, and new areas of legal research. Knuckey also served as Special Advisor to the U.N. Special Rapporteur on extrajudicial executions. This year, she was appointed by the Special Rapporteur to be Chair of the Legal Investigations Working Group, a group of international law and investigation experts, to redraft international guidelines for the investigation of unlawful killings. She traveled to Geneva in June of 2015 for the initial stages of this drafting process. Knuckey also published a new edited text, ***DRONES AND TARGETED KILLINGS: ETHICS, LAW, POLITICS***, designed for readers new to the issues to understand the current debates about the use of drones for targeted strikes. She has a forthcoming chapter on "murder" in international law, in *THE GENEVA CONVENTIONS: A COMMENTARY* (Andrew Clapham, Paola Gaeta, Marco Sassòli eds.), as well as a forthcoming chapter on autonomous weapons and transparency, in an edited text on new weapons.

Knuckey also led the clinic's work in Papua New Guinea, traveling there with students and scientists in December 2014 through January 2015, and again in July through August 2015, and developing interdisciplinary techniques to study human rights impacts of mining. Knuckey and the clinic will be publishing two human rights reports in 2015–2016 on social and environmental impacts. Knuckey also co-authored a new piece to be published in a special edition of the *International Journal of Human Rights* in late 2015 on the right to remedy for corporate violations.

In addition, Knuckey led the clinic's work in the Central African Republic (CAR). In the fall, Knuckey and clinic students developed a new project with CAR civil society advocates, who came to Columbia and gave a public talk on the

human rights crisis and challenges facing CAR. In June 2015, Knuckey traveled to the country to support the work of a Centrafricaine NGO in its investigations of war crimes.

Since her arrival at Columbia Law School, Knuckey has worked to support and expand human rights opportunities for law students. In addition to serving on the board of advisors for the *Columbia Human Rights Law Review*, on the selection committees for the 2015–2016 Leebon and PILnet fellowships, as a moot court judge, and as an adviser for the Pictet International Humanitarian Law Moot, Knuckey worked closely through the year with student-led human rights groups. Working with the student group Rightslink, she created a new structure for Rightslink members to contribute to the work of the Human Rights Institute and clinic. Knuckey worked with others at the Institute and the *Columbia Human Rights Law Review* to prepare a new call for papers on "Human Rights and the Forever War," which will be a special edition of the *Review*, and to assess submitted papers. A symposium to present these papers is planned for the fall of 2015. Knuckey also created a new human rights mentorship program, pairing clinic students with leading practitioners, and she brought numerous human rights experts to the Law School this year to give public lectures or career talks with students, in addition to speaking at student-organized events on campus. Knuckey also provided an interview on how to cultivate a career in human rights law to the *Columbia Journal of Transnational Law*, and traveled to Myanmar with a clinic student to teach human rights in spring 2015.

Knuckey wrote frequently this year on a range of issues. She is a founding editor of the national security law blog *Just Security*. This year, she wrote numerous posts concerning targeted killings, women in national security, arms exports policies, the crisis in Syria, U.N. disarmament actions, laws of war in Gaza, compensation for strikes, digital privacy rights, U.N. casualty estimates in Gaza, and NGO reports. Working with students, Knuckey also submitted an amicus brief in *Mamani et al v. Sánchez de Lozada and Sánchez Berzaín*, concerning the planning and ordering by security forces in Bolivia of deadly military force against unarmed civilians to suppress popular protests against government policies. Knuckey speaks frequently to media on national security and international law and armed conflict issues. This year she was quoted in *The New York Times* and *Vanity Fair*, and by the Associated Press, among others.

During the year, Knuckey developed a new Human Rights Institute initiative, the “Human Rights Methodology Lab,” with New York University School of Law’s Center for Human Rights and Global Justice and Human Rights Watch. The Lab held its first pilot meeting at Columbia Law School in May 2015. It was attended by leading human rights advocates and experts from many disciplines, including architecture, social sciences, public health, economics, political science, and environmental science. The Lab aims to deepen interdisciplinary human rights investigations and to expand methods and increase methodological rigor in the human rights field. In May of this year, Knuckey also co-directed a workshop on “Teaching Human Rights Fact-Finding” at the AALS Clinical Conference in Palm Springs, and in March she traveled to the Philippines with a student to attend an international conference on human rights and technology, at which both Knuckey and her student presented. Knuckey is co-editing a major new text on human rights investigations, *The Transformation of Human Rights Fact-Finding* (forthcoming 2015).



**RISA E. KAUFMAN**, executive director of the Human Rights Institute and lecturer-in-law, works to expand resources and opportunities for U.S. lawyers seeking to integrate human rights into their domestic practice, foster accountability for the United States’ human rights treaty commitments, and promote access to justice in the

United States. She also provides overall management and supervision for the Institute’s activities and operations.

This year, Kaufman embarked on a new project related to the post-2015 Sustainable Development Goals (SDGs) and access to justice. With David Udell at the National Center for Access to Justice, Kaufman served as a consultant to the Open Society Foundations on a project to assess opportunities and gaps in the U.S. advocacy and academic communities related to the SDGs and human rights, in particular with respect to proposed Goal 16 (Justice). Based on this research, Kaufman and Udell together initiated a series of activities, including public writing and advocacy, to leverage opportunities offered by Goal 16 to advance access to justice within the United States. As part of this work, Kaufman and Udell published *The Global Access to Justice Goal* on the blog of the National Center for Access to Justice and the Human Rights at Home Law Professors blog.

During the academic term, Kaufman was a guest lecturer in the Human Rights Clinic and supervised a team of Human Rights Clinic students on a project focused on access to justice. The team researched and drafted a human rights amicus brief in support of plaintiffs in a federal lawsuit challenging the U.S. government’s failure to provide unrepresented children with lawyers in immigration deportation hearings; submitted human rights-based testimony in support of a New York City initiative to establish a right to counsel for people facing eviction in New York City’s housing courts; and engaged in significant advocacy regarding access to justice issues in preparation for the United States’ second Universal Periodic Review. Kaufman testified on access to justice at several civil society consultations in relation to the UPR. With Northeastern University School of Law Professor Martha Davis, Kaufman submitted testimony on access to justice for the U.S. Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights for its December 9, 2014, hearing on the State of Civil and Human Rights in the United States.

Kaufman leads the Institute’s Bringing Human Rights Home Lawyers’ Network and developed and facilitated the Institute’s annual symposium on human rights in the United States. In addition, throughout the year, she spoke widely on domestic human rights advocacy. She offered a workshop at Stanford Law School’s “Shaking the Foundations” conference and presented as part of Yale Law School’s Human Rights Workshop series. In addition, she spoke on panels at the National Law Center on Homelessness and Poverty’s right to housing forum and the annual meeting of the National Legal Aid and Defender Association. Kaufman participated in a civil society consultation and an experts’ meeting with the U.N. Special Rapporteur on the right to adequate housing, to inform the content of the Special Rapporteur’s 2014 thematic report to the U.N. General Assembly on the responsibilities of sub-national governments with regard to the implementation of the right to adequate housing. Kaufman was also invited to participate in an experts’ meeting on civil legal aid research, convened by the Department of Justice’s Access to Justice Initiative. In May 2015, she joined the U.S. civil society delegation to the second Universal Periodic Review of the United States in Geneva.

Kaufman is a co-editor and frequent contributor to the *Human Rights at Home* Law Professors blog. She contributed posts this year on issues including the post-2015 Sustainable Development Goals, U.N. special procedures, state and local



human rights implementation, access to justice, and national human rights institutions. She completed work on *Engaging U.N. Special Procedures to Advance Human Rights at Home: A Guide for U.S. Advocates*, a Human Rights Institute report that was researched and drafted by students under her supervision in the 2013-14 Human Rights Clinic. And, in November, West Publishing released the first-ever law school casebook on U.S. human rights advocacy, *HUMAN RIGHTS ADVOCACY IN THE UNITED STATES*, co-authored by Kaufman, Martha F. Davis, and Johanna Kalb.



**BENJAMIN HOFFMAN**, clinical teaching fellow and lecturer-in-law, co-taught the Human Rights Clinic seminar and supervised students on the clinic's projects related to business and human rights in the global economy.

Through the seminar, Hoffman and clinic director Sarah Knuckey developed an innovative syllabus, collect-

ing both critical and practical scholarship and applying or challenging those readings in the classroom through a variety of interactive lesson plans.

Through the project work, Hoffman sought to strengthen the power of communities impacted by mining projects in the pursuit of environmental justice. Hoffman supervised student research regarding the content of international human rights norms and sustainable development standards and their respective enforcement mechanisms, and he worked with students to develop an approach to community engagement around these issues that was respectful and supportive of community power, strategies, and visions of justice. Hoffman then traveled with teams of students to both Papua New Guinea and Peru to conduct investigations of environmental and social harms associated with mining projects, and to work with the affected communities to develop strategies to demand greater respect for human rights. Working with clinic students, Hoffman oversaw the drafting and editing of two human rights reports to be published this fall, a motion and declaration submitted in a discovery action, and a variety of documents shared with communities and partners regarding the content and application of different international norms.

During the summer of 2015, Hoffman continued his support to communities challenging a proposed mine in Peru. Hoffman traveled to Colorado with colleagues from EarthRights International (ERI) to conduct a deposition of a representative of the mining company regarding the violent repression of a protest at the site of the proposed mine, and then traveled to Peru for additional coordination and strategic planning with social movement leaders.

In the fall of 2014, Hoffman and colleague Marissa Vahlsing from ERI published their article, *Collaborative Lawyering in Transnational Human Rights Advocacy*, in the *Clinical Law Review*, culminating nearly five years of critical thinking and innovative practice regarding community collaboration and empowerment in the field of human rights. Hoffman additionally presented on this topic on multiple occasions at panels and workshops both within and outside of Columbia Law School.



**GRETA MOSESON**, the Institute's program manager, helped to organize the Institute's annual domestic human rights CLE/ symposium on U.S. engagement with the Inter-American Human Rights System, attended by more than 110 advocates, experts, and officials in June 2015. In addition, she helped organize numerous other

expert conferences, workshops and public events for the Institute. Moseson engaged in frequent outreach to student groups and academic centers throughout the year to organize a robust speaker series of human rights experts for the law school. Moseson managed the release of new publications for the Institute, assisting with design, outreach, and dissemination of the reports. These included the July 2015 report *Engaging U.N. Special Procedures to Advance Human Rights at Home: A Guide for U.S. Advocates*, for which she handled design and layout, as well as this annual report. Moseson works closely with Institute staff and the law school communications department to draft press releases on the Institute's work, engage with current students, alumni, and the human rights community through social media, and maintain the Institute's online resources, including the *U.S. Human Rights Online Library*. She continues to facilitate the Institute's daily operations and serves as the main point of contact for the Institute.



**ERIN FOLEY SMITH '10** is a project attorney with the Human Rights in the United States project. Smith's work focuses on strategies to improve state and local government compliance with human rights norms, as well as improving access to justice in civil cases.

Building upon her participation at last year's review of the United

States' compliance with its obligations under the CERD, Smith continued to advocate on Institute priorities in conjunction with U.S. human rights reviews. As part of this work, she participated in two civil society consultations organized by the U.S. State Department in Washington, D.C. One focused on U.S. implementation of its obligations under the Convention Against Torture, and the second on the Universal Periodic Review.

This year, Smith engaged in significant advocacy and outreach to advance state and local human rights implementation across the United States. She continued to coordinate communications for the state and local working group convened by the Institute, furthered the Institute's research on state and local human rights accountability, and built new partnerships with advocates. In addition, this year, Smith led the Institute's efforts to track local resolutions declaring freedom from domestic violence as a human right and helped shape a convening focused on implementing these resolutions. Together with JoAnn Kamuf Ward, [she co-authored a blog post](#) on these resolutions to highlight the benefits of a rights-based approach.

To further the Institute's state and local implementation work, Smith joined a coalition of advocates seeking to strengthen the New York City Commission on Human Rights (NYCCHR), and conducted research on city budgets around the country to gain a clearer picture of resource allocation to commissions in a range of jurisdictions. In March 2015, Smith testified on behalf of the Institute before the New York City Council, discussing how human rights principles can strengthen the work of the NYCCHR, including through ensuring adequate resources to support the commission's broad mandate. Her testimony highlighted two key recommendations that would help the commission reach its full potential: integrating a human rights-based approach in the commission's work and ensuring the city provides adequate resources to the commission.



**JOANN KAMUF WARD**, associate director of the Human Rights Institute's Human Rights in the United States project, engaged extensively with federal, state, and local governments, international human rights experts, and U.S. advocates, leading the Institute's work to strengthen the capacity of state and local agencies and officials to use

international human rights principles to improve local governance. Throughout the year, Ward spoke across the country on the ways that state and local governments are integrating human rights into their daily work, and the challenges they face in doing so. Ward made closing remarks at the human rights dialogue in Birmingham, Alabama, facilitated a training on state and local human rights accountability at the annual Urban Justice Center Human Rights Institute, and presented at the annual board meeting of the International Association of Official Human Rights Agencies. In June, she was invited by the San Francisco Department on the Status of Women to lead a roundtable discussion on the Cities for CEDAW Campaign. The discussion was held in San Francisco, on the eve of the U.S. Conference of Mayors annual convening. Ward has written on the connections between human rights and women's rights, including ["Freedom from Violence: a Fundamental Human Right,"](#) for the Cities for CEDAW blog. In November 2014, the Tennessee Human Rights Commission published a report including testimony submitted by Ward and **Caroline Stover '14** during the commission's state-wide human rights hearings.

Ward also works to build federal support for state and local human rights implementation. Supervising a team of students in the Human Rights Clinic, Ward engaged in UPR advocacy urging the federal government to do more to assist state and local governments in understanding and using human rights principles. As part of this work, Ward met with U.N. mission representatives and participated in the U.S. civil society delegation to the review in Geneva. She also continued to develop the Institute's relationships with federal agencies and departments, providing recommendations to the U.S. Department on Housing and Urban Development and the Office of the White House Advisor on Violence Against Women on ways to operationalize human rights principles in domestic policy and practice.

Ward leads the Institute's efforts to strengthen the Inter-American Commission on Human Rights (IACHR), and U.S. advocacy at the Commission. In this capacity, she serves as co-counsel with the ACLU and the ACLU of Michigan in *Hill vs. United States*, challenging juvenile life without parole on behalf of 31 individuals in Michigan currently serving this sentence. Ward also coordinates the Bringing Human Rights Home Lawyers' Network Inter-American Working Group. In 2015, she updated the Institute's [\*Primer on Recommendations from the Inter-American Commission and the United Nations to the United States\*](#), an important resource for advocates seeking to engage with the Inter-American Commission. At the invitation of the Brooklyn District Attorney's Domestic Violence Bureau, and in partnership with the ACLU Women's Rights project, Ward developed a CLE presentation on human rights principles related to domestic violence. Ward also helped shape the Institute's 2015 CLE program, *Engaging with the Inter-American Human Rights System for U.S. Advocacy*, and moderated a panel on leveraging success and deepening impact.

A member of the New York City Bar Association's International Human Rights Committee, Ward is also a contributing editor for the Law Professor's *Human Rights at Home* blog. This year, she offered commentary and analysis on a number of local policy developments, including voting ("Where Would You Draw the (District) Line?") and participatory budgeting ("Budgeting and Participation: A Recipe for Change?").



**SIR DANIEL BETHLEHEM**, KCMG QC, is a Senior Fellow at the Human Rights Institute, a Visiting Professor at Columbia Law School, and a Barrister with 20 Essex Street Chambers, London. His biography can be found on page 12.



**NATHALIE WEIZMANN**, senior director of the Counterterrorism, Armed Conflict, and Human Rights project, continued to lead the Institute's engagement on legal and policy issues relating to national security and the intersection of international humanitarian law and human rights law. Her work has included legal research, producing

expert papers, writing blog posts on international law and national security, and engaging in outreach to U.S. and foreign governments, academics, and civil society. In October 2014, Weizmann co-organized a roundtable to promote discussion and dialogue on legal challenges arising in contemporary non-international armed conflicts. The two-day roundtable brought together high-level U.S. government legal representatives, current and former foreign government lawyers, U.S. and foreign academics, and legal advisers from the International Committee of the Red Cross. Weizmann also traveled to Washington, D.C., to participate in expert meetings on the protection of rights and liberties after 9/11 and an International Humanitarian Law roundtable that the Institute co-organized with the Asia Pacific Centre for Military Law on "Challenges in International Humanitarian Law: Perspectives from Governments."

Weizmann frequently engaged with the *Just Security* and *Lawfare* blogs on issues at the intersection of national security, armed conflict, and human rights, including commentary on lethal targeting, ending the armed conflict against the Taliban and al Qaeda, repatriation of Guantánamo detainees, compensation for victims of torture, and the classification of armed conflicts. In June of 2015, Weizmann was named a member of the editorial board of *Just Security*.

During the year, Weizmann worked with Institute staff and law students to develop programming, including a planned special symposium with the *Columbia Human Rights Law Review* on "Human Rights and The Forever War" for fall 2015.



# Inaugural Human Rights Commendation Honorees

This year, the Institute premiered a Human Rights Commendation for graduating students who demonstrated exceptional dedication to human rights at Columbia Law School and to the human rights field. The inaugural honorees were selected based on their commitment to advancing human rights opportunities at Columbia, engagement in mentorship of students in human rights, activities undertaken in and out of the law school to advance human rights, and commitment to a career in human rights and to advancing the human rights field. This year's honorees were **Stephanie Persson '15**, **Bassam Khawaja '15**, **Douglas Cantwell '15**, and **Allison Borochoff-Porte '15**.



**Stephanie Persson '15** While at Columbia, Persson took on leadership roles to expand human rights opportunities for students at the law school and frequently undertook opportunities to work in human rights, especially children's rights and juvenile justice. She was often sought out as a mentor by other students and dedicated herself

to strengthening the student human rights community at Columbia. Persson worked as an intern with the Juvenile Rights Practice division at the Legal Aid Society in New York where she focused on child welfare and delinquency cases. She spent her 2L summer in Beijing, working with International Bridges to Justice, where she researched Chinese criminal procedure law regarding juveniles. Persson was also selected as a Salzburg Cutler Fellow based on strong academic performance and interest in international law. Persson was research chair for the student human rights group Rightslink, and was a member of the Human Rights Clinic, where she co-led work to monitor company responses to human rights violations. She was selected in 2015 to be the Greater China Public Interest Fellow, and after graduation she will work in Hong Kong as a human rights lawyer.



**Bassam Khawaja '15** Khawaja has made numerous invaluable contributions to human rights at Columbia, including through the law school's student-led Human Rights Working Group, which worked to deepen support and expand opportunities on campus for students interested in becoming human rights lawyers. He also

advised and mentored many 1L and 2L students interested in pursuing human rights at Columbia. He excelled in his

international and human rights law courses, served as the editor-in-chief of the *Columbia Human Rights Law Review* in 2014-2015, and, together with Borochoff-Porte, served as co-president of the student human rights group Rightslink in 2013-2014. Khawaja interned with the U.N. High Commissioner for Refugees in Beirut, working to improve the process by which Syrians renew their residency with the Lebanese government, and also interned with Human Rights Watch in Beirut, to document human rights violations in Lebanon and Syria. This year, Khawaja traveled to Myanmar to conduct human rights trainings on using a human rights law framework to identify and respond to human rights abuses, and, as a member of the Human Rights Clinic, Khawaja co-led a project aimed at improving transparency and accountability for U.S. drone strikes. Next year, Khawaja will be the Leonard H. Sandler Fellow at Human Rights Watch, where he will work with the Children's Rights Division to investigate the denial of education to Syrian refugees.



**Douglas Cantwell '15** Cantwell immersed himself in international law and human rights while at Columbia and consistently demonstrated academic excellence. He served as the external president of the Columbia Society of International Law during his 2L year and was the head solicitations editor for the *Journal for Transnational Law*

during his 3L year. Cantwell expanded opportunities for all students to gain international human rights field experience through spring break caravans, including joining the Iraqi Refugee Assistance project Spring Break Caravan in Amman, Jordan, during his 1L year and organizing a highly successful 2014 trip to Myanmar to work with Justice for All, a local public interest organization. He founded, coached, and competed in the International Criminal Court Moot Court in 2013-2014 and 2014-2015. In 2013-2014, Cantwell

participated in the Human Rights Clinic, where he worked on human rights in the U.S. and the human rights impacts of natural resource extraction in the Democratic Republic of the Congo. He was named an International Fellow for 2014–2015 by Columbia’s School of International and Public Affairs and, along with Persson, was selected as a Salzburg Cutler Fellow for 2013–2014. Additionally, Cantwell served as a teaching fellow for the undergraduate introductory human rights course at Barnard College during the spring 2015 semester. Cantwell was recently commissioned as an officer in the U.S. Navy’s Judge Advocate General (JAG) Corps, where he hopes to work on issues of international humanitarian law.



**Alison Borochoff-Porte '15** During her time at Columbia Law School, Borochoff-Porte significantly contributed to the expansion of human rights opportunities for other students, including during her co-presidency of the student group Rightslink. As a Human Rights Internship Fellow, Borochoff-Porte explored the intersection of human

rights, health, and environmental justice. She traveled to China as an Oldham Fellow to study Chinese immigration law, and, as a member of the Human Rights Clinic, co-led research on the human rights impacts of mining in Papua New Guinea. This past year, Borochoff-Porte also served as executive managing director of the *Columbia Human Rights Law Review*. In fall 2015, she will join EarthRights International in Thailand as a Lebron Fellow. Her work with EarthRights International will focus on creating a framework of recommendations for communities affected by development and on engaging corporate and government actors to discuss their views on environmental and social impact assessments of development projects.

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