



HUMAN RIGHTS PROGRAM

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HARVARD LAW SCHOOL

Annual Report  
2018-2019

Human Rights Program at Harvard Law School  
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# The Human Rights Program

## Reflecting on 35 Years

Founded by Professor Emeritus Henry Steiner in 1984 as a center for human rights scholarship, Harvard Law School's Human Rights Program (HRP) enters its 35th year in 2019. Concurrently, the International Human Rights Clinic celebrates its 15th anniversary. HRP was founded as a place of reflection and engagement and a forum that brings academics and advocates together. Since 1984, HRP has only deepened its commitment to this endeavor. With this past year marking the 70th anniversary of the signing of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly, it is a particularly opportune time to take stock of human rights at Harvard Law School (HLS) and how the Program's impact has reverberated beyond the university.

"The Universal Declaration set forth a vision of liberty and equality and social solidarity that has never been fully achieved; it continues to inspire people around the world as we strive to fulfill its mission," said Gerald L. Neuman JD '80, Co-Director of HRP and the J. Sinclair Armstrong Professor of International, Foreign, and Comparative Law at HLS. "The Program has always been about critical involvement with human rights. In a time when human rights face extreme challenges globally, that means thinking more deeply about what changes are needed and how we can contribute to the system, scholarship, and the world."

Today, HRP comprises the Academic Program and the Clinic, which together bridge theory with practice and engage with pressing human rights issues around the world. As a center for critical thinking, the Academic Program organizes conferences and other events; publishes working papers and books; offers summer and post-graduate fellowships to launch students in human rights careers; and draws human rights advocates and academics from across the globe as part of the Visiting Fellows Program.

Over the past decade and a half, the Clinic has engaged more than 1,000 students in an analytical and reflective approach to human rights lawyering. While devoting itself to the training of future practitioners, the Clinic has promoted and protected human rights through scores of projects around the world. This work includes pushing for global equity in the realm of gender and sexuality, litigating landmark accountability cases, and helping to negotiate treaties that ban nuclear weapons and cluster munitions.

“The formal founding of the International Human Rights Clinic 15 years ago is really consequential; it recognizes the diversity of ways that people can contribute to the human rights movement,” said Susan H. Farbstein JD ‘04, Co-Director of the Clinic and Clinical Professor of Law. While not all clinical students pursue careers in human rights, they often cite their clinical education as influential and formative. For many, clinics are the one place at HLS where they have the opportunity to engage in real-world preparation and see their efforts make an impact. “We’re training students in critical approaches to human rights practice, emphasizing cross-cultural sensitivity and how to be guided by the clients and communities we serve. We hope this leads to better, more effective human rights advocacy,” Farbstein said.

This year, HRP recognizes the anniversary of the Program, the Clinic, and the UDHR with both celebration and humility. After decades of training students and building a network of HRP fellows and partners, it is inspiring to step back and glimpse the network that we’ve built. “It’s not about one particular year but about the cumulative impact,” said Tyler R. Giannini, Co-Director of HRP and the Clinic and Clinical Professor of Law. “When we see the success of our students, alumni, partners, and fellows, it’s a testament to the power of this community.”

# HRP Around the World

HRP students, faculty, and fellows work on projects in a variety of geographic regions. The map below displays the extent of HRP's global reach in 2018-2019. In addition to the geographically focused work shown below, HRP is involved in many areas of work that cross borders and have global and comparative implications, including: Business & Human Rights, Criminal Justice & Health, Family Law Reform in the Muslim World, Hate Speech, Human Rights Treaty Bodies, Humanitarian Disarmament, Populism, and the various Visiting Fellows' research areas.



- Displacement & Refugees
- Accountability Litigation & Advocacy
- Business & Human Rights
- Environmental Protection & Armed Conflict
- Visiting Fellows' Research Areas
- Armed Conflict & Civilian Protection
- Economic, Social & Cultural Rights
- Gender & Sexuality

# Contributing to a Convention on Crimes Against Humanity

In January 2019, HRP hosted a private workshop for a select group of UN International Law Commission (ILC) members and other experts on the drafting of a convention on the prevention and punishment of crimes against humanity. Organized by HRP and co-sponsored by the Armed Conflict and Civilian Protection Initiative (ACCPI), the event was led by Professor Gerald L. Neuman and Sean Murphy, Manatt/Ahn Professor of International Law at the George Washington University Law School, who serves as the ILC's Special Rapporteur for Crimes Against Humanity.

While other major crimes addressed by the Rome Statute of the International Criminal Court, such as genocide and torture, have conventions on national implementation, there is no convention on national enforcement of the prohibition of crimes against humanity. The Rome Statute supplements national efforts, but it does not itself require member states to adopt national criminal laws to punish and cooperate with each other in the punishment of these crimes.

The workshop was a step in a longer effort by Murphy and others to remedy this gap. Given the critical importance of this task, HRP convened a variety of experts to assist and advise Murphy as he prepared his final report to the ILC.

"One of the important functions of HRP is to provide a forum for timely and professional discussions of projects of immediate significance in the development of human rights law," Neuman said. While the specifics of the January event are confidential, he added, "I think everybody agreed it was an extremely useful and productive conversation."

The January workshop came at a "critical juncture," Murphy said, in that "I was completing my fourth and final report for the Commission. That report focused on what changes we should make in the draft articles based on comments we received in 2017-2018 from governments, international organizations, and others." The workshop participants from academia, government, nongovernmental organizations (NGOs), and other international organizations "helped me see advantages and disadvantages of various changes, navigating the way toward the best language possible," he said.

In drafting articles for a future convention, ILC members not only reviewed established conventions on torture and genocide but also examined newer protocols, such as those connected to corruption and



On April 4, 2019, Sean Murphy visited HLS to give a public talk on crimes against humanity.

transnational organized crime. This led to the inclusion of more up-to-date provisions, such as best practices for the treatment of victims and witnesses, Murphy said in a Facebook Live interview with Lindsay Bailey JD '19.

As the January workshop was private, Murphy returned to HLS in April for a public talk to faculty, students, and the community. Both the workshop and the

public talk formed part of an ongoing collaboration between HRP and the ILC. In March 2016, HRP hosted a workshop on the ILC's international law principles regarding the expulsion of aliens, which led to essays published as a symposium issue by the Harvard Human Rights Journal.

In May 2019, the ILC adopted the final version of the draft articles. Next, the Commission must adopt the associated commentaries, which help explain the meaning of the articles, as well as adopt a recommendation to the UN General Assembly for what to do with the draft articles, Murphy said.

In his public talk, Murphy admitted that this type of work—drafting, consulting, and revising proposed new international law—can be slow, but he noted that the efforts are important and have real world application and effects.

Eventually, it will be up to the states around the world to sign on to and ratify the convention. Certain states may be slow to sign on, but establishing the convention would be a major contribution toward preventing and punishing crimes against humanity.



# Exploring Clinical Pedagogy

The International Human Rights Clinic makes excellence in teaching a cornerstone of its practice, and pedagogical innovation is a key part of these efforts. “We are constantly evolving as teachers,” said Professor Tyler Giannini. “Just as human rights practitioners revisit and revise their techniques and approach, we in the Clinic are always responding to both student and global needs.” As part of this commitment to pedagogical reinvention and possibility, the Clinic searches for collaborative opportunities at HLS and beyond. Below are a few of the ways individuals in the Clinic explored pedagogy over the past year.

## 1L Experiential Education: Lawyering for Justice in the United States

In January 2018, a new course, *Lawyering for Justice in the United States*, aimed to give second- and third-year law students the opportunity to compare theories of change across HLS clinics. The course made such an impact that students from the original class advocated that the school offer it to first-year students. The administration agreed and made the class part of its inaugural “January Experiential Term” (JET) program. For the 2019 iteration, Giannini joined a team of four clinical faculty, four teaching assistants (TAs), and HRP Program and Communications Coordinator Dana Walters (see photo below). The course exposed 80 first-year law students to a variety of public interest methods with speakers from the Transactional Law Clinics, the Cyberlaw Clinic, and the Emmett Environmental Law and Policy Clinic, among others. Clinic alumni Amelia Evans LLM ’11 and Julian Hill



Above: the *Lawyering for Justice* teaching team huddles during the final session of the class, a hackathon led by guest Krizna Gomez LLM ’13.

The teaching team included: Esme Caramello JD ’99, Clinical Professor of Law and Faculty Director of the Harvard Legal Aid Bureau; Giannini; Michael Gregory JD ’04, Clinical Professor of Law at the HLS Education Law Clinic of the Trauma and Learning Policy Initiative; Dehlia Umunna, Clinical Professor of Law and Deputy Director of the HLS Criminal Justice Institute; Lindsay Bailey JD ’19; Samantha Miller JD ’19; Kenneth Perrano JD ’19; Michaela Strout JD ’19; and Walters.

JD ’14 also returned to lead a session on the solidarity economy. The class culminated with a hackathon led by another Clinic alum Krizna Gomez LLM ’13, where student teams worked to problem-solve social justice lawyering issues. “The class gave us an opportunity to learn from other clinics and think about how we could work with them, from sharing techniques and resources to being allies for each other,” said Lindsay Bailey JD ’19, a four-term International Human Rights Clinic student and one of the TAs in the course.

## Hackathons

Hackathons proved such an effective technique for fostering creative problem-solving during the 2018 *Lawyering for Justice* course that the Clinic experimented with the method throughout the 2018-2019 academic year. Such STEM-inspired

workshops, which use a human-centered design approach, help stimulate new ideas in short and intensive teamwork exercises. Students in human rights-related courses engaged in several hackathons this year, focusing on the design of law school clinics, de-escalation of tensions in Myanmar, and a variety of other topics. Students worked with experts in the field and visiting legal academics, alumni, and human rights practitioners, in order to draw from a diverse knowledge base.

In particular, hackathons formed a central piece of the Advanced Skills Training in Strategic Human Rights Advocacy seminar. Professors Farbstein and Giannini, who have taught this advanced seminar for years, regard the course as both a pedagogy lab and a learning community that challenges traditional teacher-student hierarchies. The seminar requires students to take ownership over their own education as they build the leadership skills essential to successful human rights lawyering. This year, with Farbstein on Fall leave, Giannini taught the course with Walters. Alongside students, they experimented with hackathons and reflected on how human-centered design might improve the Clinic and advance rights more effectively. The students participated in and ran six hackathons as part of the course. Kimberly Grano JD '19, who helped plan a hackathon on corporate accountability, said the event challenged her to take the building blocks of human rights introductory classes and engage in a higher level of strategic thinking.

### Clinical Exchanges

With a commitment to sharing ideas and practices with the greater human rights community, the Clinic has traveled internationally to visit other law schools and hosted legal academics from around the world. This year, HRP hosted visitors from Sri Lanka and Switzerland who were seeking to establish or expand human rights clinics in their countries. Clinic Program Coordinator Kelsey Ryan and Giannini organized a formal series of workshops on such topics as clinical project design and curriculum planning. The visitors met with instructors and faculty from across the Law School and participated in both the Clinic's fact-finding simulation and in a hackathon with Walters, Advanced Seminar students, and Visiting Fellow Alpha Sesay (see Visiting Fellow Spotlight, page 29).

During 2018-2019, members of the Clinic also traveled abroad to share insights from their own experiences. In May 2019, Anna Crowe LLM '12, Assistant Director of the Clinic, traveled to South



Crowe (center) speaks on a panel in South Korea as part of a clinical exchange hosted by Seoul National University (SNU). Crowe visited SNU with Alexa Shabecoff (right), Assistant Dean for Public Service with the Office of Public Interest Advising at HLS. On the left, Hyungkuk Youm, Director of the Pro Bono Support Center of the Seoul Bar Association. Photo Credit: Noh Na Young.

Korea and presented on clinical education for Seoul National University.

### Exporting the Toboltan Simulation

Every Clinic student participates in a unique, day-long simulation in which they learn to investigate and analyze human rights abuses in the fictitious country of Toboltan. In the summer of 2018, the Clinic began experimenting to see if the simulation could be shared with the human rights movement more broadly, including those not trained in law. Clinical Instructor and Lecturer on Law Yee Htun, Walters, and Giannini traveled to Budapest to run the simulation at Central European University for a group of public policy students with the Open Society Internship for Rights and Governance (OSIRG). The response was overwhelmingly positive, and in June 2019, Htun and Giannini returned to run the OSIRG simulation, this time hosted by the Global Public Policy Institute in Berlin. They again focused on interviewing techniques used during investigations.

Toboltan develops and hones students' fact-finding and interviewing skills and exposes them to the ethical dimensions of documentation work. "As an educator, my favorite part about Toboltan is witnessing the students' learning trajectory over the course of the day," said Htun. Giving students the opportunity to "make mistakes and learn from them in a safe environment" is crucial for both HLS and OSIRG students.

### Susan Farbstein's First-Year Seminar at Harvard College

In addition to teaching at HLS, Farbstein has taught a freshman seminar at Harvard College since 2014. In Human Rights Law and Advocacy, twelve students interact closely with their peers in a conversation-based setting as they are introduced to international human rights law.

Farbstein emphasizes the practice of human rights lawyering and teaches how this practice intersects with the law, systems of enforcement, and communities of people seeking to reclaim or enforce their rights. In alignment with the Clinic's philosophy, Farbstein encourages the freshmen to be critical of human rights and its limitations even as they work to promote these rights.

"Undergraduates are so fresh and new to the issues; the conversation tends to be more free-flowing than with law students," she says. "I never know what they're going to say and that's part of the fun." Inspired in part by the seminar, two former students from Farbstein's seminar have been admitted to HLS and will be focusing on human rights and other public interest law.



Farbstein (left) speaks with Jim Wormington (see Visiting Instructors, page 19).

# Spotlight on Clinical Student Travel

The International Human Rights Clinic offers students the opportunity to engage in human rights work with project partners on the ground, including travel to perform advocacy at international bodies, to interview survivors of abuse, or to participate in multilateral treaty negotiations. Students consistently cite these trips as revelatory, giving trainee lawyers the chance to apply what they have learned in the Clinic to real-world situations.



Celeste Kmiotek JD '20 (right) interviews Guzman Apaza, a relation of a Black October victim, in La Paz, Bolivia. Kmiotek's project focused on gathering stories from those affected by Black October.



Samantha Lint JD '20 (left) and Lily Kim JD '19 (right) interview a resident in Guinea affected by government evictions. Their project focused on bauxite mining, urban forced evictions, and other land rights issues.



Eun Sung Yang JD '20 and Ji Yoon Kang JD '20 (center) working with national universities on strengthening human rights education.



Radhika Kapoor LLM '19 (right) and Terry Flyte LLM '19 (left) participate in the Working Group Meetings of the 5th Conference of States Parties to the Arms Trade Treaty in Geneva.



# Decriminalizing LGBT Rights

This year, HRP continued to build on its substantial work in the area of gender and sexuality-related human rights, with projects that span a variety of topics and geographic regions (also see Gender, Peace & Security, page 17). In particular, a number of projects have focused on securing the rights of LGBT peoples in countries where such individuals are under attack or criminalized for their sexual orientation or gender identity.

## Middle East and North Africa

Last year, the Clinic launched a collaborative project with the Lebanon-based LGBT rights group Helem and the NGO Legal Agenda, to support their advocacy work towards the decriminalization of same-sex relations in Lebanon. In Spring 2019, a student team supported Helem and Legal Agenda's efforts to develop more robust and advanced litigation tools to defend persons targeted because of their sexual orientation. The students developed an upgraded model legal defense for attorneys engaged in strategic litigation to defend individuals prosecuted under Article 534 of the Lebanese Penal Code, which prohibits sexual relations that "contradict the laws of nature." In Lebanon, queer individuals are routinely harassed and detained by authorities under the suspicion of violating Article 534 and the greater majority of lawyers are unfamiliar with how to formulate a robust legal defense that also undermines Article 534's applicability to adult consensual same-sex relations.

Helem's Executive Director, Tarek Zeidan MPA '18, who is an alumnus of the Clinic and Harvard Kennedy School, said, "We need a guide to share with lawyers which not only provides optimal legal arguments to invalidate Article 534 but also helps convince judges to adopt a new jurisprudence around gender and sexuality and expand their viewpoints to accompany contemporary knowledge and societal evolution on the subject." The model defense serves as a source of information as well as a demonstration of cohesive legal arguments that draw from constitutional and international law, as well as comparative law arguments from other post-colonial countries. The defense builds on insights



Clinical Instructor Salma Waheedi, who is also Associate Director of the Program on Law and Society in the Muslim World, poses with Advocates board member Hiba Thobani LLM'19.

from attorneys and advocates fighting across developing countries to defend persons charged with criminal violations related to homosexual relations, and was uniquely adapted to the local socio-political realities of Lebanon. This model defense marks the Clinic's second collaboration with Helem and Legal Agenda, the first being a comprehensive analysis of all successful arguments against *contra naturam* laws in the Global South.

### Myanmar

Clinical Instructor Yee Htun specializes in gender justice and refugee and migrants' rights with a focus on Myanmar. Within this area, she partners with local organizations on the decriminalization of LGBT status and acts. For the past three years, she and her students have worked on a number of decriminalization projects with community partners, including Colors Rainbow, a prominent LGBT organization in Myanmar. This year, her team briefed members of Myanmar's legislature, the Assembly of the Union, and its legal reform committee on the British colonial roots of a Myanmar law criminalizing homosexual conduct. The law puts lives at risk and encourages bribes. An almost identical law in India, also imposed during British rule, was recently overturned. The Clinic's testimony was widely covered in the Myanmar media, and legislators asked the Clinic and Colors Rainbow to return with model language for law reform. Htun and her students also worked on other gender-related law projects, including a gender sensitivity and anti-sex harassment training they presented to members of the human rights community in Myanmar at the request of Colors Rainbow.



Top: Htun speaks with local news media in Myanmar about decriminalizing LGBT relations.

Bottom: Keehn introduces Independent Expert Victor Madrigal-Borloz in February 2019 for a talk on his United Nations mandate.

### Global/Comparative

Emily Nagisa Keehn, Associate Director of HRP's Academic Program, specializes in the intersection of human rights issues with criminal justice, gender, sexuality, and health. This year, she worked with

Accountability International, a South African NGO, on “Challenging Criminalisation Globally: Un-Policing Identity, Morality, Sexuality and Bodily Autonomy,” a project that is pushing back on states’ use of police power to impose subjective moral standards on marginalized groups including LGBT persons, drug users, and sex workers. A Clinic team assisted Keehn in this research, which focused on the Global South and reviewed laws in 27 countries. The research identified types of behavior that are criminalized, the impact of criminalization on HIV/AIDS and sexual and reproductive health, and its effect on progress toward the UN Sustainable Development Goals.

As the question of whether LGBT rights should be internationally protected under the human rights system remains controversial in many nations, HRP invited Victor Madrigal-Borloz, the UN’s Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, to campus to “show our support for this important yet vulnerable mandate,” Keehn said. Madrigal-Borloz described how criminalizing same-sex sexual relationships and diverse expressions of gender identity has a negative effect on how individuals are treated in a variety of spheres including healthcare, housing, and employment.

## 2019-2020 Preview: Victor Madrigal-Borloz Joins HRP

After a successful visit in February 2019, Madrigal-Borloz will join HRP as a Senior Visiting Researcher for the 2019-2020 academic year. During this residency, he will build a team of student research assistants, conduct research related to his mandate, and join the larger human rights community on campus.



As the UN’s Independent Expert, he is pursuing two overarching objectives: (1) heightening awareness of the violence and discrimination people experience due to sexual orientation and gender identity, and (2) identifying measures that states may undertake to eradicate such violence and discrimination. He pursues these objectives via a variety of mechanisms, including writing thematic reports, reviewing allegations of human rights violations, and evaluating country-specific situations, among others.

“I am delighted to have found an ideal match in the Human Rights Program for three key reasons: its resolve to pursue excellence to ensure the furtherance of human rights, the commitment of its faculty to the eradication of violence and discrimination based on sexual orientation and gender identity, and the intellectual curiosity and contagious enthusiasm of its students,” said Madrigal-Borloz.

# Banning Killer Robots

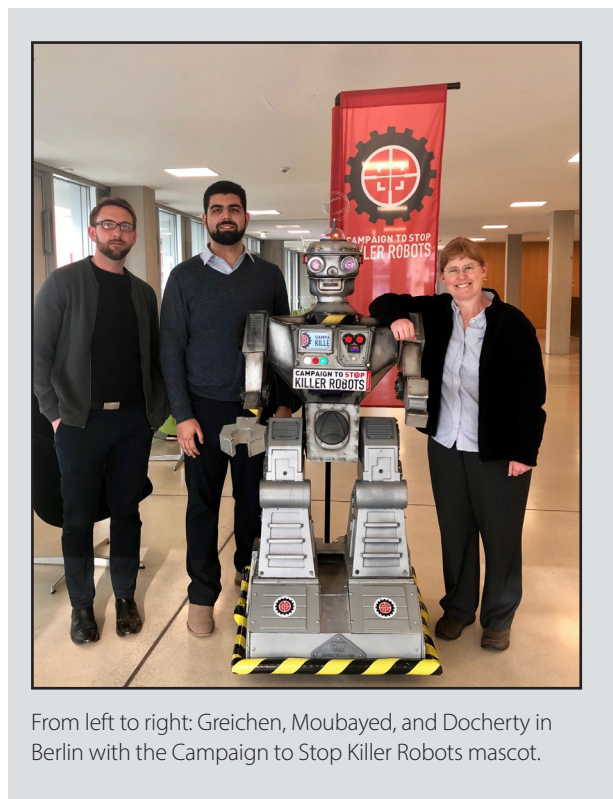
During the 2017 negotiations of a landmark treaty banning nuclear weapons, the Clinic served as legal advisor to the International Campaign to Abolish Nuclear Weapons (ICAN), which went on to receive that year's Nobel Peace Prize for its work. After this historic victory, the Clinic team redoubled its efforts to push for a new treaty on fully autonomous weapons, also known as killer robots. "Now that we've banned nuclear weapons, killer robots is the next big disarmament issue. It's a hot topic that appeals to the public," said Bonnie Docherty JD '01, Associate Director of Armed Conflict and Civilian Protection and Lecturer on Law in the Clinic.

Since 2012, the Clinic has been a leader in research and writing on fully autonomous weapons, systems that would select and engage targets without meaningful human control. This year, the Clinic pursued two significant projects on behalf of its partners Human Rights Watch (HRW) and the Campaign to Stop Killer Robots. This project is part of the Clinic's ongoing work under the banner of the Armed Conflict and Civilian Protection Initiative, which was launched in March 2018 to promote humanitarian disarmament and related civilian protection issues.

In August 2018, the Clinic and HRW released "Heed the Call: A Moral and Legal Imperative to Ban Killer Robots," a report drafted by Docherty and a team of students including Paras Shah JD '19 (see *Alumnus Spotlight*, page 20). "Heed the Call" is one of HRW's most popular reports on fully autonomous weapons to date, said Docherty, who is also a Senior Researcher in the Arms Division of HRW.

In March 2019, Docherty took clinical students to Geneva and Berlin to engage in advocacy related to killer robots. In Berlin, the team attended a global meeting organized by the Campaign to Stop Killer Robots where more than 100 campaigners discussed the call for a ban and ways to extend the Campaign at the national level. There, Matthew Griechen JD '19 gave a talk on relevant international humanitarian law, the potential accountability gaps, and the precedent for a ban treaty. In Geneva, the team participated in a UN conference on killer robots held by states parties to the Convention on Certain Conventional Weapons. In both Berlin and Geneva, Daniel Moubayed JD '20 played an active role in social media efforts, highlighting the Clinic's work on the Campaign.

This spring, the Clinic also drafted four internal papers for the Campaign proposing key elements of a new killer robots treaty. "We've been laying the groundwork for years, but it is time to move beyond examining the risks of killer robots," Docherty said. "With recent attention to the nuclear ban treaty and the upsurge in discussions around the ethics of artificial intelligence, we've had an opportunity to start shifting the debate from problems to solutions."



From left to right: Griechen, Moubayed, and Docherty in Berlin with the Campaign to Stop Killer Robots mascot.



# Gender, Peace, & Security

## Gender & the Arms Trade Treaty

In April 2019, the Clinic published “Interpreting the Arms Trade Treaty: International Human Rights Law and Gender-Based Violence in Article 7 Risk Assessments,” with its partner Control Arms, a coalition committed to effective implementation of the Arms Trade Treaty. Clinic Assistant Director Anna Crowe, an expert on gender, international humanitarian law, and human rights in conflict settings, led the project. The Clinic presented preliminary findings of the research at a January conference. The Arms Trade Treaty requires states parties to assess the risk that a proposed arms export could result in a human rights violation. As part of this assessment, states must consider gender-based violence risks in particular. At a preliminary meeting of States Parties to the Arms Trade Treaty in Geneva, Crowe presented a paper on this assessment requirement. With a team of students, she developed case studies to help officials work through each stage of the risk assessment process and expand their understanding of how the arms trade facilitates gender-based violence. Students joined Crowe at the meeting and also co-presented a three-day training in Latvia to officials from Central and Eastern Europe on the Arms Trade Treaty and gender-based violence. (See Student Travel, page 12, for a picture from this event.)

One of several student co-authors of the paper, Radhika Kapoor LLM '19, traveled to Geneva and Latvia with Crowe. “It gave me the opportunity to put into practice skills I had only previously learned within classroom settings,” she said. “For example, in Geneva, I participated in high-level meetings with diplomats. In Latvia, I played a crucial role in delivering the training, including by moderating expert panels. I could never have imagined I would have these types of opportunities as a law student.”

## Conflict-Related Sexual Violence

Crowe and Keehn collaborated this year on another project related to gender and security: conflict-related sexual violence in places of detention. Sexual violence of this nature is perpetrated largely against men and boys, but also impacts women, girls, and gender and sexually diverse people. It is a topic that has received little attention internationally, leaving the population of victims with reduced access to social services or the benefit of reparations programs. Keehn and Crowe worked with the All Survivors Project and conducted research to inform its advocacy and design interventions for sexual violence in detention.

Keehn, Crowe, and students compiled international legal standards and described the current international framework, articulating gaps and challenges. “We want to shine a light on this issue and help it be addressed in the many forms in which it takes place,” said Keehn, who has worked on addressing sexual violence in prisons in South Africa.

In April, the UN Security Council passed Resolution 2467 to protect victims of conflict-based gender violence. It was historical in referencing sexual violence against men and boys for the first time, and it put unprecedented attention on detention facilities as sites of vulnerability for sexual violence, particularly against men.

“We see this is a space where there’s going to be more thought and discussion at the international level, so we’re looking to be part of those discussions,” said Crowe.

# Clinic Showcases Visitors

During 2018-2019, Clinic students worked on projects under a variety of visiting clinical instructors and fellows, each of whom brought with them unique professional experiences and knowledge bases. The Clinic hosted four visiting clinicians over the course of the year.



## Thomas Becker JD '08 Clinical Instructor, Academic Year 2018-2019

### Beyond HRP

Becker has been pursuing justice and accountability on behalf of the victims of Bolivia's Black October for more than a decade. He is also an award-winning musician.

### Clinical Projects

- Gender-Based Violence and Impunity in Bolivia
- Mamani Storytelling: Voices from Bolivia's "Black October"

### What Students Say

"Thomas is the kind of professor that will tell you you can do it, and you believe them. The Bolivia project was filled with a lot of 'firsts'; for me—the first time doing live media interviews and the first time discussing policy with high-ranking government officials. I especially admired Thomas's community and team-based approach to advocacy."

-Perla Fabiola Alvelais JD '20

## Amelia Evans LLM '11 Clinical Instructor, Fall 2018

### Beyond HRP

Evans is Executive Director and Founder of MSI Integrity, an NGO focused on business and human rights. She is also a documentary filmmaker.

### Clinical Projects

- Multi-What? Trends in Multi-Stakeholder Initiatives
- Of Worker Cooperatives and Post Offices: Reimagining Industry and Government in the Age of Extreme Poverty



### What Students Say

"Amelia is an excellent human rights advocate whose passion, competence, and zeal provide a great model for students. In addition, as an instructor and supervisor, she melded constructive and supportive feedback in a way that pushed me to improve while giving me confidence in my work."

-Madelyn Petersen JD '19



**Nicolette Waldman JD '13**  
**Senior Clinical Fellow, Armed Conflict & Civilian**  
**Protection Initiative, Spring 2019**

**Beyond HRP**

Waldman is a lawyer, researcher, and consultant specializing in human rights and civilian protection in war. She was previously a researcher on Syria and Iraq for Amnesty International, a Satter fellow for the Center for Civilians in Conflict (CIVIC), a legal fellow at the Afghan Independent Human Rights Commission, a program manager for Save the Children, a Fulbright scholar, and a senior associate in the legal and policy division at Human Rights Watch.

**Clinical Project**

- The Lethal Waste of War: Health Effects of Burn Pits in Iraq & Afghanistan

**What Students Say**

"Nicolette struck a perfect balance between letting us lead and directing us. We felt ownership over the clinical project, while still benefiting enormously from her expertise. Nicolette has experienced many of the ethical and practical difficulties that we pondered theoretically; her willingness to discuss her past work gave us perspective, inspiration, and confidence. She fostered an atmosphere of honesty, where we had frank discussions when we felt stuck or conflicted. I left the semester with concrete feedback on what I do well and how to become a better human rights advocate."

- Saranna Soroka JD '20

**Jim Wormington**  
**Clinical Instructor, Spring 2019**

**Beyond HRP**

Wormington is a researcher in the Africa Division of Human Rights Watch. Previously, he was an attorney with the American Bar Association Rule of Law Initiative, the International Crisis Group, and the War Crimes Chamber of the State Court of Bosnia and Herzegovina.



**Clinical Projects**

- Guinea's Bauxite Mining Boom
- The Human Rights Impact of Alumina Refineries

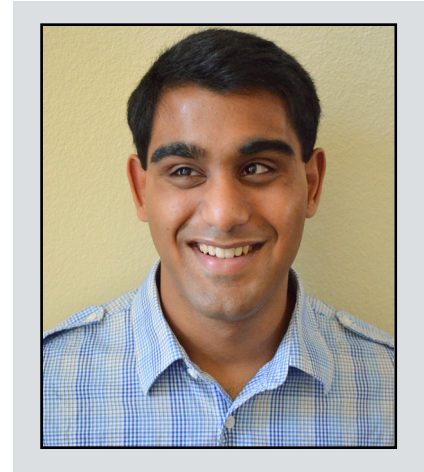
**What Students Say**

"Jim was a wonderful clinical instructor. He created a great environment that empowered students by giving them the freedom to guide the clinical projects throughout the entire process. He also did a fantastic job building in space and time for broader discussions about human rights work, giving us the opportunity to discuss issues we had confronted and gain a more robust understanding of the field."

-Allie Brudney JD '19

## ALUMNUS SPOTLIGHT: PARAS SHAH JD '19

Paras Shah's approach to human rights centers on inclusion. In his four terms with the International Human Rights Clinic, Shah has encouraged an international coalition to ban killer robots to integrate diverse perspectives into its campaign, and collaborated with grassroots activists to counter hate speech and de-escalate ethnic and religious ultra-national rhetoric in Myanmar. As a student in the Advanced Skills Training in Strategic Human Rights Advocacy seminar, Shah and two other classmates also designed and led a workshop to increase student leadership, promote self-care, and build bridges between the Clinic and other programs at the Law School.



"I was born legally blind and grew up in the U.S., where the law has always played an important role in making sure I have equal opportunities like everyone else," said Shah, who was previously the John Gardner Fellow at Human Rights Watch, where he focused on the rights of refugees with disabilities. "I want to use the law to create that kind of opportunity for other people."

"Heed the Call: A Moral and Legal Imperative to Ban Killer Robots," co-published by Human Rights Watch, is one of the most complex reports the Clinic has written, said Bonnie Docherty, and Shah was "an integral part of the team helping to build the case for why we need the ban." His work was so outstanding during his first trip to Geneva, Switzerland that the Campaign to Stop Killer Robots invited Shah to return.

"Paras showed an intuitive understanding of and ability to articulate complicated issues," said Docherty. "His engagement with campaigners from all over the world, his enthusiasm for the work, his sense of humor, and his commitment to making the world a better place made such an impression."

Over January term 2019, Shah and other students traveled with Yee Htun to Myanmar and Thailand to meet with religious leaders, women's groups, and LGBTQ+ activists to test a workshop they had developed related to countering hate speech. "Paras rose to every challenge we faced. He was a sounding board and reliable interlocutor for new ideas," said Htun. "He has the rare ability to think outside the box."

In addition to his clinical work, Shah recently published an article in the *Harvard Human Rights Journal* about the use of deadly force against people with disabilities, and writes for the prestigious national security blog *Lawfare*.

"The Clinic has been the most important thing I've done in law school," said Shah. He said it sharpened his research skills and taught him to consider the audience he wanted to reach and message he wanted to convey. "Although I frame an issue differently when briefing a diplomat in Geneva who is likely bound by instructions from her capital than when I discuss an idea with a grassroots activist who might have to later explain it to hundreds of other people in a specific local context, I always strive to understand their perspective and find common ground."

For Shah, the Clinic was also a home and community. "The classmates I met became my close friends and the instructors became my mentors. I'm very grateful for the opportunity to contribute to issues I care about and make a small impact on people's lives."



# HRP Events

HRP hosted and co-sponsored dozens of events in 2018-2019. Below is a selection of highlights from the year.



Left to right: Neuman and Jacqueline Bhabha, Professor of the Practice of Health and Human Rights at the Harvard T. H. Chan School of Public Health at *The UN Convention on the Rights of Persons with Disabilities: A Commentary* book panel.



Left to right: Raymond Atuguba, Steiner Visiting Professor at Harvard Law School and Mayuri Anupindi, Senior Program Leader, Unitarian Universalist Service Committee at an Advocates event discussing representation in international human rights work.



Sindiso Mnisi Weeks, Assistant Professor in Public Policy of Excluded Populations, UMass Boston, talking about rights discourses and inequality in South Africa.



Chi Adanna Mgbako JD '05, Clinical Professor of Law, Fordham Law School, and Farbstein at Celebration 65, commemorating 65 years of women graduates at HLS.



Left to right: Daniel Levine-Spound JD '19 and human rights activist Dr. Ramy Khouili presenting their report on the criminalization of homosexuality in Tunisia.



Left to right: Sean Murphy with Lindsay Bailey JD '19 in a live online Q&A on crimes against humanity (see page 7).

# HRP Coursework 2018-2019

HRP offers a variety of human rights-related courses, seminars, reading groups, and other educational opportunities. Neuman teaches introductory and advanced lecture classes on human rights and human rights treaty bodies. Clinical seminars accompany practical training in real-world projects related to human rights. These courses are a foundational element of the law school curriculum.

The Clinic also offers a Semester in Human Rights, a full-time program for third-year students

who have previously spent at least one semester in the Clinic and are contemplating careers in human rights.

For the last few years, Farbstein has also taught a freshman seminar at Harvard College, Human Rights Law and Advocacy, which she continued to lead this year (see page 11).

For more on how HRP constantly reinvents itself in the pedagogical space, see page 9.

## HRP Courses, Clinical Seminars, and Reading Groups, 2018-2019

### **Advanced Skills Training for Strategic Human Rights Advocacy**

(Clinical Seminar, Fall 2018)

### **Armed Conflict & Civilian Protection**

(Clinical Seminar, Fall 2018)

### **Becoming a Human Rights Advocate**

(1L Reading Group, Fall 2018)

### **Business, Human Rights, and Community Lawyering**

(1L Reading Group, Fall 2018)

### **Human Rights Advocacy**

(Clinical Seminar, Fall 2018, Spring 2019)

### **Human Rights in the UN Treaty Bodies**

(Seminar, Fall 2018-Spring 2019)

### **Lawyering for Justice in the U.S.**

(1L Experiential Learning Course, Winter 2019)

### **Human Rights and International Law**

(Course, Spring 2019)

# HLS Advocates for Human Rights

HLS Advocates for Human Rights is a student practice organization housed in the International Human Rights Clinic. Since its founding, Advocates has encouraged students to get involved in human rights work outside of the traditional bounds of classes and clinical projects. Everyone at HLS —from 1Ls to LLMs — is welcome to join. Students work with domestic and international partner organizations. Projects have focused on a range of topics, from torture in Iraq to child custody laws in Israel to corporate accountability. Advocates also hosts events, organizes trainings, and supports activism on campus. Instructors from the International Human Rights Clinic provide support to the Advocates executive board and project leaders and connect members to the greater human rights community.

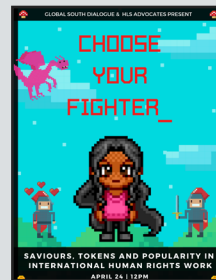
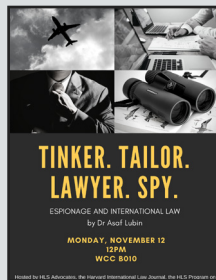
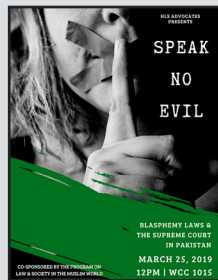
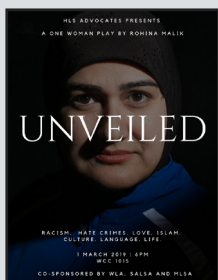


The 2018-2019 HLS Advocates for Human Rights Executive Board.

## By the Numbers (2018-2019)

- Projects: 8
- Advocates members: 67
- Newly trained students: 48
- Approximate hours of legal service by students: 1,941
- Years in existence: 14

Highlights from Advocates' events from 2018-2019 (left to right): a one-woman play on Muslim women in a post-9/11 world, a panel on Pakistani blasphemy laws, a talk on espionage and international law, a talk on civilian life in Gaza, and a panel on representation in international human rights law.





# HRP Fellowships

Under the direction of the Academic Program, HRP offers an array of fellowships for students interested in human rights work.

## Summer Fellowships

HRP awards summer fellowships to students who work outside the United States for at least eight weeks with nongovernmental or intergovernmental organizations concerned with human rights.

### Summer 2018 Fellows

**Ginger Cline** JD '20 worked at the Hebrew Immigrant Aid Society in Kenya.

**D Dangaran** JD '20 worked at Lawyers for Human Rights in South Africa.

**Krista Oehlke** JD '20 worked at EarthRights International in Peru.

**Sara Oh** JD '19 worked at the United Nations High Commissioner for Refugees in Turkey.

**Delphine Rodrik** JD '20 worked at Human Rights Watch in Lebanon.

**Eun Sung Yang** JD '20 worked at Justice Base in Myanmar.

### Summer 2019 Fellows

**Angel Gabriel Cabrera Silva**, SJD candidate, worked at Colectivo Emancipaciones in Mexico.

**Matthew Farrell** JD '21 worked at Amnesty International in the United Kingdom.

**Ji Yoon Kang** JD '20 worked at the International Rescue Committee in Thailand.

**Julian Morimoto** JD '21 worked for the Initiatives for Dialogue and Empowerment through Alternative Legal Services (IDEALS) in the Philippines.

**Emily Ray** JD '21 worked at the Forest Peoples Programme in Guyana.



Top: Emily Ray JD '20 worked at the Forest Peoples Programme (FPP) in Guyana during summer 2019. Pictured, Emily is joined by former Henigson Fellow Lan Mei JD '18, who acted as her supervisor at FPP, as well as Dan James, Tzaddi Franklin, Bernadette Mentis, and Ron James, members of the Amerindian Peoples Association, a partner organization that allows FPP to share their office space.

Bottom: Ji Yoon Kang JD '20 spent three months at the Thai-Burmese Border with the International Rescue Committee (IRC). As an intern at the IRC, Ji Yoon worked in refugee camps providing training to refugees who, in turn, provide legal and other services to their community.



## Winter Fellowships

HRP awards winter term fellowships for students to undertake internships or independent research projects.

### Winter 2019 Fellows

**Amanda Chan** JD '20 worked at the Death Penalty Project in the United Kingdom.

**Niku Jafarnia** MPA '20/JD '20 worked on starting a refugee rights organization in Germany.

**Ava Liu** JD '20 conducted research on access to healthcare in South Africa.

## Post-Graduate Opportunities

### Satter Human Rights Fellowship

The Satter Human Rights Fellowship, funded by the Satter Foundation and named after Muneer Satter JD/MBA '87, allows post-graduates to spend a year working on the defense of human rights in response to mass atrocities or widespread and severe patterns of rights abuse occurring in countries classified as "not free" by Freedom House.

### Satter Fellows 2018-2019

**Jenny B. Domino** LLM '18 worked at ARTICLE 19 on strengthening the organization's response to hate speech in Myanmar.

**Anna Khalfaoui** LLM '17 worked on atrocity prevention and punishment for the American Bar Association - Rule of Law Initiative in the Democratic Republic of Congo.

## Field Notes

Winter Term Fellow Niku Jafarnia JD '20 (right) spoke about her research in Germany, where she met Isabel Schayani, who started a public broadcasting program to provide refugees with critical programming and information about their rights in Farsi and Arabic.

In her own words:

"I was particularly struck by the divergences between the German and U.S. asylum and refugee systems. Though the German system has significant room for improvement—particularly as their efforts to deport and exclude refugees have increased—there was a certain humanity that I recognized in the system of services and in the government-provided provisions, educational opportunities, and shelters provided to refugees. This image presented a stark contrast with the increasingly militarized southern border and systematic imprisonment of migrants in the U.S."

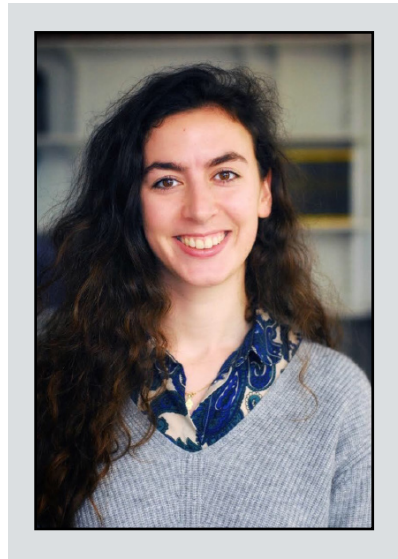


## Spotlight on the Satter Fellowship in Human Rights, 2018-2019

The Satter Human Rights Fellowship is designed to support and promote human rights defense in response to mass atrocities. The fellowship is made possible by a generous gift from Muneer A. Satter JD/MBA '87. These fellowships enable students to make a valuable contribution to the most severe human rights situations.

### Anna Khalfaoui LLM '17

Between 2010 and 2014 in the eastern Democratic Republic of the Congo (DRC), rebels from the Nduma Defence of Congo (NDC) militia murdered and raped hundreds of civilians, looted civilian homes, and forced children to become soldiers. In November 2018, the trial for war crimes and crimes against humanity against NDC's militia leader Ntabo Ntaberi, who goes by the war name "Sheka," commenced before the Operational Military Court of North Kivu. As a 2018-2019 Satter Fellow in Human Rights, Anna Khalfaoui LLM '17 spent the year in the DRC working with the American Bar Association Rule of Law Initiative (ABA ROLI) to assist survivors and their lawyers through the trial, acting as a liaison in support of the justice system.



"After nine years, to finally have a trial that looks at these incidents is so important," said Khalfaoui, a British-trained French attorney who chose HLS for its human rights training. "Being part of the team supporting survivors who've waited so long to tell their stories is an incredible learning opportunity."

Khalfaoui also worked with survivors and their lawyers in the historic trial of militia leader Marcel Habarugira Rangira. With the support of a coalition of local and international actors, including ABA ROLI, Habarugira was convicted in February 2019 of the war crimes of rape and of conscription, enlistment, and the use of children as soldiers. The conviction for conscripting and using child soldiers was the first such conviction in the DRC.

These cases are very challenging, Khalfaoui noted, explaining that there is tremendous pressure on survivors to recant their stories. Diverse actors, from the military justice and local organizations, to NGOs like ABA ROLI and the UN peacekeeping forces in the DRC have worked together to make these trials possible. They are nevertheless expensive, often lengthy, and incredibly complex. Given the instability and insecurity in Eastern DRC, these trials face critical challenges from the lack of an effective investigative and prosecutorial strategy to difficulties providing protection for the survivors and witnesses. Still, Khalfaoui is determined to continue working on these important issues. "I think it's become clearer as I work on this trial that I'm more and more interested in doing direct legal work with people who are affected by human rights violations," she said.

During her fellowship, Khalfaoui is also supporting ABA-ROLI's early warning system for preventing atrocities, which allows people to alert security forces when there are signs of impending violence against civilian populations. The system, which is also being used in response to an Ebola breakout, is being expanded to new zones in Eastern DRC and to include conflict prevention activities to reduce community conflict.

After the fellowship, Khalfaoui plans to continue working on international human rights and international humanitarian law litigation.

## Jenny B. Domino LLM '18

Jenny B. Domino is a human rights lawyer from the Philippines who spent 2018-2019 as a Satter Fellow in Human Rights with ARTICLE 19, a human rights organization focused on the defense and promotion of freedom of expression and information. Domino has been working to strengthen ARTICLE 19's response to hate speech in Myanmar, specifically as it incites violence committed against the Rohingya community. Among other things, Domino wrote a human rights-based report analyzing the sufficiency of Facebook's responses to criticism that it had failed to moderate hate speech in a timely manner in Myanmar. Her report has significantly informed ARTICLE 19 Asia's engagement with Facebook regarding its content moderation policies. She also organized a regional workshop in spring 2019 on hate speech on social media, bringing together human rights defenders from the ASEAN region to discuss common themes of disinformation, attacks on the press, and weak social media policy.

Facebook's community standards are the same throughout the world. One problem occurs when rules are enforced without sufficiently taking into account the geopolitical contexts in which such content is shared, said Domino. Throughout her career, Domino has dedicated herself to deepening the commitment to international human rights law in the Association of Southeast Asian Nations (ASEAN) region. In her home country of the Philippines, she led the Commission on Human Rights' accountability project on the persons most responsible for the extrajudicial killings arising from President Rodrigo Duterte's drug war. Her work proved useful in light of the International Criminal Court's preliminary examination into whether these killings constitute crimes against humanity.

"When you enter a market and you don't understand the political context of where you're operating, that can be a problem," she said. "The way certain speech is received or acted upon in one context—let's say, the U.S. or the Netherlands—is different in a place like Myanmar or the Philippines. This distinction is more pronounced when the political context of a specific country involves atrocity crimes or systematic violence against civilians."

The year has been "very meaningful for me," said Domino, who will continue to specialize at the intersection of freedom of expression, corporate responsibility, and international human rights law at the International Commission of Jurists following her fellowship.

"I've learned a lot, not just in terms of substantive knowledge but the practical—and sometimes grim—aspects of working in the NGO scene. I am still trying to figure out through which capacity I can serve best, one where I can make the most impact as a lawyer. For now, I am content to have discovered a cause I deeply care about."



Domino returned to HLS in February 2019 for a talk about her research on Facebook community standards and hate speech.

## Henigson Human Rights Fellowship

The Henigson Human Rights Fellowships are for recent HLS graduates with a demonstrated commitment to international human rights and an interest in working in the field. They are intended to enable students to make a valuable contribution to human rights during the year of the fellowship and to help them build human rights work into their careers. Henigson Fellows spend 12 months working with a human rights NGO in the developing world.

Henigson Fellowships are made possible by a generous gift from Robert Henigson JD '55 and Phyllis Henigson. HRP has awarded 45 Henigson Fellowships since 2001.

## Henigson Fellows 2018-2019

**Alejandra Elguero Altner** LLM '17 worked at Legal Action Worldwide in Kenya, where she focused on sexual and gender-based violence in Somalia and South Sudan.

**Conor Hartnett** JD '18 worked at Legal Action Worldwide in Sri Lanka, where he focused on transitional justice.

## HRP Visiting Fellows Program

Through the Visiting Fellows Program, HRP provides thoughtful individuals with a demonstrated commitment to human rights an opportunity to step back and conduct a serious inquiry in the human rights field. The fellows, who typically come from outside the United States, spend a semester or year in residence at the law school, where they are an integral part of the community.

## Visiting Fellows 2018-2019

**Tony Ellis** (New Zealand), Human Rights Barrister with Blackstone Chambers.

**Jong Chul Kim** (Republic of Korea), Founder and Program Director at Advocates for Public Interest Law in Seoul, South Korea.

**Sabrina Mahtani** (Zambia/U.K.), OPIA/HRP Wasserstein Fellow for 2018-2019, Anglophone West Africa Researcher for Amnesty International.

**Alpha Sesay** (Sierra Leone), Advocacy Officer with the Open Society Justice Initiative.

**Ralph Wilde** (U.K.), Reader at University College London's Faculty of Laws.

## VISITING FELLOW SPOTLIGHT: ALPHA SESAY

As a young person in Sierra Leone in the 1990s, Alpha Sesay knew little but war. He lost close family to the conflict, witnessed atrocities, and was internally displaced before obtaining refugee status in Guinea. As a university student in Sierra Leone, he was arrested and beaten in prison after challenging a police practice as not grounded in law.

“Those experiences really influenced me a great deal in terms of what I wanted to do with my life,” said Sesay, who as a human rights lawyer has held various positions in the human rights and international justice sectors. He is currently an Advocacy Officer for the Open Society Justice Initiative (OSJI) in Washington, D.C. Sesay has dedicated his career to human rights, moved to make sure that his experiences of war are not replicated elsewhere. “What shall I do as an individual so that this doesn’t happen again and that others don’t experience what we did as a country?” he said.



As a law student, Sesay mobilized friends to launch the first student human rights group in Sierra Leone—and the first human rights clinic in Western Africa—which led to the creation of a human rights module at the University of Sierra Leone. After getting his law degree in Sierra Leone and an LLM in International Human Rights Law from the University of Notre Dame Law School, he returned to his home country to establish and teach international human rights at the university.

When the trial of former Liberian President Charles Taylor before the Special Court for Sierra Leone was moved to The Hague, Sesay created and managed a trial-monitoring project for OSJI that provided daily information to Sierra Leonean and Liberian audiences. A few years earlier, he had created a similar trial-monitoring and accountability program for proceedings before the Special Court for Sierra Leone and criminal cases within Sierra Leone’s domestic justice system. In that program, he focused on promoting judicial accountability and providing information to and soliciting feedback from the public, especially victims in Sierra Leone. Today, it has become one of the country’s leading NGOs, he said.

Sesay took a sabbatical from OSJI in 2018-2019, joining HRP as a Visiting Fellow. At HLS, he researched how the state fails to comply with decisions of human rights bodies. His aim was to devise recommendations for how to better ensure state compliance with human rights standards. As a fellow, Sesay also mentored HLS students interested in human rights work and offered his expertise to Harvard faculty working on various human rights issues.



He described interacting with students and sharing his knowledge of the African human rights system as one of the highlights of his time at the Law School. “To find myself at Harvard doing research and contributing to the university’s academic life was immensely fulfilling,” and the human rights community “is a really welcoming academic environment.”

“Having been an intimate witness to human rights violations myself, I strive to give those a platform who would not otherwise have a voice,” he said. “A lot of people, many of them victims [of human rights violations] themselves, work every day to make life better for vulnerable communities. Those people inspire me every day in the work we do.”



Sesay spoke at a conference at the Carr Center for Human Rights Policy at the Kennedy School of Government in October 2018 on “The Rome Statute of the International Criminal Court at 20” with Luis Moreno Ocampo (left), Founding Prosecutor of the International Criminal Court and Senior Fellow at the Carr Center.

# Publications

In 2018-2019, HRP produced a range of publications, a sampling of which are below. In addition to faculty, staff, and fellows, students were integrally involved in many of the publications.

## Clinical Publications

“Heed the Call: A Moral and Legal Imperative to Ban Killer Robots,” International Human Rights Clinic and Human Rights Watch (August 2018).

“Supporting Kakuma’s Refugees: The Importance of Freedom of Movement,” International Human Rights Clinic and Norwegian Refugee Council, Kenya (September 2018).

“Supporting Kakuma’s Refugee Traders: The Importance of Business Documentation in an

Informal Economy,” International Human Rights Clinic and Norwegian Refugee Council, Kenya (September 2018).

*Humanitarian Disarmament Conference Summary*, Armed Conflict and Civilian Protection Initiative (October 2018).

“Myths and Realities about Incendiary Weapons,” International Human Rights Clinic and Human Rights Watch (November 2018).

“Australia and the Treaty on the Prohibition of Nuclear Weapons,” International Human Rights Clinic (December 2018).

“No Hay Justicia Para Mi: Femicidio e Impunidad en Bolivia (No Justice for Me: Femicide and Impunity in Bolivia),” International Human Rights Clinic (March 2019).

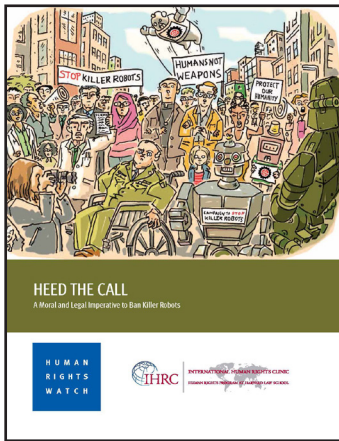
“Interpreting the Arms Trade Treaty: International Human Rights Law and Gender-Based Violence in Article 7 Risk Assessments,” International Human Rights Clinic and Control Arms (April 2019).

“Victim Assistance and Environmental Remediation in the Treaty on the Prohibition of Nuclear Weapons: Myths and Realities,” International Human Rights Clinic (April 2019).

Submission to the Swedish Ministry for Foreign Affairs regarding the Inquiry into the Consequences of a Swedish Accession to the Treaty on the Prohibition of Nuclear Weapons, International Human Rights Clinic (April 2019).

Submission to the Icelandic Alþingi’s Inquiry into Resolution 57/149, “Bann við kjarnorkuvopnum,” International Human Rights Clinic (April 2019).





## U.S. Appellate Court Briefs

*Mamani, et al. v. Sánchez de Lozada and Sánchez Berzain* (11th Cir.), Brief for Plaintiffs-Appellees, Oct. 5, 2018.

*Mamani, et al. v. Sánchez de Lozada and Sánchez Berzain* (11th Cir.), Reply Brief for Plaintiffs-Appellees, Feb. 25, 2019.

## HRP Research Working Papers

Gerald L. Neuman, "International Organizations and Human Rights – the Need for Substance," HRP Research Working Paper Series, HRP 19-001 (April 2019).

Jimena Reyes, "State Capture Through Corruption: How Can Human Rights Help?," HRP Research Working Paper Series, HRP 19-002 (June 2019).

## Student Journals

HRP maintains a close association with the student-edited journal *Harvard Human Rights Journal* and the *Harvard International Law Journal*. Staff and fellows work regularly with the editors and writers.

## Opinion Pieces & Media Coverage

This year, HRP personnel published the following media commentary:

Emily Nagisa Keehn and Dana Walters, "When America had an open prison – the story of Kenyon Scudder and his 'prison without walls,'" *The Conversation*, June 14, 2019.

Bonnie Docherty, "Why We Need a Pre-Emptive Ban On 'Killer Robots,'" *The Huffington Post*, August 22, 2018.

Bonnie Docherty, "Ban 'Killer Robots' to Protect Fundamental Moral and Legal Principles," *The Conversation*, August 21, 2018.

## Journal Articles & Book Chapters

Bonnie Docherty, "A 'Light for All Humanity': The Treaty on the Prohibition of Nuclear Weapons and the Progress of Humanitarian Disarmament," in *The 2017 Nuclear Ban Treaty* (Joseph A. Camilleri, Michael Hamel-Green, and Fumihiko Yoshida, eds., Routledge, 2018).

Tyler Giannini, "Political Legitimacy and Private Governance of Human Rights: Community-Business Social Contracts and Constitutional Moments" in *Human Rights, Democracy, and Legitimacy in a World of Disorder*, Neuman and Voenekey, pp. 209-233, October 2018.

Gerald L. Neuman, "Human Rights, Treaties, and International Legitimacy" in *Human Rights, Democracy, and Legitimacy in a World of Disorder*, Neuman and Voenekey, pp. 51-72, October 2018.

Salma Waheedi, Kristen A. Stilt, and Swarthi Gandhavadi Griffin, "The Ambitions of Muslim Family Law Reform" in *Harvard Journal of Law and Gender* 41 (2), pp. 301-342, October 2018.

## Books

Gerald L. Neuman and Silja Voenekey, editors. *Human Rights, Democracy, and Legitimacy in a World of Disorder*, Cambridge University Press, 2018.



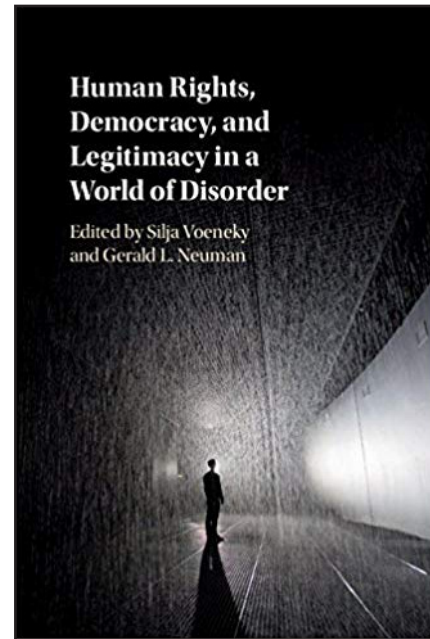
## ***Human Rights, Democracy, and Legitimacy in a World of Disorder*** **Edited by Silja Voenecky and Gerald L. Neuman** (Cambridge University Press, 2018)

Building from a 2016 interdisciplinary symposium at HLS, *Human Rights, Democracy, and Legitimacy in a World of Disorder* explores how and why the concepts of human rights, democracy, and legitimacy matter in the conditions of international disorder brought about by the 21st century. The book was edited by Professor Neuman and Silja Voenecky, Co-Director of the Institute for Public Law and Professor of Public International Law, Comparative Law and Ethics of Law at the University of Freiburg, who also co-organized the symposium as an HRP Visiting Fellow.

The book draws from the presentations of symposium participants such as Mathias Risse, Lucius N. Littauer Professor of Philosophy and Public Administration, Harvard Kennedy School, and Director of the Carr Center for Human Rights Policy and Samuel Moyn, Henry R. Luce Professor of Jurisprudence, Yale Law School, and Professor of History, Yale University, among others. Contributors applied the lens of human rights and legitimacy to issues such as economic inequality, mass migration, and the catastrophic risks posed by new technologies.

The book “enabled us to make a permanent record of explorations that were possible simply because we brought these scholars together in the same forum for a vibrant interchange of ideas,” said Neuman. “It’s a wonderful example of how our Visiting Fellows program produces lasting academic achievements that couldn’t have taken place anywhere else.”

Neuman authored a chapter on “Human Rights, Treaties, and International Legitimacy.” Giannini contributed a chapter on “Political Legitimacy and Private Governance of Human Rights: Community-



Business Social Contracts and Constitutional Moments,” which examines how to maximize human rights protection in situations where a functioning State is largely absent.

The book is particularly timely given current world events, said Voenecky, whose research as a Visiting Fellow included work at the intersection of human rights and new technologies. She described our moment as having a sense of “*Zeitenwende*,” a German phrase that means historical turning point. During her year at HLS, Voenecky met Professor Emeritus Henry Steiner, founder of HRP, and asked him for advice. “He said, ‘Everything can change—nothing can be taken for granted,’” said Voenecky. “I think that today, in 2019, even more than in 2016, we all know how true that is.”

# Faculty and Staff 2018-2019

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**Gerald L. Neuman**  
Co-Director, Human Rights Program, and J. Sinclair Armstrong Professor of International, Foreign, and Comparative Law

Neuman specializes in international human rights law, immigration and nationality law, and U.S. Constitutional law. He was a member of the U.N. Human Rights Committee from 2011-2014.

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**Tyler Giannini**  
Co-Director, Human Rights Program, Co-Director, International Human Rights Clinic, and Clinical Professor of Law

Giannini specializes in community lawyering, accountability litigation, innovative pedagogy, business and human rights, human rights and the environment, as well as Myanmar.

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**Emily Nagisa Keehn**  
Associate Director, Academic Program

Keehn specializes in the intersection of human rights issues with criminal justice, gender, sexuality, and health, as well as South Africa.

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**Susan Farbstein**  
Co-Director, International Human Rights Clinic and Clinical Professor of Law

Farbstein specializes in South Africa, transitional justice, Alien Tort Statute litigation, community lawyering, as well as economic, social, and cultural rights.

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**Bonnie Docherty**  
Associate Director, Armed Conflict and Civilian Protection, and Lecturer on Law

Docherty specializes in arms and armed conflict issues, focusing on the protection of civilians and humanitarian disarmament. She is also a senior researcher in the Arms Division of Human Rights Watch.

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**Salma Waheedi**  
Clinical Instructor and Lecturer on Law

Waheedi specializes in Islamic law, gender justice, family law, and comparative constitutional law.

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**Anna Crowe**  
Assistant Director, International Human Rights Clinic and Lecturer on Law

Crowe focuses on refugee rights, as well as the right to privacy and humanitarian disarmament.



**Yee Htun**  
Clinical Instructor and Lecturer on Law

Htun specializes in gender justice and refugee and migrants' rights with a focus on Myanmar.



**Amelia Evans**  
Clinical Instructor,  
Fall 2018

Evans specializes in business and human rights. She is also the executive director of MSI Integrity, a nonprofit incubated in the Clinic.

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**Thomas Becker**  
Clinical Instructor,  
Fall 2018

Becker specializes in accountability litigation, especially with regards to Bolivia.

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**Nicolette Waldman**  
Senior Clinical Fellow,  
Spring 2019

Waldman specializes in the documentation of mass atrocity. She is also a Middle East Researcher at Amnesty International.

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**Jim Wormington**  
Clinical Instructor,  
Spring 2019

Wormington specializes in business and human rights and transitional justice. He is also a researcher at Human Rights Watch in the Africa division, where he covers West Africa.

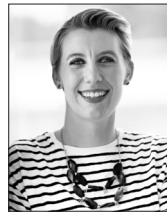
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**Dana Walters**  
Program & Communications  
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Golding supports the administration and coordination of the Clinic, classes, and communications.

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