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## IN JUDGES' CHAMBERS AT THE ICTR

*Morgan Sim, second year student*

The 24-hour journey to Kilimanjaro Airport felt like one giant leap of faith. Tearfully bidding farewell to my husband at Pearson, I knew very little about where I would stay or what I would be doing when I landed on a continent I had never visited. I arrived at night in a city with few paved roads and fewer street lights in an unmarked United Nations van complete with armed guard. Thus began my summer as a Chambers Intern at the International Criminal Tribunal for Rwanda (ICTR).

The following day, I was part of an army of interns from North America, Europe, and Africa who poured into the Arusha International Conference Centre. While I was very excited to receive my official UN credentials, I admit that I was somewhat less excited about my assignment. I learned that I was the only intern assigned to the *Ngirabatware* case, a single-accused case which was not particularly novel and which was neither sitting nor in the judgment-drafting phase when I arrived. Having arrived during a recess in the trial proceedings, I wouldn't get to help determine anyone's guilt or innocence nor would I get to wear one of those funny black robes! Due to all of these factors, my assignment did not, initially, seem particularly exciting. Luckily, I could not have been more wrong.

The exceedingly friendly American who walked me up to my shared office on the 7<sup>th</sup> floor turned out to be my outstandingly hardworking supervisor. Partially due to his efforts to give me interesting and challenging work, my internship at the ICTR turned out to be absolutely wonderful. For my entire internship, the *Ngirabatware* trial was on a recess. During this recess, the court needed to determine whether the prosecution should be granted extra time to make its case. This extra time was deemed necessary because of the defence's piecemeal disclosure of specific information on the alibi.

As a result, our team was inundated with procedural motions from both parties during my entire stay. While many interns

spent the majority of their summer reading through witness testimony, I spent most of my time at the ICTR assisting in the preparation of decisions on motions for certification, reconsideration, judicial notice, and varying of the witness list. My work in Chambers gave me the opportunity to learn an enormous amount about the rules of procedure and evidence as well as the ICTR statute. It was fascinating to learn firsthand about the difficulties which arise in international criminal law regarding the protection and movement of witnesses, notice, hearsay evidence, and so forth. Though I hadn't yet studied evidence, my supervisor was unbelievably helpful and patient while teaching me what I needed to know in order to assist in the drafting process. In addition, because the *Ngirabatware* team was so small, I had the opportunity to work closely alongside an amazing panel of judges. I sat in numerous deliberations and often provided *ad hoc* translations between English and French for the benefit of the team. This particular task forced me to quickly expand my French legal vocabulary. I also had the opportunity to draft several memoranda on legal questions that required significant research in the jurisprudence of the Tribunal.

Aside from my actual assignments, it was fascinating to observe how international criminal law works behind the scenes. Besides the obviously important mandate to ensure that the perpetrators of the Rwandan Genocide do not enjoy impunity, there is a real sense in the Chambers of the Tribunal that their work is laying a foundation for a broader system of international criminal law that will end impunity elsewhere. While the International Criminal Tribunal for the Former Yugoslavia receives more attention than the ICTR, the ICTR has already established a vital legacy including the first ever enforcement of the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide*.

During my time living and working in Tanzania, I had the opportunity to explore and see parts of the country. I took

*(Continued on page 7)*

## 2010 Summer Interns

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## Greetings from the IHRP Director

Welcome to the *Rights Review*, which profiles the IHRP's important work and is a key resource for cutting-edge human rights analysis.

This year, the *Rights Review* will be charting new territory in terms of highlighting student scholarship outside of the formal journal format. We also hope you will enjoy the newsletter's new look and feel which is meant to reflect the dynamism and energy of our students.

We are incredibly proud of our returning interns who ventured to all corners of the earth this past summer to protect and promote international human rights. In these pages, you will hear their stories, see the world through their eyes and, hopefully be motivated by their accomplishments. IHRP internships provide law students with the opportunity to work alongside global citizens to advance social justice at a pivotal point in their careers: a time when there is a lot of soul-searching regarding the type of lawyer they want to be and the work they want to do. In this way, our internship program offers more than a chance to work at a grass-roots organization in an exotic locale; it inspires the next generation of rights defenders to pursue their dreams.

As we have for nearly 25 years, this coming year we will be sending another cadre of students into the field. There is already a lot of buzz about the program, in part because, for 2011, we have established informal partnerships at high-profile inter-governmental organizations, including the International Criminal Court, International Criminal Tribunal for Rwanda, UN High Commissioner for Refugees, and Inter-American Commission of Human Rights. We are very excited to send students to these amazing organizations and to further their important work.

Please do not hesitate to contact me if you are a Faculty of Law student who would like to apply for a 2011 internship. Also please visit our website to access resources for interns.

A handwritten signature in cursive script that reads "Renu Mandhane".

Renu Mandhane

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Two monks approaching Shwedagon Pagoda in Rangoon, along the road where over a hundred monks were killed or beaten during the Saffron Revolution protests of 2007.

## LAWYERS IN EXILE— THE BURMA LAWYERS' COUNCIL

*Peter Smiley, second year student*

I spent the summer in Mae Sot, a green little town on the Thai-Burmese border, interning with the Burma Lawyers' Council (BLC). Formed in 1994 by a group of exiled Burmese lawyers, the Council works tirelessly towards the democratization of Burma.

BLC also operates a law school for students from refugee camps in Thailand and from ethnic areas inside Burma. Many of the students are in Thailand illegally, and some have not seen their families for over six years. As their teacher, their courage, enthusiasm, eagerness to learn and dedication to the cause were constant sources of inspiration.

During one class I decided to take advantage of the approaching Australian elections and held a mock parliament with my class as an exercise in comparative constitutional and electoral law. After I asked them to join the party that best represented their political views, the class spontaneously divided itself into a hung parliament and immediately dived into heated coalition talks that lasted for over an hour. It became increasingly clear that we were going to run out of time without even having formed a government, let alone passing any laws. I began interrupting negotiations to urge compromise, saying, "Look, it's just a *policy*. You don't actually have to do it. Don't you want to be Prime Minister?" This suggestion was met with either surprise or total incomprehension. My students may have never participated in a democracy before, but they know what it represents. Cynical compromise in pursuit of power might be an

integral feature of our system, but for them democracy remains an ideal.

I hope my students are able to maintain their idealism and enthusiasm, because they have some formidable challenges ahead of them. Across the border the junta is preparing to hold elections later this year, after which the new Burmese Constitution will come into effect, enshrining the military as the predominant force within the Burmese state. Meanwhile, the junta is trying to convince the many insurgent ethnic groups in the border regions of the country to join a so-called "Border Guard Force", where they would be granted a certain degree of autonomy whilst being integrated into the Burmese security state. This process has recently begun to break down. Bombings and assassination attempts against high-ranking junta officials are increasingly common, and the violence and unrest is only likely to get worse as the elections draw closer, further filling Thailand's refugee camps with desperate Burmese fleeing their homeland.

Three months is not a long time, and there is only so much that can be accomplished within that time. Even still, the experience was invaluable exposure to the realities of NGO work, the complexities of the Burmese situation, and the astonishing courage and dedication of those who have devoted their lives, at great personal risk, to establishing a free and democratic Burma. I am grateful to everyone at the BLC for their patience and warm hospitality, and I strongly recommend the experience to anyone interested in Burma. ♦

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# A PLAY FOR PEACE ON THE PITCH

Ryan Liss, third year student

In the summer of 2009, I worked with the Coalition for the International Criminal Court (CICC) as an IHRP intern. The placement was an incredible experience, as well as a great crash course in international criminal law and the United Nations system. As it turned out, my work at CICC led to a trip to Uganda (and a chance to chill on a soccer field with Ban Ki Moon) one year later.

My first task at the CICC involved compiling a memo on the practices of previous treaty review conferences. This developed into a report on possible modules and practices for the Review Conference of the *Rome Statute* to take place the following summer. The report was circulated to the CICC's member organizations, including Amnesty International and Human Rights Watch, and distributed to all States Parties to the *Rome Statute*. It provided the basis for discussions going forward in the early Conference planning meetings. This report eventually transitioned into a request for me to join the CICC's delegation at the Conference in 2010.

Thanks, in part, to the support of the IHRP and the Faculty of Law I was able to attend the Conference in Kampala, Uganda this summer. The experience was an amazing – likely once in my lifetime – opportunity to take part in an international treaty amendment conference. I met with delegates of States and NGOs to discuss the merits of possible amendments to the *Rome Statute* and the progress

of the negotiation process. I also had the opportunity to help facilitate and watch “stock taking” discussions on the status of the Court and of international criminal justice more broadly.

One of the most memorable moments, however, came within twenty-four hours of arriving in Kampala. As I sat through the initial NGO strategy meeting the next morning, jetlagged and tired, I heard rumblings of a pick-up soccer game taking place in the afternoon involving NGOs delegates, as well as representatives of the Court and the UN. I decided to join the game, along with some other CICC delegates. Initially, I thought the police-escorted shuttle caravan was a bit over the top for a trip to a soccer field; however, my confusion turned to surreal disorientation as I saw the national soccer stadium appear in the distance. It turned out the event was organized by the NGO No Peace Without Justice to provide an opportunity for victims of international crimes to meet with delegates of the Conference in the informal atmosphere of a soccer game. In addition, the game was to be broadcast live on national TV and the stadium to be filled with thousands of fans. The surreal nature of the experience



only increased when, in the final minutes of the game, UN Secretary General Ban Ki Moon and President Museveni of Uganda arrived, decked out in soccer kit. They made their way through the crowd and joined the play on the field.

I am still unsure how I feel about the appropriateness of the event or about the use of “Peace” and “Justice” as the names on the back of jerseys (there was something odd about starting the Conference with Peace and Justice battling it out on the field). Nevertheless, it was, at the very least, a memorable way to kick off the Conference and my time in Uganda. ♦

# REFORMING IRELAND'S ABORTION LAWS

Heather Burnett, second year student

This past summer I had the distinct pleasure of working for the Irish Family Planning Association (IFPA). The IFPA is a Dublin-based charity that advocates for sexual and reproductive health rights both in Ireland and internationally.

When I first told my family and friends that I was taking on an internship in Ireland, the common reaction was one of surprise and mild confusion. When people think of Ireland, they think of leprechauns and beer, not human rights infringements. Most other IHRP interns worked in developing nations or countries notorious for political conflict. But as my internship goes to show, even the more developed nations have room for improvement, and more than just the most basic human rights require defending.

Ireland, for example, has come under a lot of national and international criticism for its criminalization of abortion. The forced continuation of an unwanted pregnancy, especially when the pregnancy is the result of sexual assault or where continuation of the pregnancy endangers the woman's health, is contrary to a number of human rights guaranteed under a variety of international treaties and consensus documents to which Ireland is a party.

Being interested in health law and ethics, I jumped at the chance to get involved with the IFPA's advocacy department and help push for reform of Ireland's abortion laws.

During my 12-week internship, I produced two shadow reports about how Ireland's abortion laws breach its human rights obligations under international law. Both reports are destined for UN committees: one for the Committee on Economic, Social and Cultural Rights, and the other for the Committee supervising Ireland's upcoming Universal Periodic Review.

Having only just completed my first year of legal training, and having no background in international law, I certainly felt a bit over my head at the beginning of my internship. But after a lot of research, question-asking, and surreptitious Googling, I began to put the pieces together. The mile-high stacks of books and papers on my desk eventually became as familiar to me as the streets of Dublin – that is to say, not second nature, but simple enough to navigate once I knew where I was going.

I produced two useful reports and performed a plethora of office odd jobs. The work I did was

like taking a twelve-week crash course in the basics of international law, and the knowledge I have gained will certainly give me a leg up with the human rights courses I am taking this year.

For me, the most valuable part of the internship was the behind-the-scenes look I was given into the daily realities of NGO life. Although the IFPA's mission is exciting and important, the work requirements and skills needed are the same as in any legal environment, and you encounter the same small frustrations and victories as you would in any office.

Though I turned down other opportunities to take on the internship, I could not be happier with my choice to work for the IFPA. It was a fantastic experience overall. Dublin is a fascinating city with a rich history (and a richer nightlife), and the IFPA is staffed with some of the most knowledgeable, hilarious, and kind people I have ever encountered. I have made a lot of good friends and great memories this summer, and I am eternally grateful to both the IFPA and the IHRP for their parts in making that happen. ♦

# AVOCATS SANS FRONTIÈRES IN AFRICA

Tamara Nachmani, second year student

Last summer I interned with an organization called *Avocats Sans Frontières* (ASF) in Kampala, Uganda. ASF is an international NGO established in 1992 in Belgium, primarily composed of lawyers and magistrates. In their words, “[t]he role of ASF is to contribute, completely independently, to the establishment of a just, equitable and united society, in which both the law and justice serve those who need them the most.” At the moment, ASF has projects in Uganda, Rwanda, the Democratic Republic of Congo, Burundi, Nepal and Israel/the Palestinian Territories. ASF has three offices in Uganda. I was based at the one in Kampala but I also had the opportunity to visit both the Soroti and Katakwi offices. In total, ASF Uganda has over 20 employees, the majority of whom are accredited Ugandan lawyers.

Upon arriving in Kampala mid-May I was thrown into work immediately. My first week was focused on preparations for a training session held by ASF in collaboration with the Uganda Law Society. The training session was held at a hotel in Kampala from May 24<sup>th</sup> – 27<sup>th</sup> and was attended by 25 Ugandan lawyers from a wide range of organizations, both in the public and private sectors. Among them were lawyers representing the Uganda People’s Defence Force, the Uganda Human Rights Commission, the Uganda Law Society and the War Crimes Division of the High Court. The training, which focused on successfully litigating cases involving torture, was led by two experienced lawyers who were brought in from the U.K. and Israel. It was a very interesting experience, and I learned a great deal about both the laws surrounding torture in Uganda and internationally, as well as the wide array of challenges that lawyers in Uganda face. In particular, the lack of cooperation from opposing counsel, police and



prison authorities often makes it incredibly hard to prove a case of torture.

The following week, Kampala hosted the International Criminal Court Review Conference. The Review Conference was attended by over a thousand individuals, the majority of whom were members of civil society or state delegations. ASF was very active throughout the conference and I

had the opportunity to attend many of the sessions. These ranged from the stocktaking sessions run by NGOs on complementarity, peace and justice, the impact of the *Rome Statute* on victims, affected communities and state cooperation, to the main plenary; where all the States and non-States parties debated the various issues under review. On the first day of the conference I attended a session where both Kofi Annan and Ban Ki-Moon spoke. On the second day, ASF held a breakfast seminar on the topic of complementarity, where members of the Ugandan judiciary and east African civil society shared their experiences regarding the ICC and the prosecution of war crimes in their respective countries. I also spent a fair amount of time operating ASF’s booth in the People’s Space. The conference was an exhilarating experience and I had the opportunity to meet many interesting people who work in the field of international human rights law.

From June 28<sup>th</sup> – 30<sup>th</sup>, I attended a three day training on the topic of “Combating Child Trafficking in Uganda” organized by ASF in collaboration with FIDA-U (The Federation of Female Lawyers, Uganda) in the small town of Katakwi. The training was aimed at educating community leaders on the definition of child trafficking as well as the *Prevention of Trafficking in Persons Act* that Uganda passed in 2009. Forty-two community leaders from thirty-one parishes attended, thirty of whom were then chosen to be a part of ASF’s program in which they will be responsible for mobilizing their communities when ASF’s mobile legal clinics arrive to provide training and free legal advice. The training concluded with the official launch of the Preventing Child Trafficking Programme in Uganda, which

was attended by members of civil society, the army, the police, a representative from the Local Counsel and ASF staff from the Kampala, Soroti and Katakwi offices. The training was a unique opportunity to interact with Ugandans from very rural communities and share in their learning process on the topic of child trafficking.

The last three weeks of my internship were focused on developing and implementing a needs-based assessment on illegal, unlawful and arbitrary detention in Ugandan prisons. After conducting a desk review of the current national, regional and international laws, ASF was granted permission to enter the prisons in order to look at prisoner records.

(Continued on page 6)

# DOMESTIC PROTECTION OF INTERNATIONAL HUMAN RIGHTS

Amanda Montague-Reinholdt, third year student

My experience as an IHRP intern has been different than most—while I am interested in international human rights, I wanted to work in Canada. So, while my classmates worried about obtaining the necessary permits and immunizations, I readied myself for a summer of international human rights work that was walking distance from my apartment. For those students with an interest in international human rights law but are less interested in working abroad, hopefully my experience can dispel the assumption that international human rights work is something that occurs exclusively “over there”.

The process of finding a host organization will become familiar to anyone interested in public interest legal work: I researched organizations in Ontario, found some matching my interests, and contacted them to offer my services. The best advice I can offer in this area is: a) never be afraid to make a cold call (the worst that can happen is that they won’t hire you), and b) the best thing a public interest organization can hear is that they could have a summer law student *with external funding*.

I was fortunate to spend this summer working for the Centre for Equality Rights in Accommodation (CERA), an organization dedicated to combating discrimination and promoting human rights in housing. For those with an interest in the promotion of international human rights in Canada, I cannot think of a better organization with which to work: international human rights permeates all levels of CERA’s work, which includes research, advocacy, public education, test litigation and case work. CERA is a prime demonstration of what it takes to make international human rights “real” at the domestic level.

One of the great things about my summer with CERA was the exposure to various kinds of human rights work. I participated in CERA’s client work, which included conducting intakes, providing information on the *Ontario Human Rights Code*, and advocating on clients’ behalf to landlords, property managers, public housing officials and other organizations. I also conducted research in preparation for an appeal in the test litigation seeking to have poverty and receipt of public assistance recognized as analogous grounds under s. 15 of the *Charter*.

I would unreservedly recommend working at a place like CERA for anyone interested in how international human rights translate into domestic law and policy. The working atmosphere was casual and collegial, with a real emphasis on the learning experience and the opportunity to work in areas of my personal interest. This summer gave me a varied experience in international human rights work, and offered me insight into the kind of work I would like to do in my career. ♦

# FROM EASTERN EUROPE TO EASTERN AFRICA

Chris Lewarne, second year student



Capacity building in Romania was a truly enriching experience. I worked with Habitat for Humanity in a small mountain town near Transylvania called Moinesti. Moinesti was an agricultural hub, its industry primarily built around logging and oil. However, when the major oil excavation firms closed down, most of the town was left unemployed. The jobs that remain pay very little and many people have been reduced to homelessness and sub-standard living conditions.

Habitat for Humanity is a human rights group that tries to combat poverty from the ground up. They offer lower mortgage rates to families in return for fixed payments and "sweat-equity." This means that together with volunteers like myself and some paid local workers, family members and friends must put a certain number of hours into building their own homes and those of their neighbours. It is a remarkable program in a post-communist country like Romania, where the stigma of "volunteerism" carries a heavy and dark Stalinist history of forced work projects. Habitat works to counteract this ethos in Romania through its openness: people can walk by the build sites and see the good work that is being done. Its program, requiring a high number of family contribution hours, means that parents often need to request help from friends and neighbours, who then see the benefit of the project and proliferate its virtues through petitioning government agencies. While my efforts primarily focused on construction, I did get a chance to help petition the mayoral office, in a face-to-face meeting with the mayor himself!

With my background in construction and my keen interest in human rights, I really appreciate the way this internship has allowed me to combine my passions and abilities. I believe that capacity building is fundamental to promoting global human

rights and engaging in ethical obligations between those who need, and those who can help to fulfill human capability, security and dignity. The opportunity to participate in this internship showed me the human side of this interaction.

While I was there, I worked with a girl named Deanna. She had terrible lung infections due to the dampness and mould in her home. Her father works as a security guard, barely making enough to get by. Before they applied for a Habitat home, the apartment that they lived in was a 200 square foot room in a condemned building with a communal bathroom that constantly flooded two inches of ground water onto the floor. I had the opportunity to work alongside her father Titi, who would invest his labour every day from 9 to 5 on the build site and then go home to sleep for 3 hours before heading to his job as a night watchman. The pride that his eyes bore whenever he spoke about the new home that he was building for his daughter was both inspiring and heart-wrenching.

Habitat does more than give people a house; it also gives them access to a community and a social life that is otherwise restricted by poverty. It gives people dignity, something so fundamental to the expression of human rights.

While I was scheduled to take up a second building project in Ethiopia, I broke my leg in Eastern Europe. I was then referred to the Kasiisi Project in Uganda, a group that works with primary school children and advocates for gender equality.

Kasiisi students are full of life, and they are eager to learn about EVERYTHING! I was involved in teaching the students English, how to use laptops that had been donated to the program, and about citizenship, including a component on human rights education. The human rights initiative I was

responsible for included running a reading session with some grade 3 and 4 students in the Kasiisi library. We took up a children's book whose author had compiled testimonies of children who were victims of war and genocide. The outgrowth of our discussion engaged the themes of racism and genocide, their common motivation in hatred and their antitheses: acceptance, peace and respect for human dignity. My lectures covered South African apartheid, ethnic cleansing in Bosnia, the Holocaust, and issues that were closer to home. I invited students to share their own experiences with violence and hatred. Although I was disheartened by their stories, I was encouraged by their willingness to engage their experiences and learn from them.

In Uganda, girls face tremendous discrimination. In the Kasiisi Project, girls are allowed to attend classes with boys, and gender issues are discussed earnestly and openly. I realized that I take for granted my rights, my ability to learn, my ability to sit next to a girl in school, and our shared expectation to be treated equally. These beliefs are in stark contrast with the social environment in many parts of East Africa, where gender equity is merely an aspiration. However, at Kasiisi, this is not the case. The smiling children made me feel respected in a way that only comes when they feel respected themselves. No matter how many more hours some of the students take to walk to class (a clear marker of decreasing prosperity in rural areas), no matter if they wear shorts or dresses, no matter how often they have the luxury of washing themselves – they all wear their blue uniforms proudly. These children's positive attitudes taught me a great deal and it warms my heart to see development in action. ♦

## Uganda (Continued from page 5)

Along with three of my co-workers, all of whom are a part of ASF's Ugandan lawyer internship program, I spent two weeks in Ugandan prisons reading hundreds of prisoner files and documenting relevant information. Specifically, we were interested in discovering how long most detainees are held in prison before their trial begins. The project is ongoing and ASF will be publishing the results of over 3,000 prisoner files in the coming year. Spending hours a day in a Ugandan prison, usually in a room that we shared with prison officers and where prisoners walked in and out of all day, and being able to witness the inner workings of the prison system was at times surreal but incredible fascinating.

Overall, it was a very busy summer full of incredible opportunities. Outside of work I was invited to a ceremony called an "Introduction" by one of my colleagues, which proved to be a full day affair in which I wore a traditional Ugandan dress called *gomesi*. It was a great summer and I was sad to leave both the organization and the country.

Our work is currently being continued by law students enrolled in the IHRP clinic. ♦

# PROGRESS AND PERSISTENCE IN PERU

Joss Opie, LLM Candidate

I am writing this article from Peru, where I am one month into my IHRP internship with the Centro de Políticas Públicas y Derechos Humanos - Perú EQUIDAD (Centre for Public Policy and Human Rights - EQUITY Peru) in Lima. I have done two other internships in Peru, in 2002 and 2005, and these experiences inform my conclusion that while Peru is developing on many fronts, significant and institutionalised problems persist.

Peru, a country with a long history of economic problems, currently has the fastest-growing economy in Latin America. As Peru's economy develops, the process of rebuilding and enhancing democracy continues. The truth and reconciliation process, initiated after the end of the 20-year internal armed conflict between 1980 and 2000, has seen a series of considerable achievements, including the completion of a comprehensive inquiry into the conflict and its causes. The former President Alberto Fujimori, who imposed a dictatorship from 1992 to 2000, is in prison following conviction on charges of serious human rights violations and corruption.

The current conglomerations of power do not, however, seem stable. Although substantial progress has been made, particularly in economic terms, state institutions are still fragile and the rule of law tenuous. These weaknesses are reflected by the fact that not all Peruvians consider Fujimori to be a criminal, and he retains strong support amongst some sectors of the population. These supporters have united behind Fujimori's daughter, Keiko, who will run in the presidential elections next year and has promised to annul her father's convictions if elected. Further, while many political leaders often refer to the protection and promotion of human rights, respect for these rights appears patchy or dependent on political circumstances. Indeed, the current President, Alan García, is himself accused (although not formally) of massive human rights violations during his first presidency from 1985 to 1990.

One of the current projects of Perú EQUIDAD is assisting in the evaluation of Peru's first National Human Rights Plan, and in particular, the extent to which the government has implemented the Plan. The Plan will expire this year, and the government is considering whether to extend, amend, or replace it. I am working as part of a civil society team (comprised of representatives of Perú EQUIDAD and other NGOs) to assess the government's compliance with the Plan's major objectives. Unfortunately, the indications so far are that the Plan has been largely irrelevant to the work of the government, even though compliance with the Plan is required by law.

I have also been researching a number of ways to recover a debt that the Peruvian state owes as a result of a judgment of the Inter-American Court of Human Rights. In *Acevedo Buendía y otros ("Cesantes y Jubilados de la Contraloría") v. Perú*, the Court held that the state's failure to comply with judgments of its own Constitutional Court

relating to its violation of certain social security rights of over 200 former government employees breached the *American Convention on Human Rights*. These employees were therefore entitled to various remedies including compensation. However, despite the binding nature of the Court's judgment (as well as judgments of the Constitutional Court), the Peruvian state has yet to pay the amounts owed to the employees.

In the coming months, I expect to focus on issues relating to the rights of indigenous peoples in Peru. Indigenous communities suffer from a wide range of problems, including poverty and tensions with the government that have resulted in violence. Last year, there were significant protests in the Amazonian provinces of Bagua and Utcubamba against what some indigenous communities saw as the government's failure to protect their rights in their traditional territories and resources, or the active violation of those rights by the government. These sentiments culminated into an armed conflict between protestors and the national police. Approximately 33 protestors, civilians and police were killed, and 200 others were wounded. The possibility of similar conflicts arising remains, as much of Peru's current economic growth is related to mining activities, and many current and yet to be exercised mining concessions are on or close to areas inhabited by indigenous peoples.

Although it appears that Peru's current economic boom indicates progress in the country's development, the state remains fundamentally fragmented and politically and socially unequal. The country possesses great wealth, but underdeveloped institutions are unable to ensure that the wealth is effectively managed to promote more equitable distribution. Many good laws, including provisions concerning human rights, are on the books, but are not always enforced. Where interests of those in power are at stake, there is a real risk that the rights of minorities may be ignored or overridden. In this context, the work of Perú EQUIDAD, other members of civil society, and institutions of the state are important in promoting a more lawful and fair government and society. ♦

*ICTR (Continued from page 1)*

advantage of long weekends, using them to labour all the way to the top of Mt. Meru, explore Stone Town, lounge on a beach in Zanzibar, and take a safari through the Serengeti and Ngorongoro Crater.

Overall, my experience at the ICTR was unbelievable, and one which I know will significantly shape my future work as a lawyer. This summer, I had the opportunity to live in Africa and to work for the United Nations – two dreams I could not have imagined being realized so soon when I arrived at the Faculty of Law not even knowing what "1L" meant just one year ago. ♦

# HUMAN RIGHTS IN CHINA - IN NYC

Josephine Wong, third year student

This summer, I received funding from the IHRP internship program to work at Human Rights in China (HRIC), a small NGO of 25 people headquartered in New York. Founded by Chinese students and scholars in March 1989, HRIC is an international organization with a mission to promote international human rights and advance the institutional protection of those rights in the People's Republic of China.

A large part of my work was analyzing China's recently promulgated domestic statutes and their impact on individual rights (such as freedom of expression and privacy) and civil organizations. Statutes I wrote about include the Law on Guarding State Secrets, Regulations on the Protection of Commercial Secrets of Central State-Owned Enterprises, State Compensation Law and Relevant Issues Concerning the Administration of Donations in Foreign Exchange by Domestic Institutions. The legal memos I wrote were eventually transformed into advisory press releases for the international human rights community. Other memos that I wrote were used in meetings held by the HRIC to brief United Nations experts and government representative on issues of Chinese and international law.

In addition to statutory analysis, I also conducted research and analysis of the legal implications of current affairs. For example, I examined the practice of criminal extradition between Russia, China and Central Asian states in support of HRIC's work on regional cooperation impacting human rights. In connection with HRIC advocacy on judicial reform in the context of families victimized by China's 2008 tainted milk scandal, I researched and drafted a comparative analysis of corporate shareholder liability limitations under the laws of both Hong Kong and China. I also drafted a report analyzing UN counter-terrorism mechanisms and their violation of international human rights law.

There were many valuable experiences to take from my internship. First, working at HRIC was an exceptional way to learn about human rights advocacy in the international law framework. I found it difficult to conceptualize what international law actually means in my academic studies, but with this internship, I saw firsthand how the efforts of human rights advocates are organized and legitimized under a recognized legal framework. Second, working for an NGO gives me a completely different perspective in the work of promoting human rights. I worked at a multi-national agency last summer, where much of the work needs to be navigated through various levels of bureaucracy. It is such a valuable experience to be working on the other side of the table, where efficiency and effectiveness are given high priority.

I am grateful for the International Human Rights Program for funding my internship and making this experience possible. ♦

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