

**From: Brenna Nitkin, Summer Fellow, International Human Rights Program (IHRP)**

**Date: 22 August 2014**

**Re: Final Internship Report**

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Working as the Summer Fellow at the IHRP was a crash-course in advocacy. I came to the clinic with a strong background in international law, but was blown away by the amount of hands-on work that the position entailed.

As the Summer Fellow, I worked directly under Renu Mandhane, the clinic Director. Since the clinic functions like a small firm, I had to be prepared to accommodate various ad-hoc projects and urgent requests during my time at the IHRP. By my first week, I was already deep into a legal memo on the international definition of smuggling and the outcome of two refugee claimants' applications who came to Canada aboard the *Sun Sea* in 2010. Shortly after, the IHRP received a response from the United Nations Human Rights Committee (UNHRC) regarding a submission for a Canadian citizen who claimed that his human rights had been violated. One of the issues that the UN had with the application was that they were concerned that there might not have been an exhaustion of all domestic remedies in Canada. In particular, they had some questions regarding *mandamus*, and whether it could have been an effective remedy for the complainant.

We needed to work quickly to respond to the UNHRC's comments. I was able to participate in phone calls with counsel and included in a client meeting to strategize next steps. I was then asked to draft a comprehensive overview of the state of the law surrounding *mandamus*, and whether this could have been an effective remedy for the individual. Despite having no clue what *mandamus* even meant, I was grateful for the comprehensive legal research training I received prior to starting as the Summer Fellow. I went straight to Halsbury's Laws of Canada and began sifting through complex case law on a relatively obscure legal concept. I knew that the client was counting on the clinic to be his advocate, and I was uneasy because I found some jurisprudence that actually weakened the clinic's position. I compiled a case law review and prepared a memo that highlighted my concerns. Renu was extremely approachable and we talked extensively about my findings. In the end, my memo was used by the clinic and external counsel to considerably shift our original argument and strengthen our response to the United Nations. I felt really proud to contribute to the case in such a substantive way.

I worked on various other projects in the summer, and was often invited to participate in things that Renu thought would interest me. On one occasion, I was included in a small meeting with two of our partners at PEN Canada and the Ambassador for Honduras in Canada, the Deputy Minister of Foreign Affairs and Human Rights, and the Deputy Minister on International Cooperation. The IHRP in partnership with PEN Canada and PEN International had previously released a report that detailed the impact of impunity for violence against journalists on freedom of expression in Honduras. It was fascinating to hear first-hand about the progress that Honduras is making with respect to these issues, as well as the many challenges that still need to be addressed.

Another major advocacy initiative that I contributed to over the Summer involved freedom of expression in India. I was charged with conducting primary and secondary legal research regarding the impact of overbroad laws and criminal defamation on freedom of expression in India for another project with PEN International. Having previously interned with Journalists for Human Rights in Toronto, I had been exposed to issues surrounding freedom of expression and the human rights violations that can result from attempts to silence dissent. I drafted a report that provided an overview of international legal discourse surrounding the right to freedom of expression and the chilling effect that can result from criminal defamation and overbroad laws. The report addressed these issues in both an Indian context and with respect to global jurisprudence and case studies.

As the Summer Fellow, I was also able to take on more routine but equally fascinating tasks. I sat in on an IHRP Advisory meeting, and was able to gain deeper insight into how the clinic's projects are financed. I also had to build timelines for submitting documents to court and become well-versed in diverse areas of international law, including the International Centre for Settlement of Investment Disputes (ICSID). I learned a great deal from these experiences as well, and felt that the pace of the clinic which ranged from slightly-calm to slightly-insane mimicked the realities of legal practice.

I gained so much from this experience, and the small snippets above do not do justice to the amount that I learned and grew as a professional this Summer. I am especially grateful to Renu for being an incredible mentor, and always taking just as much time to share high-level knowledge as she did with sharing a good laugh. I would recommend this experience to any law student without question.