

HARRIS INSTITUTE NEWSLETTER

Spring 2017



150
YEARS
Washington
University Law



ABOVE and BELOW: Global experts meet in Singapore for the Asia-Pacific Experts' Consultation

The Harris Institute Continues to Spearhead Progress on a Global Crimes Against Humanity Convention

In conjunction with the Centre for International Law at the National University of Singapore, the Whitney R. Harris World Law Institute convened a two-day workshop in December 2016 as part of its flagship rule of law project, the *Crimes Against Humanity Initiative*. Experts, principally from the Asia-Pacific region, members of the UN International Law Commission, and members of the *Initiative's* Steering Committee gathered in Singapore to discuss an advance draft of the Commission's Third Report on the topic of crimes against humanity.





LEFT: Panelists at a side event on the International Law Commission's work on crimes against humanity

BELOW: Plenary meeting at the ICC ASP

Side Event on a Crimes Against Humanity Convention at the Fifteenth Session of the ICC Assembly of States Parties

The Whitney R. Harris World Law Institute hosted a side event in November 2016 on the International Law Commission's work on the topic of crimes against humanity at the Fifteenth Session of the Assembly of States Parties (ASP) of the International Criminal Court in The Hague. The meeting was sponsored by the governments of Germany and South Korea and provided a briefing on the work of the Commission by Professor Sean Murphy, Special Rapporteur on Crimes Against Humanity. The panel offered participants the opportunity to ask questions and provide comments on the Commission's work.



Preview of Documentary Film “Never Again: Forging a Convention for Crimes Against Humanity”



ABOVE: Participants following a panel discussion at ILW-New York

On October 29, 2016, the Harris Institute previewed the film *Never Again: Forging a Convention for Crimes Against Humanity* at International Law Weekend-New York. Combining the testimony of survivors and the commentary of internationally renowned experts, *Never Again* chronicles the slow but steady effort to adopt a new global treaty to prevent and punish crimes against humanity. The film will become publicly available in summer 2017.

FALL AND SPRING EVENTS

Harris Institute Speakers Series

RIGHT: Sandra Schulberg, restoration producer for her father's film, *Nuremberg: Its Lesson for Today*, and panelists provide historical and legal perspectives about Nuremberg during a post-screening panel discussion.

BELOW: Firas Kayal, LLM '03, Senior Policy Advisor at the United Nations High Commissioner for Refugees shares his experience as an UNHCR Protection Officer to illustrate the complexities of the global refugee crisis.



BELOW LEFT: Former Chief Prosecutor of the Special Court for Sierra Leone Brenda Hollis shared her experience in *A View from the Trenches — The Accidental Jurist*.

BELOW CENTER: David J. Gerber, Professor of Law and Co-Director of the Program in International and Comparative Law at Chicago-Kent College of Law, speaks on *Law's Global Adaptive Systems: the Human Rights Example*.

BELOW RIGHT: Former Visiting Scholar Gonçalo Matias, Vice Dean of Católica Global School of Law and Legal Advisor to the President of Portugal, launched his book *Citizenship as a Human Right — The Fundamental Right to a Specific Citizenship*.





Harris Institute lectures are available online at law.wustl.edu/harris/videos.aspx



For commentary on international and comparative law and global affairs, visit the Institute's blog *Lex Lata, Lex Ferenda* at law.wustl.edu/harris/lexlata

LEFT: Philippe Sands shares handwritten notes by Hersch Lauterpacht and Raphael Lemkin who invented two key international legal terms: "genocide" and "crimes against humanity."

Assembly Series Features Philippe Sands

As part of WashU Law's 150th Anniversary celebration, the Harris Institute — in conjunction with Washington University's Assembly Series, the Law School's Public Interest Law & Policy Speakers Series, and the *Global Studies Law Review* — welcomed renowned international human rights lawyer Philippe Sands back to the Law School. His riveting presentation on his latest book, *East West Street: On The Origins of "Genocide" and "Crimes Against Humanity,"* was accompanied by music and slides and left the audience deeply moved.



ABOVE: From left: renowned international human rights lawyer Philippe Sands, Harris Institute Director Leila Sadat, and Dean Nancy Staedt

Judge Liu Daqun Delivers the Tenth Annual William C. Jones Lecture

In February 2017, Vice-President of the Appeals Chamber at the International Criminal Tribunal for the former Yugoslavia, H.E. Judge Liu Daqun, delivered a remarkable reflection on the legacy and challenges of the Yugoslavia Tribunal as it prepares to close at the end of the year. Judge Liu's remarks highlighted that, in addition to fighting impunity, the Tribunal has made important contributions to international criminal justice, both in procedure and in substance. At the same time, the Court's unresolved issues serve as reminders of the challenges that remain for current and future legal professionals. The William C. Jones Lecture is co-sponsored by the Program in East Asian Studies in the College of Arts & Sciences.



ABOVE: H.E. Judge Liu and his wife, Prof. Yang Lijun, who is a former Visiting Scholar at the Law School, with Washington University Law and Arts & Sciences faculty



ABOVE: Global prosecutors in Courtroom 600 with U.S. Attorney General Loretta Lynch (Photo credit: The Robert H. Jackson Center)

“Through the law we give voice to those shattered souls who seek redress, and we provide a reckoning to those who trade in fear and trembling. Let us never forget that within these walls, evil was held to account and humanity prevailed.”

– U.S. Attorney General Loretta Lynch

Tenth Annual International Humanitarian Law Dialogs Convene in Nuremberg

On September 29-30, 2016, the Tenth International Humanitarian Law Dialogs convened in Nuremberg, Germany, a special location chosen to commemorate the 70th anniversary of the issuance of the Nuremberg judgment. The Harris Institute is a proud co-sponsor of the Dialogs, normally convened at the Chautauqua Institution in New York. The Dialogs opened with ceremonies held in Courtroom 600. Keynote speakers included U.S. Attorney General Loretta Lynch

and ICC Chief Prosecutor Fatou Bensouda who spoke of the shared responsibility that people and States around the world have to address atrocity crimes, noting that the arc of justice bends towards accountability. The Honorable Joseph Kamara, Attorney General of Sierra Leone and former Deputy Prosecutor of the Special Court for Sierra Leone, highlighted the mutually beneficial relationship that national and international courts can have as post-conflict States work to hold perpetrators accountable, create a factual record of atrocities, internalize past events, and seek justice on behalf of victims.

Participants at the Dialogs discussed the need for continual development of international justice to fit unique circumstances (such as assisting the future populations that will be displaced by climate change) and the intellectual challenges inherent in operating a justice system respected by those from diverse backgrounds and legal systems, which is essential for societies rebuilding after violence or persecution.

LEFT: From left: Harris Institute’s Bethel Mandefro and Kristin Smith, former Chief Prosecutor for the SCSL Professor David Crane, Harris Institute Director Leila Sadat, Sierra Leone’s Attorney General and Minister of Justice and former Deputy Prosecutor for the SCSL Joseph Kamara, and former Harris Institute Fellow Madaline George





ABOVE: Fizza Batool (far left), Hague Academy students and Ambassador of the Republic of Iraq to the Netherlands, His Excellency Saywan Barzani (center)

WashULaw Students Make Their Mark

Washington University law students continue to enjoy opportunities to engage in global academic and experiential programs. In 2016, Fizza Batool and Haipeng Xiao attended summer international law programs at The Hague Academy in the Netherlands and Xiamen Academy in China, respectively. Courtney Nix attended the Specialization Course in International Criminal Law for Young Penalists at the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy. As the Dagen-Legomsky International Public Interest Fellow, Marla Borkson spent three months with the U.S. Department of State in Shanghai, China where she helped with preparations for the G20 Summit focused on international economic cooperation.



ABOVE: Courtney Nix (fourth from right) and participants at the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy

Once the G20 Summit ended, Marla spent the fall semester in Durban, South Africa where she worked with South African Legal Aid in criminal defense, participating in several high-profile trials through WashULaw's International Justice and Conflict Resolution Externship program. She also worked with a local NGO, Project Empower, on a USAID-funded project (DREAMS) aimed at reducing HIV and the risk of gender-based violence among women and children in specific geographic areas. With the help of South African colleagues, Marla created a comprehensive legal manual for South African community caregivers placed in these at-risk areas that included local laws, resources, government agencies, regulations, steps for evidence collection, and procedures for obtaining domestic protection orders and rape kits. The manual will be translated by a South African NGO into five South African languages to increase access.



ABOVE: Marla Borkson at the U.S. Department of State in China



SCHOOL OF LAW

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SAVE THE DATE

ASIL Midyear Meeting

October 26-28, 2017

Washington University School of Law
St. Louis, Missouri

<https://www.asil.org/midyear-meeting>

