

## **AALS International Human Rights Section**

### **Survey for Section Website**

#### **Name of your Institution:**

Crowley Program in International Human Rights

Fordham University School of Law

<http://www.crowleyprogram.org/>

#### **Contact Person for Further Information (name, phone and email):**

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2006 – 2007 Crowley Fellow

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#### **Questions about your Human Rights Centers, Institutions or Programs (CIP):**

- 1. How many Human Rights Centers, Institutions or Programs do you have and what are they called?**

One: Crowley Program in International Human Rights

**For each separate one, please answer the following questions:**

- 2. What is the makeup of the Center/Institute/Program staff? (full-time staff, part-time staff, law professors, law students, other professors or students, and advisory board)**

The Crowley Program has a full-time Executive Director, Jeanmarie Fenrich, and three Faculty Co-Directors: co- founders, Professors Martin S. Flaherty and Tracy E. Higgins, and Professor Catherine Powell. The Program also has a Board of Advisors, consisting of Crowley Program and Fordham Law alumni. Professors Flaherty and Higgins also share a joint appointment to the Leitner Family Chair in International Human Rights, which is also affiliated with the Crowley Program.

The day-to-day administration of the program is the responsibility of the Crowley Fellow in International Human Rights (Chi Mgbako), a full-time faculty fellow appointed for a one-year term. As a member of the adjunct faculty, the Fellow teaches a seminar in human rights in preparation for the annual fact-finding mission during the spring semester. The additional responsibilities of the fellow are substantial: planning all substantive and logistical aspects of the fact-finding mission; participating in the mission; writing and publishing a post-mission report; day-to-day administration of the program including running a year-round lecture and panel series; advising students seeking international human rights internships and post-graduation employment; and coordination with the human rights community. The Fellow oversees all aspects of the program and is responsible for raising awareness of human rights issues at the law school. In addition, the fellow participates in the academic curriculum and has the opportunity to develop independent research. There are also Crowley Scholars (see below) who assist the Fellow in the day-to-day running of the program and initiate new projects.

**3. How are law students involved with the CIP? (i.e. are there journals, newsletters, briefs, or other publications, human rights programs abroad, other international human rights campaigns, etc.)**

Six to eight rising second-year law students are selected at the end of each year to become Crowley Scholars. More than sixty students have participated since the Program's founding in 1997. They participate in an intensive academic program in human rights in their second year, which includes a course in International Human Rights Law and a seminar to prepare them to participate in the annual two-week fact-finding mission at the end of the spring semester. Scholars also have an office-hour each week, in which they assist the Crowley Fellow with the administration of the program. Following the mission, the Scholars work with the faculty and other delegation members to publish a comprehensive report of the mission's findings and recommendations. They continue to work with the Crowley Program in their third year at the Law School, disseminating the findings of the report and advocating for the adoption of its recommendations.

The Crowley Program also has the Leitner Internship Program, which provides scholarships of \$5,000 for rising first- and second-year law students who have been awarded a summer internship at an international human rights organization, such as a non-governmental organization or UN agency. Upon their return, Leitner interns produce a report summarizing their experience, present their findings at a Brown Bag Lunch, and are encouraged to develop their scholarly interest in the subject matter with an eye towards producing a note or other publication. Past Leitner interns have traveled to Brazil, Cambodia, India, Nepal, Romania, South Africa, Tanzania, Zimbabwe, Serbia, Haiti, Israel, Costa Rica, Ecuador and the Phillipines.

We also have the Crowley Advocates Program, which recognizes other students who have demonstrated a commitment to international human rights scholarship and practice.

To be recognized as a Crowley Advocate, a student must complete special human rights coursework at the Law School in conjunction with approved field work. Upon completion of the requirements, the student is given a certificate naming him/her as a Crowley Advocate in International Human Rights, and can use such designation formally.

- 4. If it's not obvious from the name of the program, does the CIP focus on any specific international human rights law issues (i.e. refugees, women's rights, etc.)?**

The annual student fact-finding mission examines specific human rights law

issues relevant to the country visited. The Program's focus thus shifts from year to year. To date, the Program has successfully completed nine fact-finding missions that have included investigations of fair trial standards in the state security court system in Turkey (1998), human rights protections in Hong Kong after the transition from British to Chinese rule (1999), the protection of defendants' rights in the Mexican criminal justice system (2000), the legal status of women's property rights in Ghana (2001), the application of the Internal Security Act in Malaysia (2002), corporate responsibility and human rights in Bolivia (2003), the right to health in Kenya (2004), minority rights and the right to education in Romania (2005) and the situation of women living under African customary law and Muslim personal law in South Africa (2006). This wide breadth of subject matter is mirrored in the project areas researched by our Leitner interns and Crowley Advocates.

- 5. What classes, seminars, symposiums, or other presentations have been offered in conjunction with the CIP?**

*Classes offered:*

Civil Rights: 9/11 and Non-Citizens Constitutional Rights & Human Rights

Human Rights & Corporate Responsibility Human Rights & European Regimes

Human Rights & the International Criminal Court Human Rights & the Middle East

Human Rights in Armed Conflict Human Rights of Displaced Persons

Human Rights, the Holocaust & the Law International Criminal Law

International Human Rights & the European Convention International Human Rights

International Human Rights Drafting International Humanitarian Law

International Law and Economic Development International Organizations

Law of War and International Criminal Courts Laws of War and Peace

Nuclear Weapons & International Law Public International Law

Prosecution of Genocide, War Crimes & Crimes Against Humanity: International  
Tribunals & Case Law

The United Nations Security Council and Enforcement of the United Nations Charter.

Our course offerings will be expanded this year, thanks to the staff additions of the full-time Executive Director and new Faculty Director.

Past lectures have included such prominent speakers as Justice Richard Goldstone, former Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda, Mary Robinson, former President of Ireland and United Nations High Commissioner for Human Rights and H.E. Judge Akua Kuenyehia, First Vice-President of the International Criminal Court.

We have also recently sponsored major panels and conferences on such topics as the Human Rights Crisis in North Korea, Genocide in Darfur, Rape as a War Crime, and the Constitutionality of Torture in the Age of Terror.

In addition to the lectures and panel discussions, the Crowley Program also sponsors a year-round weekly Brown Bag Lunch series. The Brown Bag Lunches give law students the opportunity to interact with human rights advocates in an informal setting. This semester's brown bag schedule includes "Working in International War Crimes Tribunals": Simone Monasabien (former Head of Defense, Special Court for Sierra Leone; former prosecutor, International Criminal Tribunal for Rwanda); "Constitution Drafting and Women's Political Participation in Burma," Andrea Friedman (Global Justice Center); "Darfur: The Way Forward," Suliman Baldo (Africa Program Director, International Crisis Group); "The Juarez Murders: Violence Against Women in Mexico," Taina Bien-Aime and Bethany Hurley (Equality Now). The Crowley Program also sponsors special events including career panels and film screenings.

**6. Does the CIP assist students in acquiring internship/externship opportunities with human rights organizations (NGOs, IGOs, etc.)? Which organizations?**

The Crowley Fellow provides individual advising to law students pursuing intern- and externships with human rights organizations, and the Leitner Internship has provided as many as fifteen \$5000 scholarships per year to assist students with their travel and living

expenses. Leitner interns have worked with organizations from all over the world since the Internship was founded in 2004, including Lawyers for Human Rights, Pretoria, South Africa; International Criminal Tribunal for Rwanda, Arusha, Tanzania; India Centre for Human Rights and Law, Mumbai, India; Contrast: Center for International Understanding, Constanta, Romania; Committee on the Administration of Justice, Belfast, Northern Ireland; and Grupo Pela Vidua, Rio de Janeiro, Brazil.

Many of the organizations with which we have worked on our annual fact-finding missions will request interns from the Crowley program. Students looking for other intern- and externship opportunities are directed to our List of Human Rights NGO's at <http://www.crowleyprogram.org/hrngos.htm>.

**7. In general, how is the CIP funded?**

Alumni, foundations and operating funds.

**8. Does the CIP have any affiliations with Human Rights groups outside the law school or university? Which ones? What is the nature of the affiliation?**

Many of our past missions have involved partnerships with outside human rights groups, including Human Rights Watch; Human Rights First; the Committee on International Human Rights of the Association of the Bar of the City of New York; Miguel Augustín por Juárez Centro Derechos de Humanos; Women in Law and Development in Africa; and the International Federation of Women Lawyers.

**9. Does the CIP allow student involvement in actual International Human Rights cases? What is the degree of that involvement?**

The students participate in the annual fact-finding missions, and play a large role in the drafting of the resulting report. Moreover, students are encouraged to initiate projects with which the program will assist if it is able. In celebration of the Program's 10<sup>th</sup> anniversary, we are currently undertaking the creation of a Human Rights Clinic, in which students would manage their own international human rights cases, under the supervision of a clinical faculty member.

**10. What, in your opinion, attracts students to participate in the CIP?**

The program focuses not only on increasing awareness of human rights violations throughout the world, but also on equipping future lawyers with the right balance of sound legal theory and solid field experience required to do the work that's needed. We emphasize the importance of in-the-field human rights research through the materials used in our curriculum, the front-line speakers we invite to our lecture, panel and brown-bag speaker series, the internships we encourage students to pursue and our annual human rights fact-finding mission.

The Leitner Internship program, in turn, helps lessen the expense of international internships that would otherwise be financially impossible for most students, thereby affording opportunities to engage in the very same hands-on human rights work that is so strongly emphasized by the program.

Fordham Law School's central New York City location also puts it in close proximity to the world's leading human rights organizations as well as the United Nations and a myriad of governmental and non-governmental agencies. The Crowley Program capitalizes on this prime location by inviting leading international human rights scholars and practitioners from around the world to speak at the Law School and participate in panel discussions. The program has thus evolved into a center for presentations, meetings, and colloquia featuring academics and advocates from around the world, and the networking and educational value this provides to students is quite high. Students are also directly involved in the day-to-day functioning of the program. Every year, more and more students tell us that they chose Fordham Law because of Crowley and, with the addition of the human rights clinic, we will, indeed, be the most comprehensive law school human rights program in the country.

**11. What are some specific projects or cases that the CIP has undertaken in recent years?**

This past summer, the Crowley Mission traveled to South Africa to study the situation of women living under customary law and Muslim personal law in South Africa.

In 2005, the Crowley Mission traveled to Romania to investigate access to education and *de facto* educational segregation of the Roma ("Gypsy") minority. Although Romania's new constitution guarantees equal rights for all citizens, Roma children are often taught in "ghetto schools" which lack basic resources. In other cases, Roma children are sent to "special schools" even though they have no physical or mental disability. Even when Roma children are able to study in mixed schools, they are frequently placed in separate classes from non-Roma children. The Crowley mission participants traveled throughout Romania, meeting with government and school officials, teachers, Roma activists and community leaders, representatives of the European Union and UNICEF, and Roma children.

In 2004, the Crowley Mission traveled to Kenya to investigate the impact of the "Mexico City Policy," which prohibits the United States from providing aid to any non-governmental organization that uses funding from any source to perform abortions, provide abortion counseling, or lobby to make abortion legal or more widely available. Since the Bush Administration implemented the Mexico City Policy in January 2001, several clinics in Kenya have been forced to close and vulnerable groups left without access to health care. The mission examined whether the Mexico City Policy violated Kenyans' rights to health, information, and free speech. While in Kenya, the Crowley delegation interviewed a cross-section of Kenyan society including government officials, non-governmental organizations, doctors, and ordinary Kenyans whose access to health care had been affected by the Mexico City Policy. In addition to being published, the Kenya mission's findings were presented at a major Health and Human Rights Conference at Emory University in April 2005.

In 2003, the Crowley Program traveled to Bolivia to examine two cases framing questions of corporate responsibility for violations of economic and social rights. The first involved a massive oil spill in the Desaguadero River; the second involved the "water wars" that took place in the city of Cochabamba after a multinational consortium took control of the city's newly-privatized water system. Mission participants interviewed congressmen and government ministers, industry representatives, corporate officials, local activists, and members of indigenous communities along the Desaguadero River. The final report critiqued international human rights protections for economic and social rights in the context of globalization, and suggested avenues for improvement.

**12. Are there cultural and language barriers that impede your work? If so, how have you overcome these barriers?**

The missions have been conducted in countries where Crowley personnel experienced a language barrier. Crowley has often worked with translators, not only on the mission but also in having reports translated into the language of the country visited.

**13. Are there any other suggestions you may have concerning the organization of a CIP?**

We would suggest that international human rights programs be as practically orientated as possible.

**Questions about your human rights clinical work:**

N/A The International Human Rights Clinic is in the beginning stages of development but has not been launched yet.

- 14. How many clinics do you have that are handling international human rights litigation or projects (by using international law in domestic fora and/or by taking matters to IGOs)?**

**For each such clinic, please answer the following questions:**

- 15. What is the makeup of the clinic staff? (full-time staff, part-time staff, permanent/non-tenure track/temporary law professors, law students, other professors or students)**
- 16. In what fora do you practice?**
- 17. Who are your case referral agencies?**
- 18. Please list any partner NGOs that assist you in casework or in teaching the clinic.**
- 19. If you were planning to start up a human rights clinic, what are the most important substantive books to have on your shelf, the top websites you would bookmark and the most important listserves to join (you do not have to catalogue your library for us, we would just like to let our colleagues know your “top ten list” of items you most strongly recommend for people who are starting out)?**
- 20. Do you have syllabi, simulations or any other material that you are able to make available to others, either upon request or by putting it up for colleagues on a shared link between the AALS human rights section website and your clinic’s website (the AALS link could be password protected if this would be helpful)?**

21. **What percentage of the students in this clinic typically travel abroad for their clinic work?**

22. **Do students have the opportunity to meet their clients in person?**

23. **What mix of domestic work (if any) and international cases does this clinic handle?**

**Individual Faculty Efforts:**

24. Do you have any faculty that are performing or supervising significant international human rights litigation or projects outside the formal structure of centers and clinics? If so, what type of project and how many students are involved?

N/A

**Externships:**

25. Do you have students receiving credit for human rights service performed outside your law school? Roughly how many students are doing this each year? What percentage of externships involve placement outside the U.S.?

**A final draft of your responses will be circulated to you before it is uploaded to the Section website. Please let us know if you would prefer that any of your answers *not* be placed on the website.**