

HUMAN RIGHTS



AALS Section on International Human Rights Summer 2019 Newsletter

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MESSAGE FROM THE CHAIR

With apologies for lateness, here is the summer newsletter for the AALS Section on International Human Rights. We will update on more recent events and accomplishments before the Annual Meeting. I hope that you are all enjoying a productive semester.

Peter Halewood, Section Chair

UPCOMING EVENTS

“Children's Rights at 30: Challenges for the Next Generation,” Main Program, Section on International Human Rights, AALS Annual Meeting, January 4, 2020. Co-sponsored by the Children and the Law and International Law Sections.

“New Voices in Human Rights and International Law,” AALS Annual Meeting, January 3, 2020. Co-sponsored with International Law.

“The Challenge of International Law in Dealing with the Causes of the Global Refugee Crisis—Climate Change, Armed Conflict, and Gross Human Rights Abuses Perpetrated by State and Non-State Actors,” AALS Annual Meeting, Co-sponsored with the International Law Section, January 4, 2020.

ANNOUNCEMENTS

Rachel Anderson from William S. Boyd School of Law, UNLV, has taken a leave of absence to serve as General Counsel at the Office of the Nevada Attorney General as of January 7, 2019.

Fionnuala Ni Aolain, Regents Professor and Robina Chair in Law, Public Policy, and Society from University of Minnesota Law School was appointed as United Nations Special Rapporteur on the Protection and Promotion of Human Rights while Countering Terrorism in 2017, and had multiple reports issued this past year including country reports on France, Belgium, Sri Lanka, the Kingdom of

Saudi Arabia and Tunisia. A report to the Human Rights Council Report on the misuse of counter-terrorism law and practice against civil society and human rights defenders (all available at: <https://www.ohchr.org/EN/Issues/Terrorism/Pages/SRTerrorismIndex.aspx>). Also he was appointed as a fellow of the Royal Irish Academy in May 2019.

Constance de la Vega co-authored with a former student, **Alen Mirza**, on how to use international human rights and criminal law procedures, to be published by Edward Elgar. It is titled “Guide to Using International Human Rights and Criminal Law Procedures.”

Peter Halewood was named Gov. George E. Pataki Distinguished Professor of International Commercial Law at the Albany Law School and was elected Chair of the AALS Section on International Human Rights.

On July 15-19, 2019, **Professor Roza Pati**, Founder and Director of the Human Trafficking Academy, St. Thomas University School of Law hosted one week intensive training by top experts in the field on: Addressing Sex Trafficking Through an Integral Human Development Approach — Case Study: Sporting Events.

In October 2017, the Human Trafficking Academy, St. Thomas University School of Law, under the direction of **Professor Roza Pati** received a \$2.5 million private gift, generously donated by Mr. John Brunetti, Chairman of the Hialeah Park Racing & Casino.

Michael L. Perlin, Esq. Adjunct Professor of Law, Emory University School of Law Instructor, Loyola University New Orleans, Department of Criminology and Justice Professor Emeritus of Law Founding Director, International Mental Disability Law Reform Project Co-founder, Mental Disability Law and Policy Associates from New York Law School is serving his second term as a member of the Board of Trustees of the International society for Therapeutic Jurisprudence (intljtj.com).

Jonathan Todres, Professor of Law at Georgia State University College of Law: Professor Todres was named Distinguished University Professor at Georgia State University. He also was awarded GSU College of Law’s 2019 Patricia T. Morgan Award for Outstanding Faculty Scholarship. He coauthored a book chapter, “Article 8: The Right to Preservation of a Child’s Identity” in *The Convention on the Rights of the Child: A Commentary* (J. Tobin ed., Oxford University Press, 2019). Professor Todres was also appointed to the Advisory Board of the International Journal of Children’s Rights. He is co-organizing and moderating the AALS Section on International Human Rights panel, “Children’s Rights at 30: Challenges for the Next Generation,” at the AALS Annual Meeting on January 4, 2020.

Mark E. Wojcik (The John Marshall Law School in Chicago) taught in 2017-18 as a Fulbright Specialist at the first law school in Bhutan (the Jigme Singye Wangchuck School of Law) and taught international law (including international human rights law) in Spring 2019 in Italy as a Fulbright Researcher and Professor at the University of Bari Department of Law. He also became President of Scribes--The American Society of Legal Writers.

Gonzaga University School of Law hosted the third edition of its international human rights conference in Florence, Italy on June 2-3, 2019. Gonzaga Law holds its annual conference at Robert F. Kennedy Human Rights Italia, located in the heart of Florence. For 2019, the conference theme was *Freedom of Expression as a Human Right*. Highlights included keynote presentations by the Honorable Raul Cano Pangalangan, Judge of the International Criminal Court, and Dr. Teresa Sullivan, President *Emerita* of the University of Virginia. Conference panels addressed religious and cultural

expression, technology and democracy, and hate speech, and included speakers from Italy, the United States, Spain, South Africa, Croatia, Chile, and the Philippines. Gonzaga will publish conference papers in a joint volume of the Gonzaga Law Review and the Gonzaga Journal of International Law.

Gonzaga Law is planning its 2020 human rights conference in Florence, which will focus on global women's rights. The conference will emphasize a global suffrage theme to correspond with the centennial celebration of the 19th Amendment in the United States. We anticipate the conference also may address topics such as sex crimes and human rights, global economic opportunity, migration, and reproductive rights, as well as intersectional themes with race, sexual orientation, and gender identity. Interested persons should contact **Professor Brooks Holland** at hollandb@gonzaga.edu.

American University Washington College of Law is proud to announce that the LL.M. in Human Rights and Humanitarian Law will be offered as an in residence program starting in fall 2019. The program is designed to provide both solid doctrinal theoretical studies and practical skills. Students will benefit from a curriculum focused on over 50 human rights doctrinal courses offered every year and taught by expert faculty. In addition, offers a curriculum based on experiential education that allows students to acquire hands-on experience through externships, internships and research opportunities with human rights faculty and other experts.

For more information check out the website: <https://www.wcl.american.edu/impact/initiatives-programs/hracademy/llm/>

PUBLICATIONS AND PRESENTATIONS

♦ **Steve Diamond** from SCU School of Law published a paper in the Cambridge Journal of Economics which looks at how pension funds are advocating for human rights (among other issues) via the proxy process. Available here:

<https://academic.oup.com/cje/advance-article-abstract/doi/10.1093/cje/bez016/5492333?redirectedFrom=fulltext>

♦ **Elizabeth M. Donovan**, Director of Legal Clinics & Associate Clinical Professor of Law at Ave Maria School of Law:

Fight Online Sex Trafficking Act & Stop Enabling Sex Traffickers Act: A Shield for Jane Doe, Volume 52: Issue 1, Connecticut Law Review [forthcoming fall 2019]

Catholic Social Teaching and Neo-Abolitionism: Tearing Down the House of the Rising Sun, Volume 67: Issue 3, Cleveland State Law Review, [forthcoming spring 2019]

Same As It Ever Was: In Support of the Rights of Sex Trafficking Victims, Volume 36: Number 4, pages 489–634, Quinnipiac Law Review, 2018

♦ **Holning Lau**, Willie P. Mangum Distinguished Professor of Law at University of North Carolina School of Law:

Sexual Orientation and Gender Identity Discrimination, 2 COMP. DISCR. L. 1 (2018).

From Loving to Obergefell: Elevating the Significance of Discriminatory Effects, 25 VA. J. SOC. POL'Y & L. 317 (2018).

Served as advisor and wrote the introduction for the North Carolina Journal of International Law's colloquium issue on LGBTI human rights. See Holning Lau, *Introduction to the Colloquium on LGBTI Rights*, 44 N.C. J. INT'L L. 217 (2019).

♦ **Stephen R. Munzer**, Distinguished Research Professor of Law UCLA School of Law published:

“Examining Nontherapeutic Circumcision,” 28 Health Matrix: Journal of Law-Medicine 1 (2018), and

“Dam(n) Displacement: Compensation, Resettlement, and Indigeneity,” 51 Cornell International Law Journal 823 (2019)

♦ **Michael L. Perlin**, Esq. Adjunct Professor of Law, Emory University School of Law Instructor, Loyola University New Orleans, Department of Criminology and Justice Professor Emeritus of Law Founding Director, International Mental Disability Law Reform Project Co-founder, Mental Disability Law and Policy Associates from New York Law School published:

“The Strings in the Books Ain’t Pulled and Persuaded”: How the Use of Improper Statistics and Unverified Data Corrupts the Judicial Process in Sex Offender Cases, 69 CASE W. RES. L. REV. 637 (2019) (with Prof. Heather Ellis Cucolo).

“Changing of the Guards”: David Wexler, Therapeutic Jurisprudence, and the Transformation of Legal Scholarship, 63 INT’L J. L. & PSYCHIATRY 3 (2019).

“Some Things are Too Hot to Touch”: Competency, the Right to Sexual Autonomy, and the Roles of Lawyers and Expert Witnesses, 35 TOURO L. REV. 405 (2019) (with Alison J. Lynch, Esq. and Dr. Valerie McClain).

“On Desolation Row”: The Blurring of the Borders between Civil and Criminal Mental Disability Law, and What It Means for All of Us, 24 TEX. J. ON CIV. LIBS. & CIV. RTS. 59 (2018) (with Naomi Weinstein, Esq. and Deborah A. Dorfman, Esq.).

Article 14: Liberty and Security of the Person, in COMMENTARY ON UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES 402 (Ilias Bantekas, Michael Ashley Stein & Dimitris Anastasiou co-editors) (2018) (with Prof. Eva Szeli).

“Who’s Pretending to Care for Him?” How the Endless Jail-to-Hospital-to-Street-Repeat Cycle Deprives Persons with Mental Disabilities the Right to Continuity of Care (with Naomi Weinstein, Esq.). 8 WAKE FOREST J. L. & POL’Y 455 (2018).

“I’ve Got My Mind Made Up”: How Judicial Teleology in Cases Involving Biologically Based Evidence Violates Therapeutic Jurisprudence, 24 *CARD. J. EQUAL RTS. & SOC’L JUST.* 81 (2018).

“Who Will Judge the Many When the Game is Through?”: Considering the Profound Differences between Mental Health Courts and “Traditional” Involuntary Civil Commitment Courts, 41 *SEATTLE U. L. REV.* 937 (2018).

“The Pain I Rise Above”: How International Human Rights Can Best Realize the Needs of Persons with Trauma-Related Mental Disabilities (with Meghan Gallagher, Esq.), 29 *FLA. J. INT’L L.* 271 (2018).

“Your Old Road Is/Rapidly Agin”: International Human Rights Standards and Their Impact on Forensic Psychologists, the Practice of Forensic Psychology, and the Conditions of Institutionalization of Persons with Mental Disabilities, 17 *WASH. U. GLOBAL STUDIES L. REV.* 79 (2018).

“My Brain Is So Wired”: Neuroimaging’s Role in Competency Cases Involving Persons with Mental Disabilities, 27 *B.U. PUB. INT. L.J.* 73 (2018) (with Alison J. Lynch, Esq.).

“To Wander Off in Shame”: Deconstructing the Shaming And Shameful Arrest Policies Of Urban Police Departments In Their Treatment Of Persons With Mental Disabilities, in *SYSTEMIC HUMILIATION IN AMERICA: FINDING DIGNITY WITHIN SYSTEMS OF DEGRADATION* 175 (Prof. Daniel Rothbart ed. 2018) (with Alison j. lynch, Esq.).

“She’s Nobody’s Child/The Law Can’t Touch Her at All”: Seeking to Bring Dignity to Legal Proceedings Involving Juveniles (with Alison J. Lynch, Esq.), 56 *FAM. CT. REV.* 79 (2018).

♦ **Roza Pati**, *Global Regulation of Corporate Conduct: In Pursuit of A Slave-Free Supply Chain*, 68 *AMERICAN UNIVERSITY LAW REVIEW* (forthcoming, 2019).

Trafficking in Human Beings: The Convergence of Criminal Law and Human Rights, in *The SAGE Handbook of Human Trafficking and Modern Day Slavery* (Jennifer Bryson Clark and Sasha Poucki eds., SAGE Publications 2018).

People on the Move: The Vulnerability of Migrants and Human Trafficking, in *Refugiados, Imigrantes e Igualdade dos Povos – Estudos em Homenagem a António Guterres*, (Pinto, Perazzolo *et al*, Quartier Latin Do Brazil 2017).

Roza Pati’s Recent presentations abroad:

At the invitation of the Ministry of Justice of Jamaica, the National Task Force Against Trafficking in Persons (NATFATIP), Professor Roza Pati presented a Distinguished Lecture at the University of the Commonwealth Caribbean. In her lecture she focused on human trafficking in the supply chain. While in Kingston, Professor Pati has generated multiple media focus. She appeared live on radio and the national TV Jamaica and was interviewed by several newspapers, February 12, 2019.

Roza Pati, Panel Moderator, *Contemporary Forms of Slavery*, at *Human Rights in the Contemporary World: Achievements, Omissions, Negations*, Conference Commemorating the 70th Anniversary of Universal Declaration of Human Rights, Pontifical Gregorian University, Rome, Italy, December 10-11, 2018.

Timothy Waters, Indiana University – Bloomington School of Law, has a book, *Boxing Pandora: Rethinking Borders, States and Secession in a Democratic World*, forthcoming from Yale University Press.

Contact Us

Section on International Human Rights

<https://www.aals.org/sections/list/international-human-rights/>

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