ABA SIL International Human Rights Committee

Minutes of November 8, 2017 Meeting

The meeting convened by telephone at 12:00 pm eastern time. Dan chaired the meeting.

In Attendance:
Dan Appelman
Alan Gutterman
Jaclyn Fortini Laing
Brittany Benowitz
Jessica Horwitz
David Taylor
Alan Gutterman
Claudia Feldcamp
Pinky Mehta
Larry Locker
Gigi Nikpour
Jeff Bartlett

If you attended and we didn’t note it above, or if we got your name wrong, please let Dan Appelman know. dappelman@mh-llp.com

Most of the teleconference was devoted to discussing upcoming programs and other Committee activities.

Programs. The Committee will present the following programs in the near-term:

- December 6, 2017 two teleconferences/webinars to mark UN Human Rights Day
  - Tutorial on how to file petitions and complaints at the UN
    - Speakers will be Ginna Anderson (ABA Center for Human Rights) and Tessa McEvoy (International Service for Human Rights) (Ginna and Tessa organizing)
  - Update on the Jesner v. Arab Bank case at the Supreme Court (Alien Tort Statute, extraterritoriality) (Jeff Bartlett organizing)
    - Speaker will be William Dodge, Professor of Law at UC Davis
  - Look for dial-in information coming to you soon on the Committee’s listserv.
- April, 2018 ABA Section of International Law’s Spring Meeting
  - Panel on “Government Cross-Border Requests for Cloud User Data: Protection of Public Safety and Human Rights in the Internet Age” (Bernard Shen organizing)
David Taylor mentioned a panel on How the UN Works to Implement and Protect the Rule of Law. Details forthcoming.

- August, 2018 ABA Annual Meeting—Panel on “Business and Human Rights: Putting Human Rights in Practice at a Global Company” (Katie Shay organizing)

The Committee plans on holding several other teleconferences/webinars throughout the remainder of the Committee year. Stay tuned for announcements. We are looking for volunteers to propose event topics, to get speakers and to help promote the events.

**Policy Initiatives.**

- Arms Trade Treaty Follow-up. The Committee is considering the following activities as follow-on support for the ATT:
  - Participation in rulemaking before the US export agencies urging them not to transfer authority for small arms exports from the State Department to the Department of Commerce. Small arms purchased in the US often find their way to conflict zones where they are used to commit atrocities. The proposed transfer of regulatory authority for these exports to the Department of Commerce would make those exports easier to accomplish and less transparent.
  - Submission of amicus brief in UK case challenging the right of the UK to sell arms to Saudi Arabia when those arms are used to commit violations of International Humanitarian Law and the Arms Trade Treaty. We are looking for volunteers who would like to work on these issues.

- Proposed ABA Resolution urging governments, bar associations, and all members of the legal profession to implement and support the United Nations Basic Principles on the Role of Lawyers. Recent governmental assaults on the legal profession in countries such as China, Turkey, Egypt, Vietnam and Indonesia signal erosion of the rule of law. The UN’s Basic Principles on the Role of Lawyers promotes broad protections for both lawyers and their clients. It also contains specific principles that offer guidance on how to reduce and respond to incidents of attacks on lawyers. We are looking for volunteers to help complete the existing draft resolution and accompanying report.

**ABA Center for Human Rights.** Brittany Benowitz, who serves as Chief Counsel for the ABA’s Center for Human Rights, gave an overview of the Center and its activities, and suggested opportunities for the Committee and its members to collaborate.

- Principal Center Projects:
  - Human Trafficking Project
  - International Criminal Court Project
  - Atrocity Prevention Project
  - Justice Defenders Program—opportunities for individual lawyers to support human rights and the rule of law on a pro bono basis by doing desktop research on particular cases and by on-site observation of trials where human rights may be at issue.

- The Center may collaborate with the Committee on one or more of the initiatives described above under “Policy”.

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Corporate Social Responsibility Update. Jessica Horwitz gave a summary of some of the CSR group’s activities during the 2016-2017 Committee year. We hope for a report at our December meeting on CSR-related plans for the current Committee year.

Other Activities.
- David Taylor asked about doing a review of the book, “Unwavering Convictions: Gao Zhisheng’s Ten-Year Torture and Faith in China’s Future”. This book was co-published by the ABA Section of International Law and Carolina Academic Press. Nobody on the call had any information about the status of the review or whether it was in progress. David may write the review himself, disclosing his connection to it.

Ways to Get Involved. We are looking for help in the following areas:
  o Membership
  o Communications (including social media, Committee web page, Committee listserv)
  o Diversity
  o Programs
  o Projects
  o Rule of Law
  o Policy
  o Special Projects
If you haven’t already, please contact either of the Committee’s co-chairs if you would like to help in one or more of these areas. In particular, we would really like to get a Committee newsletter (e-brief) going again.

Steering Committee. Members are encouraged to express interest in joining our Steering Committee. Please contact Dan at dappelman@mh-llp.com.

Committee Priorities.
  o Growing steering committee and making it active
  o Enlarge Committee membership
  o Re-engage previous Committee members who have become less active
  o Engage with ABA’s Section on Civil Rights and Social Justice’s International Human Rights Committee (e.g., co-sponsor programs, policy initiatives)

Next Meeting: November 8 at noon eastern time by teleconference.

Co-Chair Contact Information
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