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Mark R. Shulman  
*Pace Law School*

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## THE INTERNATIONAL HUMAN RIGHTS COMMITTEE: THE GLOBAL INFLUENCE OF THE CITY BAR

**T**he International Human Rights Committee is one of the busiest in the Association, producing reports, amicus briefs and letters while convening timely discussions on a vast range of topics. It enjoys a mostly young and remarkably diverse membership, including commercial lawyers from large firms, advocates from almost every major human rights organization in the city, and some energetic young law students.

In recent years, the IHRC has undertaken investigative missions in Northern Ireland, Hong Kong, Indonesia and India, each generating a substantial report of its findings. Most recently, several Committee members and US District Court Judge Jed S. Rakoff went to India to evaluate the impact of the Prevention of Terrorism Act of 2002 on human rights in the world's

largest democracy. Written mostly by Anil Kalhan, the resulting 135-page report concluded that India should aggressively build upon the initial steps it had taken to limit the use of draconian antiterrorism laws and to begin to transform its British colonial-era police and criminal justice institutions. The report received considerable attention in the US and India.

The IHRC has also produced a number of amicus briefs recently working with major law firms, human rights organizations and the City Bar's Vance Center. Last year, the IHRC prepared a brief in conjunction with several other NGO's opposing Colombia's unequal treatment of individuals in same-sex relationships. In its final ruling, the Constitutional

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Court overturned the ban, citing the IHRC's brief for the proposition that Colombia owes all its citizens equal treatment based on international standards. Other briefs to which the IHRC has contributed have focused on aspects of the "War on Terror" such as appeals to rulings refusing to release photographs illustrating the treatment of detainees at Abu Ghraib.

Indeed, the Committee has dedicated a substantial amount of time to addressing the governmental excesses since 9/11. Together with the Center for Human Rights and Global Justice at NYU Law School, the IHRC produced a landmark report on extraordinary renditions – the practice of transferring an individual, with the involvement of the United States or its agents, to a foreign state in circumstances that



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make it more likely than not that the individual will be subjected to torture or cruel, inhuman, or degrading treatment. The report, "Torture by Proxy" received widespread attention and has served as the basis for on-going litigation

Former Committee member Meg Satterthwaite and others have worked tirelessly over the past couple of years to end this abhorrent practice.

In the belief that it is better to light a candle than curse the darkness, the IHRC writes numerous letters on behalf of the Association. In the past few months alone, it has written President Robert Mugabe to request that he cease attacks on the Zimbabwe Lawyers' Society, to the government of the Maldives to protest treatment of a political enemy as a terrorist, and to the chair of Myanmar's State Peace and Development Council to protest ill treatment of opposition leaders. It has also helped to produce a number of letters to US government officials protesting policies related to the "War on Terror." All of these letters were signed by President Barry Kamins and are available on the City Bar's website.

The IHRC also serves its members and the Association by organizing numerous presentations. Recent speakers have included an AIDS physician-activist from rural Nigeria, a litigator from the Center for Constitutional Rights defending a Guantanamo detainee, and the irrepressible Scott Horton, a former IHRC chair and a key figure in the City Bar's efforts to

ensure that the "War on Terror" is waged in a lawful manner. It has also sponsored public events with the Capital Punishment and African Affairs committees.

Over the past five years, members of the City Bar have produced an impressive variety of hard-hitting reports, letters, and briefs addressing issues arising out of the "War on Terror." Many of the reports, letters and amicus briefs produced by the IHRC and other committees are published in the recent book *The Imperial Presidency and the Consequences of 9/11: Lawyers Respond to the Global War on Terrorism* (Praeger 2007) edited by IHRC Chair Mark R. Shulman and former Chair of the Council on International Affairs James R. Silkenat.

In the future, the Committee will continue to bring to light human rights abuses around the world, following its mission to defend the defenders and promote respect for the rule of law and its improvement

**By Mark Shulman, Pace University School of Law, Chair, International Human Rights Committee**