

FINAL INTERNATIONAL HUMAN RIGHTS PROGRAM

INTERNSHIP REPORT

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This summer I had the amazing opportunity to work at the International Center for Transitional Justice located in New York City. I worked in the position as an intern in the Reparations Research Program, one of the ICTJ's thematically-organized subgroups that focuses on justice mechanisms involved with acknowledging human rights abuses by providing redress to victims of those crimes. This opportunity was exceptionally exciting for me, as research questions surrounding transitional justice issues had been the focus of my academic and professional career since undergraduate studies in political science. I am so thankful to the International Human Rights Program for making it finally possible for me to get involved in this work in a meaningful way this summer.

To provide some background to the organization, the ICTJ is an interdisciplinary research organization at the nexus of human rights, transitional justice and policy analysis. It is a respected organization which has consistently developed its reputation since its inception in New York in 2001. According to its mission statement, "the International Center for Transitional Justice works to redress and prevent the most severe violations of human rights by confronting legacies of mass abuse. ICTJ seeks holistic solutions to promote accountability and create just and peaceful societies." The body of research that has emerged has targeted this goal by integrating legal research and analysis in a policy-oriented manner to provide substantive and technical assistance to policymakers, civil society and victim's organizations. Rapidly growing since 2001, the ICTJ's work addresses issues in more than 30 countries and the New York headquarters works to support staff and partner organization throughout Africa, Latin America, Europe, and Asia.

Working closely with a team of three experts in the area of reparations and transitional justice, it was fascinating to work on policy research and advocacy projects concerning reparations measures being developed and implemented in countries including Cambodia, the Democratic Republic of Congo, Liberia, Timor Leste, Tunisia, and Egypt. It became clear early on that my supervisor and colleagues are highly involved and knowledgeable in contemporary and politically sensitive issues in transitional justice, being called to advise and facilitate dialogue with government actors, judicial institutions, and international organizations in these countries.

My daily worked consisted of monitoring and keeping the team at the ICTJ up to date on all developments in reparations programs and around the world; engaging in policy and legal research; writing factsheets, memoranda and advocacy pieces for internal use and external publication; and attending meetings with a variety of civil society and international organizations in New York. Other projects included assisting my supervisor in the preparatory research for a book chapter on measures for victims of economic crimes seeking reparations from multinational corporations and preparing workshop training materials for policy practitioners and civil society

in Kenya as they prepare to draft a reparations program for victims of recent human rights violations.

To provide an example of some of my in-depth work with the reparations team, I co-authored a submission to the Government of South Africa's Department of Justice concerning draft legislation designed to provide victims who participated in the Truth and Reconciliation Commission (TRC) with reparations in the form of health and educational benefits. The Department of Justice had invited comments on the regulations, and our work was submitted on behalf of the South African Coalition for Transitional Justice, which includes victims associations and organizations such as the Khulumani Support Group, Centre for the Study of Violence & Reconciliation, Institute for Justice and Reconciliation, and the Trauma Centre for Victims of Violence and Torture. Our submissions were comprehensive, targeting issues such as the constitutional rights of victims, the regulations potential discriminatory effects and under-inclusiveness, South Africa's obligations to provide reparations under international law, and the political backdrop setting the stage for the regulations, namely the lack of consultation on the part of the Department of Justice with victims associations and civil society partners. For instance, the regulations provide reparations only for those victims who testified before the Truth and Reconciliation Commission, rather than for victims of all gross human rights violations committed under the apartheid regime, which was originally envisioned by the regulations' enabling statute, the *Promotion of National Unity and Reconciliation Act, 1995*. A victims association, the Khulumani Support Group, estimates that this is to the exclusion of tens of thousands of recognized victims. The report of the TRC itself recognized that those persons "found" to be victims by the TRC, totalling just over 20,000 persons, was incomplete and tended to under-report atrocities committed against groups traditionally marginalized from political institutions or who were talk at all, such as victims of gender-based and sexual violence. I have attached our final submissions to this letter, which are also available at <http://www.khulumani.net/reparations/government/2011-regulations.html>.

Another research project undertaken by myself and one of my colleagues involved conducting a comparative analysis of victims' application forms for reparations from judicial institutions, government programs and truth commissions. We assessed each form for its ability to facilitate an effective program by soliciting accurate and meaningful information, and providing victims with an appropriate medium through which they may make their claim. We wrote a briefing paper that will be useful to legal and policy practitioners involved in designing a reparations application form in the future. I learned a lot by co-writing the paper with my supervisor, as it was my first chance to observe and discuss writing and research techniques with a lawyer with a wealth legal training and professional experience.

My final project with the ICTJ involved writing an ICTJ Factsheet on civil party participation and reparations at the Extraordinary Chambers in the Courts of Cambodia, the judicial process mandated with bringing the most responsible members of the Khmer Rouge to justice for crimes against humanity, war crimes, and genocide. As the trial prepares for its largest trial to date involving thousands of victim participants in its proceedings, and on the eve of the ECCC's Supreme Court decision on the reparations order for victims in its inaugural case, the factsheet serves to update the public on the major issues and challenges concerning reparations and victim participation to be reconciled by the court.

In sum, I have found my experience this summer to be incredibly rewarding and challenging. I learned firsthand the immense amount of insight and attention to detail required of researchers at the ICTJ to provide such timely and informed advice on some of the transitional justice community's most difficult dilemmas. The organization has gained the credibility that it has by forging linkages with grassroots organizations and experts in each of its country programs, and accordingly, publishing research that reflects the reality on the ground not merely a theoretical perspective. The skills necessary to do this are something I could only have learned doing the hands-on work that I did this summer and I am so grateful to the International Human Rights Program for making this learning opportunities available to me.