Multidisciplinary and Multicultural Innovative Program Improves Access to Health

This fall a team from the Northwestern Access to Health Project will finalize a plan to improve healthcare for impoverished residents of Guaymate in the Dominican Republic. Last year ATH launched an emergency obstetrical care project to alleviate infant and maternal mortality in Bonga, Ethiopia.

These two projects demonstrate ATH’s premise: that access to healthcare is a human right. Founded by Juliet Sorensen, clinical assistant professor of law in the Center for International Human Rights (CIHR), and Carolyn Baer, former deputy director of the Feinberg School of Medicine’s Center for Global Health, the program brings together students from the Law School, the Kellogg School of Management, and the Feinberg School of Medicine, and includes expertise from the McCormick School of Engineering, to design health projects in developing countries.

Students taking Sorensen’s Health and Human Rights course work in interdisciplinary teams on a public health case study in the developing world, investigating issues such as policy, infrastructure, and access to training and equipment. Each class chooses a case study after consulting with international and national agencies and organizations such as the Peace Corps, Centers for Disease Control and Prevention, the International Medical Corps, and the UN High Commission for Human Rights, about areas with the greatest potential for impact.

Students draw from research conducted by Northwestern’s renowned faculty and ATH partners to develop a healthcare solution that is both appropriate and sustainable for the community identified. During spring break, ATH conducts a site visit, meets with community members and partners, and establishes the foundation for the project. The plan is refined over the spring and summer, launched in the fall, and evaluated after six months and one year.

“What makes this program so rewarding is both the impact on communities in the developing world and on ATH students,” said Sorensen. “The interdisciplinary nature makes the program more effective and prepares students for the real world. They are sitting down at the table, working constructively with peers in the business and medical schools. This is vital training that will make them outstanding lawyers.”
Samantha Woo (JD ’12) worked on the 2012 emergency obstetrical care project in Ethiopia. She was among four law students who traveled to Bonga to visit the district hospital and talk with health professionals, patients, and community leaders. Based on findings from the visit, an emergency-obstetrics training program was developed for healthcare providers. ATH is currently evaluating its effectiveness.

“In the US, maternal health is primarily a public health issue. But in the developing world, it is a multifaceted problem that calls into question basic human rights like the right to healthcare,” said Woo. “Part of our work was to research Ethiopia’s constitution and legal system to understand obstacles to healthcare and find ways to address them.”

In 2013 in Guaymate, Dominican Republic, ATH students focused their studies on maternal health, HIV/AIDS, family planning, and type 2 diabetes, which is on the rise in the Dominican Republic. Many Haitian immigrants and low-income Dominicans reside in “bateys,” or rural communities of migrant sugarcane workers. They suffer extreme poverty and myriad health issues, including one of the highest HIV/AIDS rates in Latin America. In March Sorensen, ATH colleague Dr. Shannon Galvin of the Center for Global Health, and six students conducted a site visit in Guaymate.

“We assessed the types of interventions that had and had not worked successfully in the past,” said Ewurabena Hutchful (JD ’14), who participated in the site visit. “Batey residents, healthcare workers, local NGOs, youth, and educators identified the need for health education programs and prioritized the need for strengthened outreach to the especially vulnerable Haitian migrant population.”

Some potential solutions included establishing a community garden to help address the nutritional problems exacerbating type 2 diabetes; capitalizing on the popularity of a local baseball team to help disseminate nutritional information; and networking sex workers in separate communities so they may share HIV/AIDS prevention information and resources. In September, ATH faculty will meet with a community advisory board in Guaymate to finalize the project, which is expected to launch in October.

“Courses and projects like this enable us to effect real, tangible change in the world,” said Dean Daniel B. Rodriguez, “and working together in an interdisciplinary setting is the only way to tackle complicated access to healthcare issues. What’s more, programs such as ATH provide students with invaluable opportunities to build skills, work collaboratively, and improve the lives of people in the developing world. ATH is transforming the role of universities in the 21st century and the resources they bring not only to research and education but to community outreach on a global level.”

“This is the best experience I’ve had at Northwestern,” said Hutchful. “We contributed toward something that will make a difference to an entire community. We met with local stakeholders and a diverse community of people, some of whose voices would not otherwise be heard or reported… and their involvement will help drive the success of this project.”

—EWURABENA HUTCHFUL (JD ’14)
Justicia
Inside the court room at the Extraordinary Chambers in the Courts of Cambodia at the Duch verdict on July 26, 2010.
Between 1975 and 1979 the Khmer Rouge killed more than 17 million Cambodians. Invading Vietnamese troops ended the mass-atrocity crimes in 1979, but Khmer Rouge leader Pol Pot continued to operate along the Cambodia/Thailand border until he was detained by his own people in 1997. He died in 1998 without facing a court of law for his crimes. Ambassador David Scheffer, now a Northwestern Law professor, was instrumental in creating the Extraordinary Chambers in the Courts of Cambodia. Through this national court, Scheffer and his students work year-round to bring justice to the people of Cambodia.

By Tracy Marks
As a US State Department official between 1993 and 2001, David Scheffer helped establish the International Criminal Tribunals for the former Yugoslavia and Rwanda, the Special Court for Sierra Leone, and the permanent International Criminal Court at The Hague. He had just become the United States’ first war crimes ambassador when, in 1997, the Cambodian government appealed to the United Nations to establish a court to try those responsible for the Khmer Rouge’s atrocities.

Scheffer had worked on Cambodian issues before—in 1979, as an associate at the international law firm Coudert Brothers, where he worked pro bono to clear the legal hurdles involved in shipping desperately needed food aid up the Mekong River to Phnom Penh. He advocated the normalization of relations with Vietnam in the mid-1980s, a position that continued to stoke his interest in the politics of the region. So when the request for assistance came from the Cambodian government, Scheffer was uniquely positioned to negotiate the creation of the Extraordinary Chambers in the Courts of Cambodia (ECCC)—a difficult process that unfolded slowly, and by fits and starts, from 1997 to 2006. Even after he left the State Department at the end of the Clinton Administration, with most of the negotiations completed, Scheffer remained involved with the Cambodia tribunal. He now serves as a special expert on United Nations assistance to the Khmer Rouge trials.
The ECCC was established to bring to trial the surviving senior leaders of Democratic Kampuchea (Cambodia’s name under Pol Pot) and those most responsible for committing atrocity crimes (genocide, crimes against humanity, and war crimes). Since the ECCC began work in 2006, five people have been indicted. Kaing Guek Eav (known as Duch), who ran the Tuol Sleng prison camp in Phnom Penh, was convicted of crimes against humanity and grave breaches of the Geneva Conventions of 1949 and is serving a life sentence in a Cambodian prison. Ieng Thirith, former minister of social affairs and Pol Pot’s sister-in-law, was found unfit to stand trial due to dementia. Ieng Sary, former minister of foreign affairs and Ieng Thirith’s husband, died in March while his trial was under way. Both the prosecution and the defense have presented their cases and closing arguments are scheduled for October in the trial of Nuon Chea, former deputy secretary of the Communist Party of Kampuchea and second in command under Pol Pot, and Khieu Sampan, head of state in Democratic Kampuchea. A judicial investigation against several more unnamed suspects is ongoing.

“While other courts were established as international criminal tribunals, Cambodia’s situation required a different approach,” Scheffer said. “Years of negotiations resulted in establishing a national court that was ‘internationalized’ by a treaty between the United Nations and the government of Cambodia.” The ECCC requires participation of Cambodian judges, prosecutors, and administrators who work side by side.

“Students have extraordinary access to this process,” said Christine Evans (JD ’03, LLM IHR ’11), until recently the Monitor senior editor. “With at least 15,000 visitors per month from around the world, the website has been the main source for people looking for information about the Khmer Rouge trials. In addition to trial blogging, every day the Monitor assembles news articles about the tribunal and reports by NGOs and government organizations, and it provides commentary and legal analyses of the proceedings.”

Erica Embree (JD-LLM IHR ’15) traveled to Phnom Penh during the summer of 2012, where she spent a month writing daily trial blogs for the Monitor. “Observing the ECCC enriched my understanding of the practice of law, both the role of law in society and being an advocate,” Embree said. “Reporting the proceedings enhanced my ability to take a fair and balanced view. Objectivity is a highly valuable skill for a lawyer.”

Evans said she hopes that “historians down the road will be able to come directly to our website to understand what happened under the Khmer Rouge and what transpired in this unique court.”

The Monitor’s funding has been made possible for many years with generous grants from the J. B. and M. K. Pritzker Family Foundation, although that funding ended in September 2013. The Cambodia Tribunal Monitor can be found at: www.cambodiatribunal.org.
As the director of the Bluhm Legal Clinic’s Center for International Human Rights (CIHR), David Scheffer leads a group of faculty that provide a range of courses on international human rights, criminal, and humanitarian law, as well as unique clinical experiences that focus on the protection of global human rights and international criminal law, that together form an extraordinary set of interconnected opportunities for Northwestern Law students.

Among the CIHR’s many projects is the JD-LLM in International Human Rights (JD-LLM IHR), a four-year joint degree that provides students with the opportunity to gain a comprehensive foundation in international human rights and criminal law, that together form an extraordinary set of interconnected opportunities for Northwestern Law students.

As our graduates seek jobs throughout the international system, the LLM IHR credential will place them on par with top law graduates from the many countries where an advanced degree in law is more commonplace than it is here in the US.”

In addition to classroom work, students in the joint program are required to complete a semester-long externship with an international criminal tribunal, supreme court, or human rights organization. “Upon their return to campus, our joint degree students have, without fail, described the externship experience as a high point of their legal studies,” said Arimond.

Clare Diegel (JD-LLM IHR ’13) spent spring 2013 in Phnom Penh as a legal extern in the Office of the Co-Investigating Judges. One of only two Americans on the international staff of approximately 12, she was “constantly challenged by complicated legal issues, most of which incorporated elements of both common and civil law systems.” She now has lasting relationships with lawyers across the globe who are on the “cutting edge of international human rights law.” In addition to providing incomparable professional experience, being in Cambodia transformed Diegel personally as well. “Every day, I was blown away by the astounding resolve of the Cambodian people, and I was so proud to be working at a court seeking to bring this country justice.”

Northwestern Law also offers an LLM in International Human Rights for students with American JDs or law degrees from other countries who wish to undertake a comprehensive study of the norms and methods of international human rights law and their implementation by international courts and organizations and in domestic legal systems. The program has
Outreach and information gathering have been essential objectives of the ECCC in partnership with the Documentation Center of Cambodia (DC-Cam). “It is imperative that a new generation of Cambodians understand what happened under Pol Pot,” said Scheffer. Until a few years ago, no textbooks in secondary schools included information about the atrocities. Students learned about their own history through family members, if at all. DC-Cam is committed to maintaining the world’s most comprehensive databases on Khmer Rouge history, and one of its projects is the publication of new textbooks.

As part of the education process, buses drive all night so villagers can witness courtroom proceedings. More than 200,000 Cambodians have attended—more observers than all of the other modern war crimes tribunals combined. DC-Cam and court officials also meet with villagers to provide updates on the courtroom proceedings and encourage them to share their own stories.

“The justice that is being explored and rendered in these courtrooms, along with the involvement of the Cambodian people, will be the true legacy of the ECCC,” said Scheffer. “Because the trials are taking place in Cambodia instead of in The Hague, the ECCC will establish within Cambodia a precedent for the defeat of leadership impunity. Tribunals such as the ECCC show the world that atrocity crimes no longer will be tolerated and that leaders will be held accountable for their actions under international law.”

welcomed students from the United States and more than 30 countries, including Chile, India, Belgium, Lebanon, Yemen, Canada, the United Kingdom, Guinea, Panama, Spain, Eritrea, Mexico, Ghana, Bulgaria, the Philippines, Brazil, Cameroon, Cambodia, Kenya, Uganda, Ethiopia, Italy, Tanzania, South Africa, Belarus, France, Turkey, Thailand, Japan, South Korea, Iraq, Indonesia, China, Taiwan and Pakistan.

CIHR faculty members supervise students in clinical work as well. Students under faculty supervision have assisted with the preparation of filings before federal courts, international criminal tribunals, and human rights bodies, and some of them have gone on to work on the International Criminal Tribunals for the Former Yugoslavia and Rwanda, the Extraordinary Chambers in the Courts of Cambodia, and the International Criminal Court.

In 2012, the Center was granted special consultative status with the United Nations Economic and Social Council. Northwestern is one of only two law schools to be granted such status. Stephen Sawyer, clinical associate professor of law and the Center’s director of curricular projects, led the effort to achieve this status because it affords students the opportunity to gain first-hand insights into the deliberations of that body, as well as the chance to directly contribute to the UN’s important work on international human rights.

“The Center for International Human Rights has a long reach—from The Hague to Phnom Penh, they are bringing the instruments of justice and due process around the world,” said Dean Daniel B. Rodriguez. “Back home in Chicago, our students benefit enormously from the incomparable experiences this work makes available to them.”

Additional information about the Center for International Human Rights can be found at: www.law.northwestern.edu/legalclinic/humanrights.
Scheffer Awarded Fall 2013 Berlin Prize Fellowship

David J. Scheffer has received a Berlin Prize from the American Academy in Berlin for the fall 2013 term and will be a member of the academy’s 16th class of fellows, which includes writers, journalists, artists, policy experts, and a composer. The prize allows fellows to pursue independent study and engage with their German counterparts and with Berlin’s vibrant academic, cultural, and political life.

Scheffer, the Mayer Brown/Robert A. Helman Professor of Law and the director of the Bluhm Legal Clinic’s Center for International Human Rights, will use his fellowship to develop an in-depth examination of American policy during the Yugoslav wars, with particular focus on 1993 through 1996. Scheffer served on the Deputies Committee of the National Security Council and as senior counsel to UN ambassador Madeleine Albright during the first term of the Clinton administration. Drawing on those experiences, Scheffer will write a comprehensive narrative about US policy as war and atrocities swept over Bosnia-Herzegovina and Croatia and about how UN and NATO initiatives confronted realpolitik in national capitals and among the major players.

“This is both a terrific honor and an opportunity for David,” said Dean Daniel B. Rodriguez. “His excellent scholarship and advocacy have aided greatly in the development of meaningful international justice mechanisms.

This fellowship will allow him to expand that important work.”

Scheffer is the author of All the Missing Souls: A Personal History of the War Crimes Tribunals, which chronicles his work in the Clinton administration. During Clinton’s second term he served as the first US ambassador at large for war crimes issues and was instrumental in creating war crimes tribunals in the former Yugoslavia, Rwanda, Sierra Leone, and Cambodia. He led the US delegation in negotiations creating the International Criminal Court. In addition to his writing and teaching, Scheffer also serves as the UN secretary-general’s special expert on UN assistance to the Khmer Rouge trials.

A private, nonprofit, nonpartisan center for advanced research in a range of academic and cultural fields, the American Academy in Berlin was established in 1994 by Ambassador Richard C. Holbrooke to foster greater understanding and dialogue between the United States and Germany. Each year the academy awards Berlin Prize fellowships to about two dozen emerging or established scholars, writers, and professionals, who are selected by an independent committee.