

SANDRA L. BABCOCK

NORTHWESTERN LAW SCHOOL
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TEACHING

Clinical Professor, Center for International Human Rights, Northwestern University Law School 2006-Present
Teach clinical course on human rights advocacy as well as doctrinal classes in the field of human rights. Supervise students on wide variety of human rights projects, including capital defense work in the United States, litigation before international tribunals, advocacy before UN bodies, work with the Liberian Truth and Reconciliation Commission, prisoners' rights work in Malawi, and human rights advocacy in a variety of other countries. Represent Mexican nationals facing execution and advise the Government of Mexico regarding the defense of Mexican nationals on death row within the United States.

Recipient of Dean's Teaching Award, 2011
Dean Search Committee Member
Moot Court Judge, Jessup competition

Tulane Law School/University of Amsterdam 2004-present
Amsterdam, The Netherlands
Teach courses on international women's rights and international law and the death penalty

University of Addis Ababa, Ethiopia Dec. 2008
Taught course on gender and international human rights

South Texas Law School 1992-1993
Houston, Texas
Adjunct Law Professor
Taught course on Eighth Amendment jurisprudence and the death penalty.

EXPERIENCE

Director, Mexican Capital Legal Assistance Program 2000-2006
Director of the Mexican Capital Legal Assistance Program, a program funded by Mexico to assist Mexican nationals facing capital punishment in the United States. Advised the Mexican Foreign Ministry and Mexican consular officers in the U.S., supervised the work of 14 attorneys, consulted with trial and post-conviction attorneys, experts and investigators, met with diplomats and consular officials, organized training seminars for consular officials and defense attorneys, negotiated with prosecutors, and represented the Government of Mexico in state and federal courts around the United States. I also served as counsel for the Government of Mexico in litigation on behalf of 54 Mexican nationals before the International Court of Justice in *Avena And Other Mexican Nationals (Mex. v. U.S.)* and before the United States Supreme Court in *Medellin v. Dretke*.

Sole Practitioner 1999- 2006
Criminal defense attorney and consultant in the area of international criminal law. Speaker at national conferences regarding the representation of foreign nationals and the application of international law by United States courts. Argued before the Inter-American Court on Human Rights and the Inter-American Commission on Human Rights.

Hennepin County Public Defender 1995-1999
Minneapolis, MN
Assistant Public Defender
Trial lawyer. Represented criminal defendants in state court facing felony and misdemeanor charges.

Texas Capital Resource Center 1991-1995
Austin, TX
Supervising Attorney
Litigated capital cases in state and federal habeas corpus proceedings. Represented four foreign nationals under sentence of death; conducted investigation in Mexico, Vietnam, and Canada; and worked closely with government officials to enlist their support of foreign citizens on death row. Wrote briefs, habeas corpus petitions, and petitions for writ of certiorari, often under the pressure of an imminent execution date. Conducted evidentiary hearings, investigated guilt and punishment phases of capital cases, and argued before the United States Court of Appeals for the Fifth Circuit.

E. Moosa & Associates Summer 1989
Cape Town, South Africa
Investigated human rights abuses by the South African police.

United Nations Branch for the Advancement of Women 1986-1987
Researched the role of women in East African development projects as a Watson fellow.

EDUCATION

Harvard Law School, J.D., June 1991
CIVIL RIGHTS/CIVIL LIBERTIES LAW REVIEW, Executive Editor
Harvard Human Rights Program

Johns Hopkins University, B.A. in International Relations, June 1986
Phi Beta Kappa
Harry S. Truman Fellow
Watson Fellow

Bologna Center, Johns Hopkins School of Advanced International Studies,
1984-1985

HONORS AND AWARDS

Awarded the *Aguila Azteca* by the Government of Mexico, May 2003, for legal assistance provided to Mexico and Mexican nationals facing the death penalty in the United States. The *Aguila Azteca* is the highest honor bestowed by the Government of Mexico upon citizens of foreign countries.

Minnesota Association of Criminal Defense Lawyers, Outstanding Legal Achievement Award, February 25, 2006.

Outstanding Legal Service Award, National Coalition to Abolish the Death Penalty, October 2004.

Access to Justice Award, Minnesota Hispanic Bar Association, October 23, 2003.

Volunteer Award, Minnesota Advocates for Human Rights, June 2004.

1997 "Public Defender of the Year," Hennepin County Public Defender's Office.

Recognized as one of the outstanding criminal defense lawyers in the State of Minnesota by *Minnesota Law and Politics* magazine for five consecutive years.

PUBLICATIONS

Death Penalty Worldwide, <http://www.deathpenaltyworldwide.org/index-cihr.cfm>.

The death penalty worldwide project includes a comprehensive database on the laws and practices of 90 countries and two territories that continue to apply the death penalty. It represents the first attempt by any academic institution to compile this information and make it available to the public. Two years of research went into the project, which also includes information on various topics of international law and the death penalty. Financial support for the database was received from the European Union, through the World Coalition Against the Death Penalty, as well as the Proteus Action League. The database will be launched in Strasbourg at the Council of Europe on April 14, 2010.

Violations of Article 36 of the Vienna Convention on Consular Relations: Litigation and Its Effects in U.S. Capital Cases, in FROM THE WORLD COURT TO THE UNITED STATES SUPREME COURT: THE VIENNA CONVENTION LITIGATION AND ITS IMPACT ON INTERNATIONAL LAW (Cambridge Univ. Press 2010) (forthcoming).

Human Rights Advocacy in United States Capital Cases, in THE CONTEMPORARY HUMAN RIGHTS MOVEMENT IN THE UNITED STATES (2007).

The Global Debate on the Death Penalty, in AMERICAN BAR ASSOCIATION, HUMAN RIGHTS, Spring 2007.

The Growing Influence of International Tribunals, Foreign Governments and Human Rights Perspectives in United States Death Penalty Cases, in CENTER FOR CAPITAL PUNISHMENT STUDIES, OCCASIONAL PAPERS vol. 2 (August 2005).

The Role of International Law in United States Death Penalty Cases, 15 LEIDEN J. INT'L LAW (2002).

L'application du droit international dans les exécutions capitales aux Etats-Unis: de la théorie à la pratique, in LA PEINE CAPITALE ET LE DROIT INTERNATIONAL DES DROITS DE L'HOMME, Université Panthéon-Assas (Paris II) (2003)(in English with introduction in French).

Co-author, *Namibia: Constructive Engagement and the Southern Africa Peace Accords*, 2 HARV. HUM. RTS. J. 149 (1989).

GRANTS

RECEIVED: Received \$8,000 from the Proteus Action League for completion of an on-line database regarding the application of the death penalty worldwide

European Union funded an independent researcher to assist me in completing an on-line database regarding the application of the death penalty worldwide, in the amount of 50,400 euros

BAR Admitted to the Texas and Minnesota Bars, Fifth Circuit Court of Appeals, United States Supreme Court.

LANGUAGES Proficient in Spanish and French, conversational Italian and German

RECENT LECTURES AND PRESENTATIONS (not a complete list):

Panelist, "Finding Mitigation When the Client is a Foreign National," Habeas Assistance and Training Counsel Project, Eighth National Seminar on the Development and Integration of Mitigation Evidence, Chicago, IL, April 2, 2011.

Panelist, "Representing Foreign Nationals and Asylees," California Attorneys for Criminal Justice, Monterey, California, Feb. 20, 2011.

Panelist, "The Relevance (or Irrelevance) of International Law to the Abolition of the Death Penalty," Vermont Law School, Law Review Symposium, Feb. 11, 2011.

Panelist, "L'iniezione letale e la pena di morte," Hands off Cain, Rome, Italy, Dec. 3, 2010.

Speaker, "Reflecciones sobre la pena de muerte," Academic Network Against the Death Penalty, Madrid, Spain, Oct. 4, 2010.

Speaker, "Reflections on the Death Penalty," 16th International Seminar of the Brazilian Institute of Criminal Sciences, Sao Paulo, Brazil, Aug. 26, 2010.

Panelist, "Abolition of the Death Penalty," 16th International Seminar of the Brazilian Institute of Criminal Sciences, Sao Paulo, Brazil, Aug. 27, 2010.

Panelist, "Author Meets Reader – The Next Frontier: National Development, Political change, and the Death Penalty in Asia," Law and Society Association, Chicago, May 28, 2010.

Panelist, "Innovative Models and Solutions: Reducing Prison Overcrowding through Paralegals and Other Programmes," United Nations Office on Drugs and Crime 12th Quinquennial Congress, Salvador, Brazil, Apr. 15, 2010.

Moderator, "Privatization of Prisons: Global Trends and the Growing Debate," United Nations Office on Drugs and Crime 12th Quinquennial Congress, Salvador, Brazil, Apr. 14, 2010.

Panelist, “Death Penalty: Abolition or Moratorium,” United Nations Office on Drugs and Crime 12th Quinquennial Congress, Salvador, Brazil, Apr. 13, 2010.

Panelist, “Promoting Abolition Through Academic Research and Collaboration,” World Congress Against the Death Penalty, Geneva, Switzerland, Feb. 25, 2010.

Speaker, “Representing Foreign Nationals,” at conference sponsored by California Attorneys for Criminal Justice, Monterey, CA, Feb. 14, 2010.

Panelist, “The Status of the Death Penalty Worldwide,” American Bar Association CLE sponsored by the International Human Rights Subcommittee of the Section on International Law, Feb. 2, 2010.

Panelist, “Conditions and Limits for International Legal Cooperation Regarding the Death Penalty,” Conference sponsored by the Centro de Estudios Políticos y Constitucionales, Madrid, Spain, Dec. 11, 2010 (Presentation given in Spanish).

Speaker, “International Legal Standards and the Death Penalty” and “Challenges in the Application of the Death Penalty: The U.S. Experience,” at seminar sponsored by the Moroccan Ministry of Justice and the Centre for Capital Punishment Studies, Rabat, Morocco, Oct. 5-7, 2009.

Speaker, “Representing Non-English Speakers: Culture, Language and Mental Health”, Wisconsin State Public Defender Annual Conference, Sept. 24, 2009.

Speaker, “Representing Mexican Nationals on Death Row,” Women’s Law Association, Harvard Law School, March 9, 2009.

Speaker, “International Perspectives on the Death Penalty,” Constitutional Rights Foundation, Oak Brook, IL, Feb. 21, 2009.

Panelist, “Unfinished Business: Human Rights Treaties and the Obama Administration,” panel organized by the Journal of International Human Rights, Feb. 3, 2009.

Panelist, “International Policy in the Obama Administration,” panel organized by Amnesty International and the International Law Society, Jan. 23, 2009.

Panelist: “Retos para el Derecho Internacional post-Medellin y retos para el Estado Mexicano en espera de próximas ejecuciones,” Universidad Iberoamericana, October 30, 2008, Mexico City, Mexico.

Panelist, “Medellin v. Texas: U.S. Compliance with ICJ Judgments and Treaties, American Branch of the International Law Association International Law Weekend 2008, October 17, 2008, New York, NY

Speaker, Learning for Life Lecture Series, “From the Hague to Houston: The International Court of Justice and Mexican Nationals on Death Row,” October 8, 2008, Chicago, IL

Presentation for Military Commissions Lawyers on “International Human Rights Law and the Military Commissions Act,” American Civil Liberties Union, September 29, 2008, New York, NY

Speaker, “International Law: New Developments, Trends, and Ideas,” Thirteenth Annual Federal Habeas Corpus Training Seminar, August 22, 2008, St. Louis, MO

Honorary Committee Member, Midwest Light of Human Rights Awards Ceremony Benefitting Heartland Alliance, June 10, 2008

Expert Meeting on the Evolving Inter-American Human Rights System, April 8, 2008, New York, NY

Panelist, "Relevance of the Use of the Inter-American System for the Protection of Human Rights", at Conference entitled "The United States and the Inter-American Human Rights System, organized by Columbia University Law School and the Center for Justice and International Law, New York, NY, April 7, 2008

Panelist, "The Quest for International Justice," at A Celebration of Public Interest, Harvard Law School, March 13-15, 2008.

Speaker, "Client to Cause: locating our work, identifying the tensions, pedagogic opportunities and goals," Annual Human Rights Clinicians Conference, March 1, 2008.

"The Death Penalty and Civil Rights," New Haven Festival of Arts and Ideas, June 10, 2007.

Yale Law School, September 20, 2006, "Enforcing International Law in U.S. Death Penalty Cases: From The Hague to Houston."

Keynote Speaker, Amnesty International Human Rights Awards Dinner, University of St. Thomas School of Law, April 19, 2006.

"Understanding Mitigation After Wiggins," and "Brainstorming Mexican National Cases," at California Attorneys for Criminal Justice Annual Conference, Monterey, California, Feb. 17-20, 2006.

"La Pena de Muerte en Estados Unidos," Mexican Foreign Ministry, Instituto Matias Romero, lectures given to students in diplomatic academy in 2001, 2002, 2004, and 2005, Mexico City, México.

"International Standards on the Death Penalty," at the International Leadership Conference on the Death Penalty in Tokyo, Japan, Dec. 7, 2005.

"Using International Law in a Criminal Defense Practice," Presented at National Lawyers Guild Convention, Portland, Oregon, October 27, 2005.

Boalt Hall School of Law, University of California, October 12, 2005, "Representing Mexican Nationals in U.S. Death Penalty Cases."

"Using International Decisions in U.S. Courts," Lecture presented at CLE on "International Advocacy in U.S. Human Rights Cases: Training Program on U.N. Mechanisms," University of Minnesota Human Rights Program, September 23, 2005.

University of Texas Law School, "International Law and the Death Penalty: The Case of José Medellín," September 14, 2005.

"Roper v. Simmons, Lethal Injection and Other Systemic Challenges to the Administration of the Death Penalty," Minnesota Advocates for Human Rights, May 24, 2005.

University of San Francisco Law School, "Representing Mexican Nationals Facing the Death Penalty," February 22, 2005.

Minnesota State Bar Association, "Racial Bias and the Death Penalty," December 6, 2004.

Duke University, Center for Latin American & Caribbean Studies, November 18, 2004, "Defending Mexican Nationals on Death Row: International Law and the Administration of the Death Penalty in the United States."

Suffolk University Law School, November 1, 2004, "The Application of International Law by U.S. Courts."

"Expect the Unexpected: The Victories," and "Litigating International Law Claims," 9th Annual National Federal Habeas Corpus Seminar, St. Louis, Missouri, August 19-20, 2004.

Keynote Speaker, NAACP Legal Defense Fund Annual Conference for Capital Defense Lawyers, Airlie, Virginia, July 23, 2004.

Ford Foundation: "Close to Home: Human Rights and Social Justice Advocacy in the United States," Panelist, "Human Rights and U.S. Law," June 21, 2004, New York, New York.

"International Law and the Death Penalty," at CLE on Human Rights Law & Policy organized by Minnesota Advocates for Human Rights, June 18, 2004, Minneapolis, Minnesota.

University of Notre Dame Law School, Center for Civil and Human Rights, International Justice Project participant, May - November 2004.

"International Tribunals: Mexico v. United States," Midwest Regional Conference for Women in the Law, April 22, 2004, Minneapolis, Minnesota.

University of Texas, The Mexican Center of LLIAS Conference: The Death Penalty and Mexico-U.S. Relations: Historical Continuities and Present Dilemmas, April 14, 2004, "Avena and Other Mexican Nationals v. United States."

William and Mary School of Law, Conference on the Death Penalty and International Law, Panelist on "Consular Notification," Williamsburg, Virginia, April 5, 2004.

University of Virginia, J.B. Moore Society of International Law: International Law and Practice in American Constitutionalism. Charlottesville, Virginia, March 20, 2004, "Cruel and Unusual Punishment."

"Brainstorming Mexican National Cases," and "Mitigation in Mexico," at California Attorneys for Criminal Justice Annual Conference, Monterey, California, Feb. 13-16, 2004.

Boalt Hall School of Law, University of California, October 18, 2003, "Deadly Course: International Law and Capital Punishment."

University of Westminster School of Law, London, October 14, 2003, "The Growing Influence of International Tribunals, Foreign Governments and Human Rights Perspectives in United States Death Penalty Cases."

"Litigation Before the International Court of Justice in *Mexico v. United States*," Dorsey and Whitney, Minneapolis, Minnesota, November 13, 2003.

American Civil Liberties Union Human Rights at Home: International Law in U.S. Courts Conference, Carter Center, Atlanta Georgia, October 10-11, 2003, “Using Non-U.S. Court and Regional Fora,” and “Death Penalty: Practice Area Breakout.”

Avocats San Frontières, “Del Proceso penal inquisitivo hacia el acusatorio,” Bogotá, Colombia, August 4, 2003.

Canadian Department of Foreign Affairs, “Transcending Barriers: 25th Anniversary of International Transfer of Offenders Program,” Presentation on Prisoner Exchange Treaties, Ottawa, Canada, May 23, 2003.

“Litigating U.S. Human Rights Cases Before the Inter-American Commission on Human Rights,” Forum organized by the Bringing Human Rights Home Lawyers Network, Columbia Law School, January 31, 2003.

“The Impact of International Law in Death Penalty Litigation in the U.S.” American Bar Association Annual Meeting, Washington, D.C., June 19, 2002.

Organizer and Presenter, “Know Your Rights: An Information Meeting for the Arab, Muslim, and Somali Communities,” February 5, 2002, Minneapolis, Minnesota.

REPRESENTATIVE CASES:

International Tribunals:

Avena and Other Mexican Nationals (Mex. v. U.S.), 2004 I.C.J. 128 (Mar. 31):

Counsel for the Government of Mexico before the International Court of Justice on behalf of 54 Mexican nationals on death row around the United States. Argued before the Court.

Request for Interpretation of the Judgment of 31 March 2004 in the Case Concerning Avena and Other Mexican Nationals (Mex. v. U.S.), 2009 I.C.J. 139 (Jan. 19):

Counsel for the Government of Mexico before the International Court of Justice in case regarding the interpretation of *Avena and Other Mexican Nationals*. Argued before the Court.

The Right to Information on Consular Assistance in the Framework of the Guarantee of the Due Process of Law, Advisory Opinion OC-16/99, Inter-American Court of Human Rights, Ser. A N° 16 (1999):

Counsel for Minnesota Advocates for Human Rights as *Amicus Curiae* in support of Mexico’s request for an advisory opinion. Argued.

Report No. 91/05, Case No. 12.421, *Javier Suárez Medina v. United States:*

Counsel for Petitioner in death penalty case before Inter-American Commission on Human Rights. Argued.

Report No. 82/04, Case 12.430, *Roberto Moreno Ramos v. United States:*

Counsel for Petitioner in death penalty case before Inter-American Commission on Human Rights. Argued.

Report No. 45/08, Case No.12.644, *José Medellín Rojas, et. al. v. United States*

Counsel for three Petitioners in death penalty case before Inter-American Commission on Human Rights. Argued.

Domestic Courts

***Medellín v. Texas*, 128 S.Ct. 1346 (2008):**

Counsel for the Government of Mexico as *Amicus Curiae* in case before the U.S. Supreme Court regarding the enforceability of ICJ judgments in U.S. courts.

***Kennedy v. Louisiana*, 129 S. Ct 127 (2008):**

Counsel for Leading British Law Associations, Scholars, Queens Counsel and Former Law Lords as *Amici Curiae* in support of Petitioner in U.S. Supreme Court case in which the court ultimately found the Eighth Amendment to the U.S. Constitution prohibited the application of the death penalty for the crime of child rape.

***Gutierrez v. State*, No. 53506 (Nev. 2011):**

Counsel for Government of Mexico as *Amicus Curiae* in death penalty case in Nevada Supreme Court. Argued.

***Ex parte Leal Garcia*, No. 76,049 (Tex. Crim. App. 2009):**

Counsel for death row inmate seeking access to DNA evidence. Argued.

***In re Omar Fuentes Martínez*, No. 141480 (Cal. 2009):**

Counsel for Mexican national seeking to have the California Supreme Court enforce his rights under the ICJ's *Avena* Judgment. Argued.

***Marquez Burrola v. State*, 157 P. 3d 747 (2007):**

Counsel for the Government of Mexico as *Amicus Curiae* in case in which the Oklahoma Court of Criminal Appeals determined that a Mexican national had been deprived of the effective assistance of counsel after his trial lawyer failed to make use of resources available through the Government of Mexico and the Mexican Capital Legal Assistance Program.

***Torres v. State*, 120 P.3d 1184 (Okla. Crim. App. 2005):**

Counsel for Petitioner in case in which the Oklahoma Court of Criminal Appeals determined to comply with the decision of the ICJ in *Avena and Other Mexican Nationals*, remanded the case for an evidentiary hearing, and ruled that the petitioner had been prejudiced by the violation of his consular

rights. Met with Governor Brad Henry in successful effort to persuade him to commute the death sentences of Mr. Torres.

***Valdez v. State*, 46 P.3d 703 (Okla. Crim. App. 2002):**

Counsel for Government of Mexico as *Amicus Curiae* in case in which the Oklahoma Court of Criminal Appeals decided to reverse the death sentence of a Mexican national who was deprived of his rights to consular assistance.

***Suarez Medina v. State*, 536 U.S. 579 (2002):**

Counsel for the Governments of Mexico, Argentina, Brazil, Chile, Colombia, El Salvador, Guatemala, Honduras, Panama, Paraguay, Poland, Spain, Uruguay and Venezuela as *Amici Curiae* before the United States Supreme Court in support of Mexican national deprived of his consular rights.