

Appendix I – Statements of Interest of *Amici Curiae*
In Application for Leave to Submit Observations as *Amici Curiae*

The following individuals and organizations join together to submit this application for leave to submit observations as *amici curiae* and offer the following statements of interest:

Individuals (*in alphabetical order*)

1. **Felice D. Gaer** is a former vice chair and current member of the United Nations' treaty monitoring body, the Committee Against Torture, on which she has served since 2000. She is the director of the Jacob Blaustein Institute for the Advancement of Human Rights, founded in 1971. Gaer was a public member of nine U.S. delegations to UN human rights negotiations between 1993 and 1999, including the UN Commission on Human Rights, the World Conference on Women (1995), and the World Conference on Human Rights (1993.) In 1998, Gaer was chair of the steering committee for the 50th anniversary of the Universal Declaration of Human Rights, a coalition of more than 100 organizations.

2. **Claudio Grossman** serves as chairperson of the United Nations' Committee Against Torture, on which he has served since 2003. Grossman is dean of American University Washington College of Law in Washington, D.C., U.S.A., and the Raymond I. Geraldson Scholar for International and Humanitarian Law. Previously, he was a member of the Inter-American Commission on Human Rights from 1993-2001, where he served in numerous capacities including twice as its President (1996 and 2001) as well as the special rapporteur on the rights of indigenous populations and the special rapporteur on women's rights. He is also a member of the Commission for the Control of Interpol's Files. Grossman also served as president of the College of the Americas, an organization of colleges and universities in the Western Hemisphere, from November 2003-November 2007.

3. **Soyata Maiga** is the Commissioner and Special Rapporteur on the Rights of Women in Africa of the African Commission on Human and Peoples' Rights. Ms. Maiga is a graduate of the École Nationale de la Magistrature de Paris. She served as a magistrate from 1976 to 1990. Currently, she is a lawyer and president of the Association des juristes maliennes. She received the title of Pionière from the Fédération des Juristes Africaines at their fifth conference, held in March 2005 in Dakar, in recognition of her commitment to promoting equal gender rights and the protection of women. She is also a member of Mali's Commission Nationale des Droits and serves as an International Member of the Board of Directors of Rights & Democracy.

4. **Rashida Manjoo** is the United Nations Special Rapporteur on violence against women, its causes and consequences. She is an Advocate of the High Court of South Africa and a former Parliamentary Commissioner of the Commission on Gender Equality, a constitutional body mandated to oversee the promotion and protection of gender equality in South Africa. Prior to this appointment she designed training programs for judges and lawyers at the Law, Race and Gender Research Unit, University of Cape Town. She was involved in setting up both a national and a provincial network on violence against women and is the founder of the Gender Unit at the Law Clinic at the University of Natal as well as the Domestic Violence Assistance Programme at the Durban Magistrates Court (the first such project in a court in South Africa). Most recently she was the Des Lee Distinguished Visiting Professor at Webster University, USA where she taught courses in human rights with a particular focus on women's human rights and transitional justice. Ms. Manjoo has also served as a clinical instructor and as the Eleanor Roosevelt Fellow with the Human Rights Program at Harvard Law School. She is also a Research Associate in the Law Faculty of the University of Cape Town, South Africa.

5. **Vahida Nainar** formerly served as Executive Director of the Women's Caucus for Gender Justice, which participated actively in the ICC negotiations, and was a participant at the Rome Conference in 1998. She has been working on women's rights/human rights issues for the past 18 years. Nainar founded and directed the Women's Research and Action Group, Mumbai, and continues to remain involved as member of the Board of Trustees. She is a former board member of the Women's Initiatives for Gender Justice, The Hague; the Urgent Action Fund for Women's Human Rights, USA & Kenya and International Solidarity Network of Women Living Under Muslim Laws, London. She was an Adjunct Professor at the International Women's Human Rights Law Clinic, CUNY School of Law, New York.

6. **Manfred Nowak*** has served as the United Nations special rapporteur on torture, and other cruel, inhuman and degrading treatment, since 2004. He has also served as an expert member of the UN Working Group on Enforced and Involuntary Disappearances (1993 to 2001), UN expert on missing persons in the former Yugoslavia (1994 to 1997), UN expert on legal questions on enforced disappearances (since 2002) and judge at the Human Rights Chamber for Bosnia and Herzegovina (1996 to 2003). Nowak is chairperson of the European Master's Degree in Human Rights and Democratization (EMA) in Venice, chairperson of a visiting commission of

* In respect of those amici enjoying functional privileges and immunities under the General Convention of the Privileges and Immunities of the United Nations (1946), this application is made without prejudice to those privileges and immunities.

the Human Rights Advisory Board of the Austrian Minister of Interior carrying out preventive visits to places of police detention and monitoring the use of force by Austrian law enforcement personnel, member of the International Commission of Jurists, He also serves as adviser to the UN High Commissioner for Human Rights on a human rights approach to poverty reduction strategies etc.

7. **Sir Nigel Rodley** currently serves as chair of the University of Essex Human Rights Center and as a Commissioner of the International Commission of Jurists. From 1993-2001, he served as the UN Special Rapporteur on Torture, and Other, Cruel, Inhuman and Degrading Treatment. He is a founding member and former Executive Committee Vice-Chairman of INTERIGHTS: International Centre for the Legal Protection of Human Rights, a member of the International Independent Group of Eminent Persons, (IIGEP), a group of experts invited by the President of Sri Lanka Mahinda Rajapaksa to observe the workings of a Presidential Commission of Inquiry into serious Human Rights violations in Sri Lanka.

8. **Theo van Boven** served as UN Special Rapporteur against Torture from 2001-2004. He has served as Director of the United Nations Human Rights Division and has been a member of the United Nations Sub-Commission for the Promotion and Protection of Human Rights and of the Committee on the Elimination of Racism and Discrimination. He was also the first Registrar of the International Criminal Tribunal for the Former Yugoslavia. He is a former Vice-President of the International Commission of Jurists; former President of the Netherlands Association of International Law; and a member of the Board of the International Movement against All Forms of Discrimination and Racism. He has also served as Special Rapporteur of the United Nations Sub-Commission on the Rights to Restitution, Compensation and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms (1990- 1993).

Organizations *(in alphabetical order)*

1. **Center for Constitutional Rights.** The Center for Constitutional Rights (CCR) is a national non-profit legal, educational and advocacy organization dedicated to advancing and protecting the rights guaranteed by the United States Constitution and international law. (www.ccrjustice.org). Founded in 1966 during the U.S. Civil Rights Movement, CCR has a long history of litigating cases on behalf of victims of gender-based violence and

discrimination. Pioneering work done by CCR has included bringing human rights claims on behalf of survivors of torture, including rape and other sexual violence. In the mid-1990s, CCR, working in coalition with women's groups, filed *amicus* briefs before the United Nations International Criminal Tribunal for the former Yugoslavia in the *Furndzija* and *Tadic* cases on matters related to the charging and prosecution of sexual-violence based crimes, including rape as a war crime, crime against humanity and form of torture. CCR also was a signatory to an *amicus* brief in the *Akayesu* case before the United Nations International Criminal Tribunal for Rwanda on prosecuting rape and other forms of sexual violence.

2. **Coalition for Women's Human Rights in Conflict Situations.** Founded in 1996, the Coalition for Women's Human Rights in Conflict Situations (Coalition) is comprised of lawyers, legal scholars, women's rights activists and NGOs concerned with international justice. The mandate of the Coalition is to ensure that crimes committed against women in conflict situations are adequately examined and prosecuted. The Coalition works to end the invisibility of women's human rights abuses in conflict situations, condemn sexual violence and other inhumane treatment of women as deliberate instruments of war, and ensure that these practices are prosecuted as war crimes, torture, crimes against humanity, and crimes of genocide, where appropriate. Working at the local and international levels, Coalition members act as resources for consultation and debate on the integration of a gender perspective in transitional justice systems. Coalition efforts also seek to strengthen international and regional capacity to monitor women's human rights during and after periods of conflict. The main focus of the Coalition's work is to promote the prosecution of perpetrators of crimes of gender violence in transitional justice systems working in Africa, in order to create precedents that recognise violence against women in conflict situations and find ways to obtain justice and reparations for survivors of sexual violence. The work of the Coalition is coordinated by the Montreal-based Rights & Democracy.
3. **The Feinstein International Center.** The Feinstein International Center (FIC), USA, is a research institute committed to shaping the politics and policy of aiding vulnerable populations in areas of armed conflict, the protection and rights of people living in crises situations, and on the restoration of lives and livelihoods. The FIC's research feeds into its long-term partnerships with national and international human rights and humanitarian agencies to bring about institutional changes that enhance effective policy towards the protection of human rights.

4. **Greater Boston Legal Services, Inc., Immigration Unit.** Greater Boston Legal Services (GBLS) provides free civil (non-criminal) legal assistance to low-income people in Boston and thirty-one additional cities and towns in the U.S. The help offered ranges from legal advice to full case representation, depending on client need. The Immigration Unit represents people fleeing persecution in their own countries, undocumented battered women and undocumented unaccompanied minors to help them obtain legal status and to defend them in proceedings to remove them from the U.S. The Unit also provides advice, referrals and information on a wide range of other immigration questions through its intake clinics. The Unit has a focus on securing formal acknowledgment by immigration agencies of gender-based violence world-wide, opening access of refugee women to political asylum and other protected status in the U.S., and promoting development of asylum law.
5. **International Women's Human Rights Law Clinic** has played a leading role before *ad hoc* tribunals and in the human rights system in establishing rape as torture under international law. With regard to the ICC, IWHR has special expertise on the Rome Statute, particularly with regard to the history, basis and manner of the inclusion of offenses of sexual and gender violence as the clinic served as legal secretariat for the Women's Caucus for Gender Justice through the negotiations toward the ICC. Founded in 1992, IWHR works *pro bono* on behalf of clients who are indigent and/or who present human rights claims in litigation. IWHR also collaborates with feminist groups, lawyers and scholars in the United States and internationally in advocacy projects to advance women's human rights in theory and practice. IWHR is based in New York, N.Y., USA, and is a law clinic at the City University of New York School of Law and a part of Main Street Legal Services, Inc. a non-profit corporation of the Law School.
6. **Jacob Blaustein Institute for the Advancement of Human Rights**, founded in 1971, works to clarify basic human rights concepts and issues, to strengthen international human rights institutions, and to encourage education on international human rights in learning institutions of all levels. JBI works to develop effective international legal tools and strategies for human rights advocacy. JBI also works with networks of human rights organizations, legal groups, and academic institutions.
7. **medica mondiale** is a German NGO which provides psychosocial and trauma counselling, medical support as well as free legal defense representation and advice and is also engaged in issue specific research and a strong national and international women's human rights advocacy on (sexualized) violence against women in war and crisis regions.

8. **REDRESS.** The Redress Trust (REDRESS) is an international human rights non-governmental organisation, based in London, with a mandate to assist torture survivors to seek justice and other forms of reparation. It has accumulated a wide expertise on the on the various facets of the international prohibition against torture and the rights of victims of torture and other serious violations of human rights and humanitarian law to gain both access to the courts and redress for their suffering, and has advocated on behalf of victims from all regions of the world. REDRESS regularly takes up cases on behalf of survivors and has wide experience with interventions before national and international courts and tribunals. At the domestic level, REDRESS assists lawyers representing survivors of torture seeking some form of remedy such as civil damages, criminal prosecutions or other forms of reparation including public apologies. At the international level, REDRESS represents individuals who are challenging the effectiveness of domestic remedies for torture and other forms of ill-treatment, including the scope and consequences of the prohibition of torture in domestic law, the State's obligation to investigate allegations, prosecute and punish perpetrators, as well as the obligation to afford adequate reparations to the victims. REDRESS has an extensive programme of work on the International Criminal Court in which it works at both the policy and operational level to support victims' access to justice. It was actively involved in the Rome Conference and continued ever since to engage with the ICC on the range of issues regarding victim participation and reparation.

9. **Rights & Democracy** is a non-partisan, independent Canadian institution created by an Act of Parliament in 1988 to promote democratic development and to advocate for and defend human rights set out in the International Bill of Human Rights. In cooperation with civil society and governments in Canada and abroad, Rights & Democracy initiates and supports programmes to strengthen laws and democratic institutions, principally in developing countries.

10. **Women's Rights International**, a project of The Tides Center, supports the local documentation of human rights violations by adapting research methodology and statistical analysis techniques to document the impact of war on women.
