



# Human Rights Begin at Home

**2019-2020 Impact Report**

# Letter From Our Executive Director

## Dear Friends,

It's my privilege to present highlights from our work in this 2019/2020 impact report. Much has happened over the past two years. We filed a **new case** to help bring an end to fifty years of impunity for a perpetrator of Argentina's Trelew Massacre. We won **our third victory** for survivors of Somalia's brutal Siad Barre dictatorship, the only cases in the world that have sought accountability for the regime's abuses. We filed **seven amicus briefs**, including at the U.S. Supreme Court and the International Criminal Court. And we've continued to work on cases ranging from accountability for the **crimes of the Khmer Rouge** to seeking justice for victims of **Colombia's paramilitaries**.

Our community has also experienced loss. Last year, our co-founder Gerald Gray passed away. Jerry was a **champion of survivors**. As a therapist, he understood how important justice and recognition can be in the healing process. He was a tenacious fighter for the rights of the most marginalized, and we dedicate this impact report to him.

We have faced challenges, from human rights crises at home in the United States to a global pandemic that has profoundly impacted everyone in the CJA community. Over the past year, COVID-19 restrictions have given us all new perspectives on the importance of home. But at CJA, we have always known that home is where human rights begin, take root, and flourish. Our work is intimately tied to the idea of home – of grounding responses to atrocity in the places and communities most impacted.

We work with civil society in the United States to address human rights violations here at home. When protests broke out around the world against the extrajudicial killings of Black Americans by U.S. law enforcement last summer, CJA **took action**. We partnered with a coalition of organizations to petition the Inter-American Commission on Human Rights for a hearing on police brutality and systemic racism in the United States. The hearing centered on voices at the heart of this crisis: mothers and Black activists long engaged in the struggle for racial justice.

We partner with advocates around the world to empower them to fight human rights abuses in their home countries. Beginning in 2019, we undertook an ambitious project to support lawyers and human rights defenders investigating atrocity crimes committed in Syria and Iraq. Our peer-mentoring approach supports grassroots advocates in their efforts to document abuses committed against their communities, preserve evidence of serious violations, and play an integral role in accountability processes.

We collaborate with local human rights defenders to support international accountability. When a former member of Gambian dictator Yahya Jammeh's

notorious Junglers death squads was arrested in Colorado, we worked with Gambian and international organizations to ensure that he wasn't simply returned to the Gambia where the prospect of accountability was uncertain. **We called on the United States** to investigate the credible allegations of grave international crimes committed by Michael Sang Correa. On June 11, the U.S. Department of Justice announced Correa's indictment on six counts of torture and one count of conspiracy to commit torture. This is the first prosecution of a Jungler anywhere in the world, and we will be representing victims of his crimes as this case moves forward.

Our transnational cases also amplify local activism. Three years ago, we worked with Liberian human rights defenders to bring **a case** in the U.S. against a former commander of the Armed Forces of Liberia.

He's alleged to be responsible for the Lutheran Church Massacre, one of the most horrific events in Liberia's back-to-back civil war. Cases like ours fuel ongoing demands from Liberian civil society for domestic accountability. And as our litigation proceeds, we continue to support the work of local activists seeking justice for war crimes, from advocacy before the United Nations to calling on the Liberian government to protect human rights defenders.

As we look back on these past two years, it is clear that we are living in extraordinary times. But we also have an extraordinary community. We remain connected with activists, partners, and supporters in ways we never thought possible just months ago. Thanks to all of you, we'll continue to seek truth, justice, and redress for survivors of atrocity in 2021 and beyond.

In solidarity,



Carmen Cheung



**At CJA, we have always  
known that home is where  
human rights begin, take  
root, and flourish.**



# Our Mission & History

**From Argentina to Syria, to right here in the United States, we partner with survivors and their communities in pursuit of truth, justice, and redress.**

We deter torture, war crimes, crimes against humanity, and other severe human rights abuses through impact litigation and innovative transitional justice strategies. CJA was founded in 1998 on a principle developed in the Nuremberg trials after World War II: that certain crimes are so egregious that they represent offenses against all humankind. For the past 22 years, we have worked tirelessly to achieve our vision of a world in which justice thrives – where every nation can provide meaningful avenues for accountability to survivors of atrocity and the marginalized.

Photo by David Berkowitz, Demonstration of Mothers of the Plaza de Mayo



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# What is Accountability?

**Accountability starts by telling the truth.**

Too often, atrocity crimes are covered up and narratives are shaped by the powerful. Telling the true story of what happened and why is a key component to accountability.

It allows survivors to give a firsthand account of what they experienced and how it affects them and their communities. CJA's litigation creates opportunities for a formal recognition of these truths by a court of law and a finding of responsibility. Our cases bring together survivors, experts, and the community to create a shared narrative and understanding of pivotal events.

But accountability goes beyond consequences for wrongdoers – it is also redress for everyone harmed. That means amends to those who are direct victims of human rights abuses. It also means reparations for communities, and recognizing societal and intergenerational harms.

Ultimately, accountability is about non-recurrence – ensuring that atrocity does not beget atrocity.

It means breaking the cycle of impunity and violations that we have seen play out over the course of our work around the world. When human rights abusers are not held to account, they are emboldened to carry out more abuses. Accountability is essential to preventing the atrocities of tomorrow.

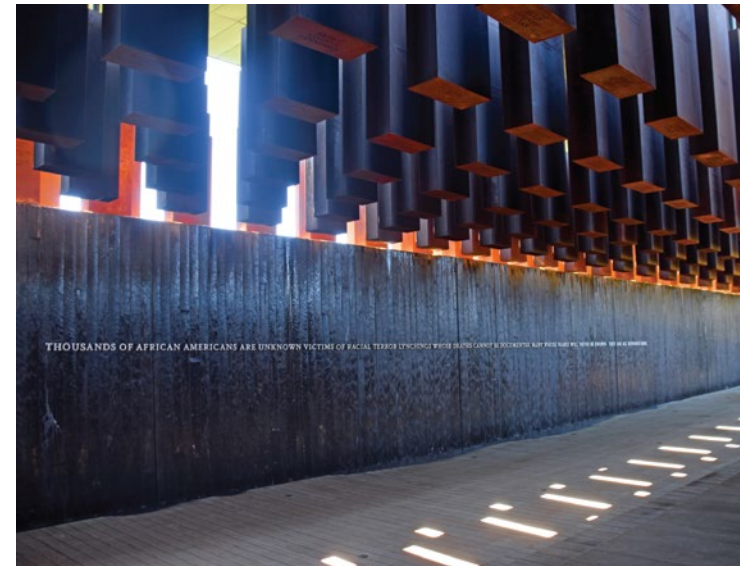


Photo by Ron Cogswell, The National Memorial for Peace and Justice-Montgomery (AL), March 2019

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# Ahimsa's Story

## I'll never forget the day we served the man responsible for my father's murder.

I first heard the news from CJA Senior Staff Attorney Nushin Sarkarati. When she called to tell me that former Sri Lankan Secretary of Defense Nandasena Gotabaya Rajapaksa had been served in a Southern California Trader Joe's parking lot, I couldn't believe it.

I had been trying in vain for eleven years to secure justice for my father, and I was nearly out of hope. At times, I felt unable to cope with life anymore.

Everyone knew Nandasena Gotabaya Rajapaksa was untouchable, but finally, we got him. Finally, I had something to believe in. As I hung up with Nushin, I knew I'd always remember April 7, 2019 as one of the most victorious days of my life since my father died.

Though she didn't tell me at the time, Nushin had just found out she was pregnant when CJA learned Nandasena Gotabaya Rajapaksa, who had orchestrated widespread and systematic violence against journalists like my father, was in the United States. She and the CJA legal team worked around the clock for the next two weeks as though she was seeking justice for her own family.

That's how I knew the CJA team would be different from the countless lawyers I'd previously discussed **my father's case** with. They were so invested from the very beginning because they instinctively knew what a case like this could mean for Sri Lankans and for journalists everywhere. My father wasn't the only person killed for speaking out against the Nandasena Gotabaya Rajapaksa regime. CJA and I together are giving the families of other victims hope, too.



Our case was stalled in November 2019 when Rajapaksa became President and protected by head of state immunity. But Nushin and I didn't give up our pursuit of justice. On the 12th anniversary of my father's death, we filed **a complaint** with the United Nations Human Rights Committee against the government of Sri Lanka for its role in his assassination. That's exactly the kind of action my father would have taken. And now, I'm continuing his fight to hold the world's worst human rights abusers accountable.

Thanks to CJA, I'm no longer just the "murdered journalist's daughter." People view me now as an agent of change. The people of Sri Lanka now see hope. We see the prospect of accountability.

Thank you for supporting CJA's mission to seek justice for my father. May his dual legacies – one as a journalist who uncovered corruption and spoke for marginalized groups, and another as my loving, affectionate, heroic dad – live on.

**Thanks to CJA, I'm no longer just the "murdered journalist's daughter." People view me now as an agent of change.**

Learn more about CJA's work with **Ahimsa Wickrematunge** and our advocacy for an end to impunity in Sri Lanka at [cja.org](https://www.cja.org).



# The Long Journey to Victory

Early one morning in 1987, Farhan Warfaa was taken to the headquarters of the Fifth Brigade of the Somali National Army, where Colonel Yusuf Adbi Ali (aka “Tukeh”) held command. A water tanker had gone missing and Col. Tukeh was determined to find it. Farhan – only a teenager at the time – was interrogated and tortured. Col. Tukeh and his troops bound Farhan’s hands and feet tightly behind his back until his body was arched backward in a tilted U-shape. They then beat Farhan while he was in this unbearably painful position. Finally, after almost two months of torture, they shot Farhan multiple times and left him for dead. **Miraculously, Farhan survived.**

Farhan lived through what has been called the “Isaaq genocide.” The systematic, state-sponsored massacre of members of the Isaaq clan took place under the brutal dictatorship of Said Barre, who ruled over Somalia from 1969 to 1991. When Barre’s regime finally collapsed in 1991, Somalia was plunged into a chaotic internal conflict from which it has never recovered. To this day, there is no functional justice system where a case against Col. Tukeh can be brought.

That is why it was so extraordinarily important that we took **Farhan’s case**. We’d already won cases against the former Prime Minister and Minister of Defense, Mohamed Ali Samantar, and the former Chief of Investigations of the infamous National Security Service, Abdi Aden

Magan. These three cases represent the first and only form of legal accountability for Barre-era crimes anywhere in the world.

For fifteen years, we traveled to Somaliland to work with civil society activists, interview witnesses, and collect evidence. Our attorneys spent 400 hours in the field in July 2018 alone. In the end, we presented evidence that Col. Tukeh participated in a violent campaign against Isaaq civilians in northwestern Somalia.

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**In May 2019, after years of litigation, Farhan finally faced his torturer and found justice.**

A Virginia jury found Col. Tukeh responsible for Farhan’s torture and awarded Farhan \$500,000 in damages, including \$100,000 in punitive damages. Though Tukeh has appealed the judgment, CJA is fighting to preserve Farhan’s victory at the Fourth Circuit Court of Appeals. In the meantime, we are working with the University of Hargeisa to archive materials from our three Somali cases to create a lasting historical record – one that not only tells the truth of what happened during the Barre dictatorship, but also reflects the stories of survivors.



# Our Impact

**175**

clients represented

**18**

countries

**24**

cases & investigations

**40+**

partners seeking justice  
in their home countries

**\$8,320,751**

in pro bono lawyer and researcher services.\*

*\*Amount is over the course of 2018–2019 and 2019–2020 fiscal years.*

Photo by Elena Hermosa





**Building  
Capacity for  
Survivor-Centered  
Accountability**

## **Accountability from the Frontlines**

**CJA's approach to transitional justice recognizes that justice and accountability for human rights violations are key pillars to rebuilding strong and stable societies.**

Our transitional justice projects support our partners in the pursuit of legal accountability for atrocities by building legal investigation skills through collaborative case-building. We recognize the expertise of local actors and their deep knowledge of their country's political, historical, and cultural situations, and seek to supplement that with our extensive experience in survivor-centered accountability and human rights litigation. Although each country's transitional justice process is unique, the skills needed to investigate and develop case files on war crimes, crimes against humanity, and other international human rights violations are similar across different systems.

In 2019, we began an initiative to develop litigation-ready cases with local lawyers and advocates on atrocities committed by ISIL in Iraq and Syria.

Through engagement with ethnic and religious minority groups, we leverage documentation held by NGOs and civil society groups to develop a better understanding of ISIL's structure and operations. The evidence is transmitted to international justice mechanisms, including the UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD), the International, Impartial and Independent Mechanism on Syria (IIIM) and national war crimes prosecutors. Our goal is to ensure that prosecutions of ISIL members go beyond simply their membership in a terrorist organization. Prosecutions must reflect the full gravity of their conduct, including their participation in genocide, enslavement, and torture.



# Strengthening Tools for Human Rights Accountability

## 2020 Amicus Briefs

Lawyers have a saying—there is no right without a remedy. Accountability means that our courts and our law have to recognize the right of survivors to seek redress for their abuses. CJA’s amicus strategy is to support and advance the international and US framework for accountability so that survivors of atrocity will always have an opportunity to seek justice.

**Lawyers have a saying—there is  
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### Situation in the Islamic Republic of Afghanistan

In November 2019, CJA filed an [amicus brief](#) with international and Afghan human rights organizations in support of an investigation by the International Criminal Court into war crimes and crimes against humanity related to the conflict in Afghanistan, including the US torture program. We argued that the victims of these abuses had a right to a remedy, and that required allowing the investigation to proceed despite U.S. opposition. The Appeals Chamber of the International Criminal Court agreed and in March 2020 ruled that the investigation could move forward.

### D.J.C.V. v. U.S. Immigration and Customs Enforcement

In 2020, CJA joined international human rights organizations and former U.N. Special Rapporteurs on Torture in filing an [amicus brief](#) in support of a two-year-old Honduran child and his father. They were detained and separated for over six months under the Trump administration’s family separation policy. They sought to hold the United States accountable for torture, but the government claimed that it could not be sued. We argued that international law guarantees the right to a remedy for breaches of fundamental norms, such as the universal prohibition against torture. The United States cannot declare itself immune from responsibility when it violates international human rights law.

### Doe v. Nestlé and Doe v. Cargill

Perpetrators of gross human rights abuses do not act in a vacuum – their actions are made possible through the assistance and support of numerous others. Last October, we wrote an [amicus brief](#) for the Supreme Court of the United States in support of former child slaves from Mali, trafficked into forced labor on cocoa farms in the Ivory Coast. Nestlé and Cargill – two US chocolate companies – allegedly supported and maintained this system of child slavery. Our brief argued that aiders and abettors to atrocity can and should be held accountable in US courts.



Photo by Ben Schumin, The Supreme Court building in Washington, DC.

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Carina Bentata, Legal Fellow (Sept. 2018–Sept. 2019)  
Monica Castillejos-Aragon, Visiting Fellow  
(Sept. 2020–Dec. 2020)  
David Cornell, Legal Fellow (Sept. 2019–Sept. 2020)  
Sasha Filippova, Senior Fellow (Nov. 2019–Mar. 2020)  
Katerina Siefkas, Simpson Thacher Public Service Fellow  
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Ahmad Soliman, Legal Fellow (Oct. 2020–Oct. 2021)  
Meroua Zouai, Legal Fellow (Oct. 2020–Oct. 2021)

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Photo courtesy of Alejandra Guerra



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