

ANNUAL REPORT
JULY 1, 2010 - JUNE 30, 2011



THE CENTER FOR JUSTICE & ACCOUNTABILITY

Bringing Human Rights Abusers To Justice.



The Center for Justice and Accountability is an international human rights organization dedicated to deterring torture and other severe human rights abuses around the world and advancing the rights of survivors to seek truth, justice, and redress.

CJA uses litigation to hold perpetrators individually accountable for human rights abuses, develop human rights law, and advance the rule of law in countries transitioning from periods of abuse.

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Bringing Human Rights Abusers To Justice.



It is with great pleasure that we present you with this report of our July 1, 2010 through June 30, 2011 activities.



Pamela Merchant
Executive Director

CJA's mission to end impunity has taken root in the United States and spread its wings around the world. This year, we served 194 clients, including 176 torture survivors and relatives of people who were tortured or disappeared. Our clients come from a total of 21 countries. We increased our docket of high profile human rights cases and investigations, while expanding our transitional justice efforts in Argentina, Cambodia, Ecuador, Guatemala, Honduras, Peru, and Somaliland.



Wilma Wallace
Board Chair

From Central America, to the Horn of Africa and Cambodia, our accountability work has taken wing internationally. This year, CJA assumed a leadership role in representing survivors as civil parties in the Khmer Rouge trials before the Extraordinary Chambers in the Courts of Cambodia (ECCC). After successfully appealing a ruling that denied civil party status to eleven of our clients, **we now represent 45 survivors from the Cambodian diaspora community in the United States.** CJA is taking the lead among the civil party lawyers on command responsibility, the military and administrative command structure of the Khmer rouge, the forced evacuation of Phnom Penh in April 1975, and reparations.

This year, our mission for accountability took deeper root in the United States.

Our **licensing complaint against Guantanamo Bay psychologist John Leso** marks the first effort to hold a health care professional accountable for participating in the abusive interrogation program at Guantánamo. This year also saw the **State Department deny immunity to General Mohamed Ali Samantar**, defendant in our case *Yousuf v. Samantar*. The case set a powerful precedent for denying immunity to former officials who abuse human rights and then seek safe haven overseas. At the same time, we ramped up our work with law enforcement and State Department officials on extraditions, removals, and human rights prosecutions. In April 2011, after years of pressure from CJA, the U.S. government initiated **removal proceedings against former Salvadoran Generals Vides Casanova and Garcia**, defendants in CJA's case, *Romagoza Arce v. Garcia*.

We significantly expanded the prosecutions in our two Spanish cases. The **Guatemala Genocide Case now includes the Dos Erres Massacre and a new defendant:** Jorge Vinicio Sosa Orantes, an elite military unit leader who is a dual U.S./Canadian citizen. This summer the judge granted our request to add claims of gender-based violence to the charges. Meanwhile, in the *Jesuits Massacre Case*, we added six new defendants and—in a historical development—the Spanish judge issued 20 indictments and arrest warrants. By handing down these indictments, the Court has forever changed the accountability discussion in El Salvador.

We made strong headway in our transitional justice program. Two defendants in our cases, Peruvian military officers **Hurtado and Rivera Rondón, are now standing trial in Peru for their role in the Accomarca Massacre.** And we are now active in eight countries on transitional justice efforts and have started **working directly with the Somaliland Minister of Justice to support their transitional justice efforts.**

On the outreach and education front, we launched a series of **outreach forums with the Cambodian community in the United States**, in partnership with the Applied Social Research Institute of Cambodia.

Designed to inform the community about the Khmer Rouge Tribunal, the forums present survivors with an opportunity for dialogue among themselves and with attorneys working before the Tribunal.

This was the **fifth year of our annual dinner**, which featured an inspiring keynote by **Ambassador Eileen Chamberlain Donahoe**, the first U.S. representative to the U.N. Human Rights Council. We honored **Kamala D. Harris**, California Attorney General, for her leadership on behalf of victims of human trafficking, and **William H. Neukom**, San Francisco Giants CEO and founder of the World Justice Project. **Jose Pablo Baraybar** received the 2011 *Judith Lee Stronach Award* on behalf of the Peruvian Forensic Anthropology Team and the law firm **Akin Gump Strauss Hauer & Feld LLP** received the *Partner in Justice Award*.

This year, our accountability work took root at home and spread its wings abroad thanks to our strong community of supporters like you, who are dedicated to supporting global justice and human rights.

With your continued support, we look forward to serving new communities around the world that have been denied access to justice. We are so proud of CJA's committed staff, their work, and the unwavering support from the board of directors and our allies.

Sincerely,



Pamela Merchant
Executive Director



Wilma Wallace
Board Chair



OUR FOUNDING

In 1998, psychologist and CJA founder Gerald Gray was faced with a dilemma. One of his clients—a refugee from the Bosnian conflict who had survived brutal torture—was shocked to learn that his former torturer was living in comfort in the United States. Gray feared that a direct confrontation would be re-traumatizing, yet he knew that his client could not heal without getting justice. So he sought legal advice on how the law might offer some measure of redress.

Four visionaries—Gerald Gray, Paul Hoffman, Bill Schulz, and Ralph Steinhardt—took up that core challenge and launched a new organization to empower survivors to hold their abusers to account. With support from Amnesty International, the UN Voluntary Fund for Victims of Torture, and committed human rights defenders like Judith Lee Stronach, CJA was born.

OUR WORK

CJA is part of the movement for global justice for those who have been tortured or subjected to other severe human rights abuses. We were founded on the principle, first used during the Nuremberg trials after World War II, that certain crimes are so egregious that they represent offenses against all humankind. These crimes include genocide, crimes against humanity, extrajudicial killing, and torture. Such crimes are subject to universal jurisdiction under international law. Centuries ago, under this principle, pirates could be brought to justice in whatever port they were found. Like the pirates of old, today's torturers and war criminals should be held criminally or

civily liable wherever they are found, no matter where the crime occurred, and regardless of the victim's or the perpetrator's nationality.

CJA is making this promise of global justice a reality, by pursuing human rights litigation across borders. In the United States, we use two civil laws to hold perpetrators of human rights abuses accountable: the Alien Tort Statute and the Torture Victim Protection Act. We also engage in human rights litigation in foreign jurisdictions, such as Spain and Cambodia, and work on transitional justice initiatives around the world.

CJA has pioneered a survivor-centered approach to the quest for justice. Working with partner organizations, we combine legal representation with medical and psycho-social services to both empower and heal torture survivors and their communities.

In addition to our staff of attorneys, CJA leverages resources by partnering with pro bono law firms, investigators, and expert witnesses to help litigate our cases. We have built a unique network of partners which includes medical professionals, therapists, military and forensic experts, refugee groups, law school clinics, and other human rights non-governmental organizations.



OUR GOALS

Detering Human Rights Abusers

Real deterrence can only be achieved through accountability. By exposing human rights abusers and hauling them into court, CJA's cases provide a critical deterrent. A generation ago, perpetrators often traveled with impunity and moved assets freely. Many were sheltered by amnesty laws in their home countries. Today, we work to ensure that the prospect of travel carries the risk of arrest and prosecution in universal jurisdiction proceedings or ruinous civil liability. Through our legal trainings and capacity-building sessions in Latin America and the Caribbean, the Horn of Africa, and South East Asia, we are encouraging governments in transitioning countries to open their courts to survivors and prosecute perpetrators.

Healing Survivors

A key part of CJA's mission is to heal and empower survivors and the families of those who were killed. Each survivor's experience is unique. But for many of our clients, confronting their abusers and exposing the truth is an essential part of the healing process. Participating in accountability can overcome a sense of powerlessness. CJA's cases help survivors experience a sense of justice, a sense of meaning in their survival, and a tremendous satisfaction in knowing that they have brought dignity to themselves and the memories of those who were killed or tortured.

Seeking Truth

Revealing the truth about periods of human rights abuse is also an important aspect of our mission. Our investigations uncover facts and witnesses that are critical for building legal accountability and producing a historical record. For example, CJA's \$37 million judgment against former Peruvian military officer Telmo Hurtado represented the first time that anyone had been held to account for atrocities against civilian men, women, and children in the Accomarca Massacre. The record produced in the civil trial has in turn catalyzed U.S. and Peruvian

OUR PROGRAMS

HUMAN RIGHTS LITIGATION:

ending impunity and seeking redress for survivors in courts around the world.

TRANSITIONAL JUSTICE:

supporting institutional capacity to prosecute human rights crimes and repair post-conflict societies.

EXTRADITION, REMOVAL, AND U.S. HUMAN RIGHTS POLICY:

building the political will and legal framework for human rights enforcement in the United States.

OUTREACH AND EDUCATION:

supporting survivor communities and training the next generation of human rights attorneys and advocates.

authorities to take immigration and criminal enforcement actions against Hurtado and other perpetrators of the massacre.

Catalyzing Transitional Justice

CJA's cases are a catalyst for transitional justice because they create a vehicle for a broad range of organizations and activists to work together for accountability and civil society renewal. We work closely with in-country partners, country experts, survivor coalitions, accountability organizations, and local community groups when we build our cases. We also engage with torture survivor and refugee communities to ensure that the survivor's voice is a core component of the litigation. By generating legal and media attention, our cases serve as platforms for public dialogue. This dialogue is needed to repair the social fabric of communities riven by conflict or abusive governments.

Seeking justice in the courts is at the core of our mission.

CJA pursues civil and criminal cases in the U.S., foreign national courts, regional human rights bodies, and hybrid national/international tribunals.

In the United States, we bring civil cases against foreign human rights abusers found on U.S. soil under the Alien Tort Statute and Torture Victim Protection Act, which allow survivors to seek reparations for torture, extrajudicial killing, and other violations of international law. While civil damages cannot undo the harm of torture, these cases offer a measure of justice, impose severe financial costs on defendants, and offer survivors the satisfaction of seeing their abusers condemned in a court of law. CJA also brings disciplinary proceedings to hold health-care professionals responsible for breaching professional ethics by participating in torture and other abuses. In addition, we file legal briefs as third party *“amicus curiae”* in cases involving torture, arbitrary detention, and other human rights abuses.

To maximize the deterrent effect of our litigation, we focus on the civilian and military leaders who bear ultimate responsibility for systematic human rights violations. CJA has pioneered the use of the command responsibility doctrine, which holds leaders in a chain of command accountable when they fail to prevent or punish their subordinates' abuses.

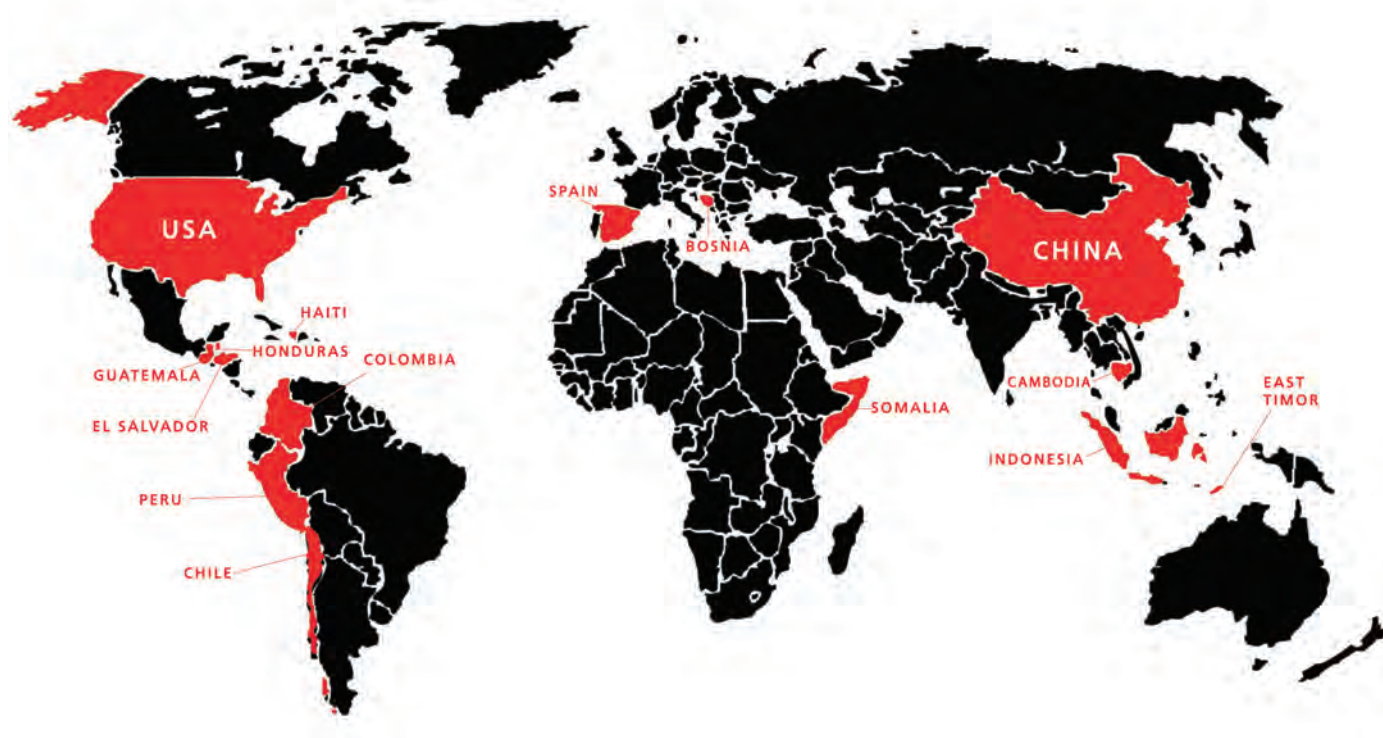
CJA's capacity to act globally is expanding. In Spain, we serve as popular prosecutors in criminal prosecutions of Guatemalan officials responsible for the Mayan genocide and of Salvadoran leaders responsible for the infamous 1989 Jesuits Massacre. In Latin America and the Caribbean, we provide expert legal advice to prosecutors in human rights cases, including the 2009 trial of Peruvian former President Alberto Fujimori for his role in death squad massacres. In Cambodia, we represent civil parties in the Second Khmer Rouge trial. Further, our global reach is evident in our appearance before international and regional tribunals and our membership in the International Federation for Human Rights (FIDH) as one of only two U.S. member organizations.



CJA's current litigation docket includes 12 civil and criminal cases against 49 human rights abusers from eight countries: Cambodia, Colombia, Guatemala, Haiti, El Salvador, Peru, Somalia, and the United States. We represent a total of 194 clients, including 176 torture survivors and 18 relatives of people who were tortured or disappeared.

Our clients come from a total of 21 countries.

In addition, we pursue a number of confidential investigations of suspected human rights abusers, leading to litigation or referral to government prosecutors.



CAMBODIA

Second Khmer Rouge Trial

Reparations for Survivors in the Cambodian Diaspora

From 1975 to 1979, the leadership of the Khmer Rouge, the Communist Party of Kampuchea, subjected the people of Cambodia to devastating mass atrocities that claimed an estimated 1.5 to 2.2 million people out of a total population of 7 million.

In June 2010, CJA began to represent 45 survivors from the U.S. Cambodian diaspora community in the second case before the Extraordinary Chambers in the Courts of Cambodia (ECCC) against four surviving senior leaders of the Khmer Rouge on charges of genocide, crimes against humanity, and war crimes. The ECCC is a hybrid tribunal established by the U.N. and the Cambodian government to prosecute those most responsible for Khmer Rouge era atrocities. In an effort to promote survivor participation before the court, the ECCC has established a novel process that allows survivors to participate directly in court proceedings as civil parties.

However, on September 7, 2010, the ECCC declared that 11 civil party applicants were inadmissible, for lack of a sufficient factual basis. CJA appealed the decision, and on June 24, 2011, the Pre-Trial

Chamber of the ECCC reversed the order rejecting the civil party applications and announced that over 1,700 rejected applicants would be accepted, bringing the total number of civil parties to 3,850.

“They don’t just have
evidence from a newspaper
or a book, they have victims.
I am a real victim. I can
be a witness.”

– **CJA client Sophany Bay, after hearing
defendant Khieu Samphan claim that
the only evidence against him are
fabricated news articles.**

Being able to participate as civil parties is crucially important to many survivors. Civil parties have the right to non-monetary, “moral and collective” reparations if the defendants are found guilty. Moral reparations are of symbolic value, whereas collective reparations are reparations that benefit groups of civil parties or victims, or that benefit Cambodian society as a whole.

CJA attorneys present arguments on behalf of these civil parties in what many consider to be the most complex human rights trial since the Nuremberg Tribunals.

*The judges of the
Extraordinary Chambers
in the Courts of Cambodia, viewed
from the public gallery.*



EL SALVADOR *Jesuits Massacre Case*

Spanish Judge Issues Indictments of Senior Salvadoran Former Officers

On May 30, 2011, a Spanish judge issued a 77-page indictment and arrest warrants for 20 Salvadoran ex-officers who were charged with crimes against humanity and state terrorism for their role in the murders of six Jesuit priests who were outspoken critics of the military dictatorship, along with their housekeeper, and her 16-year-old daughter in 1989.

The defendants were all members of the Salvadoran military, including several who were in the High Command. The highest ranking defendant, Rafael Humberto Larios, was the Minister of Defense at the time of the massacre. Also indicted are General Rafael Bustillo, Colonel Orlando Zepeda who was Vice Minister of Defense, and Colonel Inocente Orlando Montano who was Vice Minister of Public Safety.

In the lengthy charging document, Judge Eloy Velasco describes the far-reaching conspiracy to kill the Jesuit priests, explaining how it was conceived as a military operation at the highest levels of the Salvadoran Army and Military Intelligence.

This indictment came almost three years after CJA and the Spanish Human Rights Association (APDHE) initiated a case before the Spanish National Court for the murders against members of the Salvadoran military. CJA worked closely with Spanish and US authorities to ensure the arrest of the defendants and to expand the case to include six more defendants who were responsible for the massacre.



Placards commemorate the victims of the Jesuits Massacre and Archbishop Oscar Romero, assassinated by government forces in 1980.

We have presented extensive testimony to the court over the past few years including expert testimony from Stanford Professor Terry Karl, military expert Colonel García, and Salvadoran Judge Sydney Blanco, among others.

In explaining the basis for the issuance of the indictment and the arrest warrants, the judge indicated that any claim of double jeopardy should fail because the 1990 trial held in El Salvador was a “sham trial.”

CJA and APDHE originally filed the criminal case before the Spanish National Court on November 13, 2008. The complaint was originally filed against former members of the Salvadoran High Command and the Atlacatl battalion for their role in the Jesuits Massacre. Among the victims: Fathers Ignacio Ellacuría, Ignacio Martín-Baró, Segundo Montes, Amando López, and Juan Ramon Moreno, who were born and ordained in Spain; and Father Joaquin López y López, Elba Ramos, and her 15-year-old daughter Celina Meredith, who were Salvadoran. CJA would like to thank the firm of Mintz Levin Cohn Glosky & Popeo, PC for their pro bono support and CJA Senior Legal Advisor Carolyn Patty Blum.

SOMALIA

Yousuf v. Samantar

U.S. Federal Judge and State Department Deny Common Law Foreign Official Immunity to Former Somali Minister of Defense Accused of Human Rights Abuses

This year brought progress in our courageous Somali clients' suit against General Mohamed Ali Samantar, the former Defense Minister of Somalia who oversaw a campaign of widespread human rights violations in Somalia during the 1980s.

In 2004, CJA brought suit on behalf of five survivors and their families who were tortured while Samantar served under the Siad Barre regime: Bashe Yousuf, a young business man tortured and kept in solitary confinement for over six years; Aziz Deria, whose father and brother were abducted by officials and never seen again; John Doe I, whose two brothers were summarily executed by soldiers; Jane Doe, a university student detained by officials, raped 15 times, and held in solitary confinement for over three years; and John Doe II, who was imprisoned

for his clan affiliation and was shot by a firing squad, but survived by hiding under a pile of dead bodies.

Over the next six years, the case worked its way up to the U.S. Supreme Court on the question of foreign sovereign immunity. Samantar—who has been a U.S. resident for 15 years—contended that he was immune from the jurisdiction of U.S. courts because he held office in Somalia at the time the alleged acts occurred. On June 1, 2010, the Supreme Court rejected his argument that the Foreign Sovereign Immunities Act shielded former foreign officials from such lawsuits. And on remand before Judge Leonie Brinkema of the U.S. District Court for the Eastern District of Virginia, Samantar's argument that he was immune under an obscure common law doctrine of "official acts" immunity fared no better.

In a rare move, on February 14, 2011, the U.S. State Department filed a statement of interest in the case denying immunity to Samantar on two grounds. First, Somalia lacked a recognized government to assert immunity. Second, as a permanent resident of the United States, Samantar was subject to our laws and jurisdiction, and hence was not entitled

to immunity from a suit alleging command responsibility for torture, war crimes, and crimes against humanity. On February 15, 2011, Judge Brinkema agreed with CJA and the State Department and issued an order denying common law foreign official immunity.

Although Samantar filed an interlocutory appeal to the U.S. Court of Appeals for the Fourth Circuit, Judge Brinkema denied his motion to stay proceedings pending the appeal, certifying that Samantar's argument on immunity was frivolous. With that, after many years, the case will finally proceed to discovery and trial. CJA would like to thank our pro bono co-counsel at Akin Gump Strauss Hauer & Feld, LLP.



UNITED STATES

Reisner v. Leso

Revoking the License of a Guantánamo Bay Psychologist

On July 7, 2010, CJA and the New York Civil Liberties Union filed a complaint with the New York Office of Professional Discipline (OPD) against Dr. John Leso for his role in designing, implementing, and participating in a system of abusive interrogations at Guantánamo Bay that later spread to Afghanistan and Iraq.

“Those of us who are
psychotherapists to torture
survivors know something the
general public does not: that other
psychologists have been involved
in carrying out and designing
cruel and abusive interrogation
techniques that at times
amounted to torture.”

– CJA founder **Gerald Gray, LCSW, MPH**

Dr. Leso led the first Behavioral Science Consultation Team at the United States Naval Station at Guantánamo Bay, Cuba (Guantánamo or GTMO) from June 2002 to January 2003. There, Dr. Leso co-authored an interrogation policy memorandum that incorporated unlawful torture techniques adapted from methods used by the Chinese and North Korean governments against U.S. prisoners of war. He recommended the application of a series of increasingly psychologically and physically abusive interrogation techniques against detainees in U.S. custody.

Neither Dr. Leso nor any other U.S. official involved in these interrogation activities has ever been held accountable for the cruel treatment of detainees at



Video frames from an interrogation of then-sixteen year old Guantánamo detainee, Canadian citizen, and alleged child soldier Omar Khadr.

Guantánamo. Our case marked a crucial step forward in the push to hold U.S. officials accountable for violations of U.S. and international human rights law. CJA has also worked with an informal coalition of psychologists and human rights attorneys to build a coordinated strategy to hold those health care professionals who participate in human rights abuses accountable.

In July 2010, however, the OPD announced that it would not investigate the complaint, on the theory that Dr. Leso's use of psychological techniques to “break” the personalities of detainees did not constitute the practice of psychology under New York law, and hence was beyond the OPD's jurisdiction. So in November 2010, CJA petitioned a New York state court to order the OPD to initiate a misconduct investigation, as mandated by state law. The court heard oral arguments in April 2011. We will continue to press for an investigation.

CJA authors or signs onto “friend of the court” briefs in cases before U.S. courts and tribunals around the world with jurisdiction over human rights abuses.

EUROPEAN COURT OF HUMAN RIGHTS

Zontul v. Greece

Supporting Claims of Torture Against LGBT Refugees and Developing Human Rights Jurisprudence on Sexual Orientation Discrimination

In June 2001, the Greek Coast Guard intercepted a boat in the Mediterranean carrying migrants and transferred the passengers to a detention facility in Crete. One of them was Necati Zontul, a gay Turkish national seeking asylum from persecution. While in custody, Zontul’s guards specifically targeted him for abuse because of his homosexuality. One Coast Guard agent cornered Necati in a bathroom and violently raped him with a baton, while another agent stood watch.

When Zontul filed complaints about his abuse, Greek authorities denied him a medical examination and failed to conduct a proper investigation. Although his assailant was eventually prosecuted, the Greek court refused to recognize the rape as torture. Moreover, the court denied Zontul an opportunity to participate in the trial or appeal, as guaranteed by the European Convention on Human Rights. Ultimately, Zontul’s abuser was sentenced to a shockingly lenient six-month suspended sentence and was allowed to keep his position in the Coast Guard. On appeal, the Greek martial court held that rape by a government official did not constitute torture. In response to this miscarriage of justice, Mr. Zontul, with the help of the U.K.-based human rights organization REDRESS, filed a complaint in April 2008 before the European Court of Human Rights against the government of Greece.

In June 2010, the President of the Court granted CJA the rare opportunity to intervene as a third party to provide expertise on several pressing legal issues: first, the recognition of custodial rape as torture under international law; and second, the protection of sexual minorities from discrimination or abuse under human rights law. In our brief to the Court, we argued that the European Convention on Human Rights provides specific protection to sexual minorities and supports extending the Court’s racial discrimination jurisdiction to encompass discrimination based on sexual orientation. Our brief also provided a comparative analysis of international and national trends in criminal sentencing. It concluded that under widespread State practice, a crime motivated by sexual orientation bias—like other “hate crimes”—is an aggravating factor triggering higher penalties.

Ultimately, the Court ruled in favor of Zontul and held, for the first time in its history, that rape of a detainee by state agents constitutes torture.



Necati Zontul,
plaintiff in
Zontul v. Greece

U.S. SUPREME COURT

Ashcroft v. Al-Kidd

Exposing the U.S. Government’s Detention of Criminal Suspects as “Witnesses”

On January 28, 2011, CJA filed an amicus brief before the U.S. Supreme Court in *Ashcroft v. Al-Kidd*, arguing that in March 2003, Attorney General John Ashcroft, serving under President George W. Bush, unconstitutionally detained a U.S. citizen without

probable cause by holding him as a witness to a crime while in fact investigating him as a suspect. Abdullah al-Kidd is a U.S. citizen and former star football player for the University of Idaho. In March 2003, he was arrested without probable cause, and held under a statute that permits the federal government to detain a witness to a crime, under exceptional circumstances, in order to compel testimony. Al-Kidd alleges that former Attorney General Ashcroft instituted an unconstitutional policy of detaining individuals as potential witnesses under this law, as an alternative to arrest, in order to circumvent the constitutional requirements of probable cause.

Our brief argues that the U.S. Justice Department exceeded its authority by trying to circumvent the Fourth Amendment requirement of probable cause. Unfortunately, on June 1, 2011, the Supreme Court held that Ashcroft had immunity because the law governing the material witness statute was too unsettled for Ashcroft's policy to constitute a "clear constitutional violation," the threshold for overcoming immunity. Like so many other victims of Bush-era detention policies, Al-Kidd will not get his day in court. His case, however, has at least helped to expose unlawful detention practices.

Ali v. Rumsfeld

The Right to Redress for Torture at Overseas U.S. Military Facilities

On September 20, 2010, CJA co-authored an amicus brief filed with the D.C. Circuit in the case of several plaintiffs who were allegedly tortured and abused while detained in U.S. military facilities in Iraq and Afghanistan. A federal district court had dismissed their suit, precluding them from seeking redress.

In our brief, authored by CJA Board member William Aceves and UVA law professor Deena Hurwitz, we argued that (1) victims of torture have a right to seek redress for their injuries under international law, and (2) U.S. law should be interpreted consistently with international law whenever possible.

On June 21, 2011, the Eleventh Circuit Court of Appeals affirmed the district court's decision to dismiss the claims. The court found that it was an unsettled question whether non-resident aliens detained abroad have Fifth and Eighth Amendment rights. Therefore, the government actors had qualified immunity against the constitutional claims. Turning to the ATS claim, the court relied on precedent to find that the officials' actions were "incidental" to their employment. As such, the Westfall Act required that the U.S. substitute in as defendant, and the Federal Tort Claims Act (FTCA) provided the governing standard. Because plaintiffs had not exhausted their remedies under the FTCA, the court affirmed dismissal of the statutory claim.



CJA works with NGOs and governments around the world on a range of transitional justice initiatives.

“Transitional Justice” refers to a range of strategies that permit a country to recover from a legacy of human rights abuses and armed conflict. These strategies share several goals: to hold those who had “command responsibility” for systematic abuses legally accountable; to repair social divisions caused by conflict; to provide survivors with a full accounting and acknowledgement of the abuses that occurred; to offer material and moral reparations to survivors; and to reform key state institutions, including the military, police, and judiciary, to ensure that the pattern of human rights violations is not repeated.

As part of CJA’s comprehensive strategy to end impunity, we work alongside in-country prosecutors to hold human rights abusers criminally accountable in national courts—especially where defendants that we expose in U.S. cases have been deported or extradited to stand trial in the home country. CJA attorneys offer expert advice in witness preparation, presentation of evidence, and charging human rights crimes.

- In **Somaliland**, CJA is working with the Minister of Justice to support local transitional justice efforts, including exhumation of mass graves

and forensic investigation of Siad Barre-era war crimes. In 2011, CJA staff, representatives from the Peruvian Forensic Anthropology Team, and pro bono counsel from Akin Gump Strauss Hauer & Feld LLP met with the Somaliland War Crimes Commission.

- In **Guatemala**, CJA is working closely with the Guatemalan NGO CALDH and local authorities in connection with the arrest of Elena Fuentes and the prosecution of five men responsible for the Plan de Sánchez massacre. The prosecution in Guatemala relies on expert reports that CJA prepared in our case in Spain, and we are working on witness preparation.
- In **Peru**, CJA is assisting the criminal case against Juan Rivera Rondón and Telmo Hurtado for their role in the August 1985 Accomarca Massacre. CJA has played an integral role in the development of the criminal case and in the overall litigation strategy. In 2007, CJA and Peruvian NGO APRODEH joined together to pursue a combined litigation strategy involving ATS/TVPA litigation in the U.S. and a criminal prosecution in Peru. By filing these suits in the U.S., CJA helped to keep the accountability efforts of the survivors alive and to support their transitional justice efforts in Peru. The suits also became the basis for extradition proceedings in the U.S. government.



Meeting with the Somaliland Minister of Justice and Chair of the Somaliland War Crimes Commission at the Somaliland Justice Ministry in Hargeisa, Somaliland. L-R: Jose Pablo Baraybar (Director of the Peruvian Forensic Anthropology Team), Kathy Roberts (CJA Staff Attorney), Minister of Justice Hussein Aideed, Joe Decker and Jon Robell (pro bono co-counsel, Akin Gump Strauss Hauer & Feld LLP), Natasha Fain (CJA Staff Attorney), Aziz Deria (CJA Client), and Khadar Ahmed (Chair of the War Crimes Commission).



CJA works on a variety of human rights legislative and policy initiatives in the United States.

In our policy efforts, we aim to increase U.S. enforcement of human rights law, to incorporate human rights norms of command responsibility into U.S. law and practice, and to oppose immunity for torture and other abuses.

We focus particular attention on supporting policy initiatives that advance the U.S. government's commitment to criminally prosecute human rights abusers.

We have worked closely with the U.S. government on immigration removal and criminal extradition cases against human rights abusers from Colombia, El Salvador, Peru, and Somalia. In recognition of our unique expertise in human rights enforcement, we have been invited to submit multiple rounds of testimony to Congress on strengthening the U.S. statutory framework for human rights crimes and adapting U.S. law enforcement to the global effort to deter mass atrocities through individual accountability for perpetrators.

OUTREACH, EDUCATION, AND PROFESSIONAL TRAINING



When the Mountains Tremble, became evidence in CJA's case before the Spanish National Court.

In addition, CJA staff participated in over 40 outreach events in the U.S., Argentina, Cambodia, Colombia, Ecuador, Peru, and Spain. The audiences included refugee groups, religious organizations, psychologists and medical professionals who work with torture survivors, law, college and high school students, government officials, and the general public.

In October 2010, CJA organized two trainings for Ecuadoran Supreme Court justices and human rights prosecutors in Quito and Guayaquil. The sessions focused on developing human rights cases, gathering evidence, and special litigation issues that arise in this context. In November 2010, CJA participated in a day-long training at the U.S. Department of Homeland Security for asylum officers. And in March 2011, CJA co-sponsored a Continuing Legal Education training on "Enforcing International Human Rights in U.S. Courts," in connection with the Amnesty International Annual General Meeting.

CJA's outreach and education program mobilizes torture survivors to speak publicly to personalize how international human rights are explained to the general public.

Through our outreach program, we seek to impact the international debate on the use of torture and empower other survivors to seek justice.

This year brought a great expansion in CJA's media presence. CJA's Guatemala Genocide Case, CJA International Attorney Almudena Bernabeu, and CJA Advisory Council Member Naomi Roht-Arriaza were featured in Pamela Yates' powerful documentary *Granito*, which premiered at the Sundance Film Festival in January 2011. *Granito* documents how footage taken by Yates during her 1982 film on the Guatemalan genocide,



L-R: Granito producer Pamela Yates, CJA International Attorney Almudena Bernabeu, Robert Redford, and Celia Tejada at the Sundance premier.



CJA and ASRIC with Cambodian survivors after the forum in Long Beach, CA.

L-R: Prumsodun Ok (ASRIC Artist-in-Residence), Eric Romero (ASRIC Student Volunteer), Cathy Schlund-Vials (ASRIC Program Curator), Michele Cadigan (ASRIC Student Volunteer), Maria DeGaetano (CJA Development & Outreach Associate), Luis Rodriguez (ASRIC Student Volunteer), Nushin Sarkarati (CJA Staff Attorney), Andrea Evans (CJA Legal Director), Mrs. Roth Prum (Survivor), Leakhena Nou (ASRIC Executive Director), Mrs. Chanthan Pich (Survivor), Mrs. Cragh Vishnah (Survivor), Kosal Path (ASRIC Senior Researcher), Theodora Yoshikami (ASRIC Director of Administration & Development), Trent Walker (ASRIC Volunteer & Smot Performer), Sopheada Phy (ASRIC Intern).

In 2011, CJA and our partner organization, the Applied Social Research Institute of Cambodia (ASRIC), began a series of forums in locations throughout the United States. The purpose of these forums was to provide legal outreach and information about the Extraordinary Chambers in the Courts of Cambodia (ECCC), also known as the Khmer Rouge Tribunal, and the trial against four former senior officials of the Khmer Rouge. The forums were open to CJA clients as well as individuals from the Cambodian diaspora. CJA represents the Cambodian survivors living in the United States participating in the Khmer Rouge Trial.

Approximately 50 to 80 survivors and Cambodian community members attended each of the forums. CJA provided information on the law and structure of the Khmer Rouge Tribunal, the defendants in the upcoming trial, and the role of survivor participation and reparations. Several survivors also came forward and shared stories and photographs of loved ones who died during the Khmer Rouge regime.

CJA and ASRIC will continue to hold events open to the Cambodian community. It is an opportunity for survivors to share their stories of survival with each other and voice any questions or concerns about the trial with CJA attorneys working before the Tribunal.

THE JUDITH LEE STRONACH HUMAN RIGHTS AWARD AND CJA'S ANNUAL DINNER, MAY 25, 2011

Each year since 2007, CJA has honored an individual or organization for their outstanding contribution to the movement for global justice with the Judith Lee Stronach Human Rights Award. Presented at CJA's Annual Dinner in San Francisco, the award is inspired by Judith Lee Stronach (1943-2002), a committed human rights activist who was instrumental in the founding of CJA through a generous gift from the Judith Stronach Fund for Non-Violent Social Change. CJA's work continues to benefit from her vision and spirit, as well as the ongoing support and friendship of her husband, Raymond Lifchez.



On May 25, 2011, over 320 CJA supporters, clients, community leaders, and pro bono attorneys joined us to celebrate our victories in the movement for global justice. **We presented the 2011 Stronach Award to Jose Pablo Baraybar, who accepted on behalf of the Peruvian Forensic Anthropology Team.** Mr. Baraybar's extraordinary commitment to human rights and his groundbreaking work in forensic anthropology have been instrumental in the prosecutions of human rights abusers from Peru to the Philippines, and from Haiti to Ethiopia.

Highlights from the event included:

- **Ambassador Eileen Chamberlain Donahoe, the first U.S. Representative to the UN Human Rights Council, spoke eloquently on human rights as the cornerstone of U.S. foreign policy, and specifically about U.S. engagement with the Human Rights Council.**
- **Kamala D. Harris, California Attorney General, was honored for her leadership on behalf of victims of human trafficking.**
- **William H. Neukom, San Francisco Giants CEO, was honored for his extraordinary commitment to international justice as founder of the World Justice Project.**
- **Aziz Mohamed Deria, CJA client in *Yousuf v. Samantar*, spoke about his experience holding former Somali Defense Minister Mohamed Samantar accountable in a U.S. court for human rights abuses.**
- **Steven Shulman, partner at Akin Gump Strauss Hauer & Feld LLP, accepted the Partner in Justice award on behalf of our pro bono partner Akin Gump and spoke about the significance of the Supreme Court victory in the *Samantar* case.**
- **Hon. Willie L. Brown, Jr., former mayor of San Francisco, served as Master of Ceremonies.**

CJA'S 2011 ANNUAL DINNER



photos clockwise from top left:

Jose Pablo Baraybar, Raymond Lifchez

**Art Pulaski, Attorney General Kamala Harris,
Andrea Evans (CJA Legal Director)**

**Nushin Sarkarati (CJA Staff Attorney), Beth Stephens
(CJA Board), Steven Schulman, Aziz Deria (CJA Client)**

John Russo (CJA Board), Willie L. Brown, Jr.

**Mariano-Florentino Cuellár, Ambassador Eileen
Chamberlain Donahoe, Sally Neukom, William
Neukom, Eileen Chamberlain**

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Académie de droit International Humanitaire
et de Droits Humains à Genève
adh-geneve.ch

Advocates for Human Rights
theadvocatesforhumanrights.org

Amnesty International USA
amnestyusa.org

Amnesty International UK
amnesty.org.uk

Applied Social Research Institute of Cambodia
asricjustice.org

Asociación Bufete Jurídico Popular
mujerachi.interconnection.org/bufete.htm

Asociación ProBúsqueda de Niñas y Niños Desaparecidos
probusqueda.org.sv

Asociación Pro Derechos Humanos
aprodeh.org.pe

Asociación Pro Derechos Humanos de España
apdhe.org

Association for Justice and Reconciliation

Boston Center for Refugee Health and Human Rights
bcrhhr.org

Bureau des Avocats Internationaux
ijdh.org

California Consortium of Torture Treatment Centers
notorture.org/ccttc

Center for Constitutional Rights
ccrjustice.org

Centro para Acción Legal en Derechos Humanos
caldh.org

Centro Internacional de Toledo para la Paz
toledopax.org

Centro Romero
centroromero.org

Comisión Colombiana de Juristas
coljuristas.org

Comisión de la Verdad de Ecuador
coverdad.org.ec

Comisión de Verdad de Honduras
comisiondeverdadhonduras.org

Comité de Apoyo al Tíbet

Comité de Familiares de Detenidos Desaparecidos
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Corporación de Promoción y Defensa
de los Derechos
codepu.cl

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colectivodeabogados.org

Colegio de Abogados de Madrid
icam.es

Universidad Complutense de Madrid
ucm.es

Dejusticia
dejusticia.org

Dolly Filártiga

EarthRights International
earthrights.org

East Bay Sanctuary Covenant
eastbaysanctuary.org

East Timor Action Network
etan.org

El Rescate
elrescate.org

Equipo de Estudios Comunitarios y Acción Psicosocial
ecapguatemala.org

Equipo Peruano de Antropología Forense
epaferu.org

Escola de Cultura de Pau
escolapau.uab.cat

Fédération Internationale des Ligues des Droits de l'Homme
fidh.org

Florida Center for Survivors of Torture
gulfcoastjewishfamilyandcommunityservices.org

FondasyonKoleZepol
fonkoze.org

Fundación para el Debido Proceso Legal
dplf.org

FreedomHouse
freedomhouse.org

Fundación de Antropología Forense de Guatemala
fafg.org

Fundación Democracia sin Fronteras
fdsf.hn

Fundación Nueva Esperanza
fne.cosmosmaya.info

Fundación para el Debido Proceso Legal
dplf.org

Fundación Rigoberta Menchú Tum
frmt.org

George Madison University/Pontificia
Universidad Católica del Perú
pucp.edu.pe

Global Lawyers and Physicians
globallawyersandphysicians.org



Haiti Action Committee
haitiaction.net

Horn of Africa Human Rights Watch Committee
hornwatch4rights.blogspot.com

Human Rights First
humanrightsfirst.org

Human Rights Watch
hrw.org

HUMANAS
humanas.org.co

Impunity Watch
impunitywatch.net

Institute for Redress and Recovery
law.scu.edu/redress

Institute for Justice and Democracy in Haiti
ijdh.org

Instituto de Defensa Legal
idl.org.pe

Instituto de Derechos Humanos de la Universidad Centroamericana
uca.edu.sv/publica/idhuca

Interights
interights.org

International Center for Transitional Justice
ictj.org

International Forum for Truth and Justice in Africa of the Great Lakes Region
veritasrwandaforum.org

International Rights Advocates
iradvocates.org

Fundación Myrna Mack
myrnamack.org.gt

Jueces para la Democracia, Spain
juecesdemocracia.es

La Peña Cultural Center
lapena.org

LASA, Latin American Studies Association
lasa.international.pitt.edu/

Legal Aid Cambodia
lac.org.kh

Leo Valladares, Former Honduran National Commissioner for Human Rights

Maryknoll Office for Global Concerns
maryknollogc.org

Memoria y Justicia
memoriayjusticia.cl

Moakley Foundation
moakleyfoundation.com

Movimiento Nacional de Víctimas de Crímenes de Estado
movimientodevictimas.org

Muslim Public Affairs Council
mpac.org

National Consortium of Torture Treatment Providers
ncttp.org

National Security Archive
gwu.edu/~nsarchiv

New York Civil Liberties Union
nyclu.org

Partners in Health
pih.org

Physicians for Human Rights
physiciansforhumanrights.org

Pinochet Watch: Institute for Policy Studies
tni.org//archives/pin-watch_watch

Plataforma de Derechos Humanos
pidhdd.org

Program for Survivors of Torture and Trauma: Northern Virginia Family Service
nvfs.org

Program for Torture Victims
ptvla.org

REDRESS
redress.org

Rotary Center for International Studies in Peace and Conflict Resolution, U.C. Berkeley
iastp.berkeley.edu/node/137

SafetyNet Project for Trafficked and Enslaved Persons, Cambridge Health Alliance

Sister Dianna Ortiz

Skylight Pictures
skylightpictures.com/

Spanish Embassy, El Salvador

Survivors International
survivorsintl.org

Survivors of Torture, International
notorture.org

The Central American Resource Center
carecen-la.org

The Marjorie Kovler Center for the Treatment of Survivors of Torture
heartlandalliance.org/kovler

The Shalom Center
theshalomcenter.org

Torture Abolition and Survivors Support Coalition International
tassc.org

Tutela Legal del Arzobispado de San Salvador
tutelalegal.org

Universidad Autonoma de El País Vasco, Deusto

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uam.es

Universidad Carlos III, Madrid-Spain
c3m.es

Universidad Centroamericana, "Jose Simeón Cañas" (UCA)
uca.edu.sv

Universidade de Salamanca
usal.es

Washington Office on Latin America
wola.org

Women's Link Worldwide
womenslinkworldwide.org

OPERATING REVENUE AND EXPENSES***JULY 1, 2010 – JUNE 30, 2011****OPERATING REVENUES:**

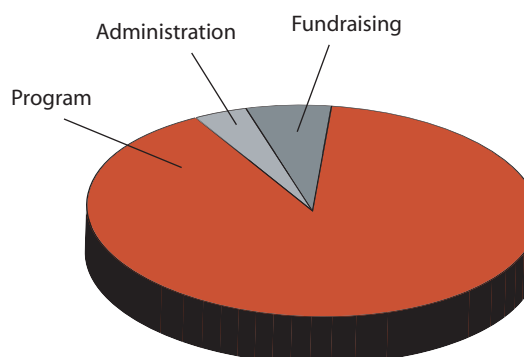
Foundation Grants	\$ 586,500
UN Voluntary Fund for Victims of Torture	52,000
Individual and Corporate Contributions	383,780
In-Kind Contributions**	2,241,794
Investment Income	8,685
TOTAL OPERATING REVENUES:	\$ 3,272,759

OPERATING EXPENSES:

Program	\$ 3,091,487
Administration	158,847
Fundraising	205,075
TOTAL OPERATING EXPENSES	\$ 3,455,409

PROGRAM EXPENSES:

Program	89%
Administration	5%
Fundraising	6%



**Audited figures for July 1, 2010 - June 30, 2011. An audited financial statement is available upon request.*

***CJA partners with outside law firms and investigation firms to investigate and litigate cases on behalf of its clients. Sixteen firms and individual attorneys provided over 5,706 hours of pro bono services valued at \$2,153,429. In addition, eleven firms made contributions of \$73,659 to cover out of pocket expenses. The total donated pro bono legal services was \$2,227,088.*

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