



American Society
of International Law



THE YEMEN
PEACE PROJECT

The American Society of International Law, No Peace Without Justice and Yemen Peace Project present:



Peninsular Perspective: Human Rights and Accountability in the UAE and the Region

**ASIL Headquarters, Tillar House
2223 Massachusetts Ave, NW, Washington DC
January 15, 2019 • 10am – 2pm**

**The American Society of International Law, No Peace Without Justice and Yemen
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Peninsular Perspective: Human Rights and Accountability in the UAE and the Region

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At a time of global attention on the Gulf Region and the catastrophic conflict in Yemen, the human rights and humanitarian situation both within the UAE and beyond its borders have been in the headlines. This event will explore the prospects for promoting human rights and accountability in these challenging times.

Registration: 9:30am – 10:00am (coffee and tea served)

Welcome and Opening remarks: 10:00 – 10:15am

- **Mark Agrast**, Executive Director, American Society of International Law; Board Member, Washington Foreign Law Society

Panel 1: *Looking Inwards: The Challenges to Human Rights and the Rule of Law in the UAE*

10:15 – 12:00

The Panel will consider the human rights situation within the UAE and the region, in particular in respect of arrests, detention, and the judicial system. Most recently, British academic, Matthew Hedges was held in solitary confinement for several months and tried on ‘confession’ evidence before being pardoned. He will speak about his experience, as will others with firsthand knowledge. The challenges for addressing these systemic abuses will be debated. The speakers will also examine the links between domestic violations and abuses that have been replicated abroad in UAE run prisons in Yemen. The relationship between domestic adherence to obligations under international law and respect for these principles in armed conflicts perpetrated abroad will be considered, as well as the importance of pursuing accountability for domestic violations in order to stem increased transgressions in the region.

Moderator: Shana Marshall, Associate Director, Institute for Middle East Studies, GW Elliot School of International Affairs

Speakers:

- **Matthew Hedges**, Durham University Academic detained in solitary confinement in the UAE
- **Lauren Minsky**, Assistant Professor of History, New York University, Formerly NYU Abu Dubai
- **Gianfranco dell'Alba**, Chair, No Peace Without Justice; former EU Parliament Member
- **Michael Newton**, Professor at Vanderbilt Law School
- **Michelle Digruttollo**, Senior Managing Director, Ankura; former White House Intelligence Briefer; Army Combat Veteran

Lunch: 12:00 – 12:30

Panel 2: Looking Outwards: Accountability and Reparations for the Yemen Conflict

12:30 – 2:00

The tragic events in Yemen remain prominently in the spotlight. The US Senate is presently reconsidering the US's relationship with the Saudi-UAE coalition as the situation in Yemen has become the world's worst humanitarian crisis. The Panel will assess and discuss the UAE's foreign policies, whether they comply with international standards, and the concrete measures that can be taken to provide remedies and guarantee reparations for victims. The speakers will address the ways in which the widespread violations that have and are being committed in the conflict can be investigated and prosecuted so that the perpetrators can be held to account, and to ensure that international human rights and humanitarian principles are upheld throughout the region.

Moderator: Haydee Dijkstal, 33 Bedford Row, London. International Criminal and Human Rights Lawyer.

Speakers:

- **Sean Murphy**, Professor at GW University Law School, Member of UN International Law Commission
- **Chris Rogers**, Senior Program Officer, Open Society Foundations
- **Andrea Prasow**, Deputy Washington Director, Human Rights Watch
- **Osamah Al-Fakih**, Advocacy Director, Mwatana for Human Rights

Closing Remarks: 2:00pm

- **Daniela Tejada Venegas**

Speakers



Matthew Hedges, *Durham University Academic detained in solitary confinement in the UAE*

Matthew Hedges is a British researcher at Durham University. He specialises in security studies in the Arabian Peninsula, with emphasis in the United Arab Emirates. He is an advisor at Gulf State Analytics, a Washington, DC-based geopolitical-risk consultancy firm. Matthew is a regular commentator and media contributor on GCC and Middle Eastern issues. He was detained and sentenced in the UAE and accused of spying for the British Government, a claim vehemently denied by Matthew and the British Government. In November 2018 he was released.



Sean Murphy, *Professor at GW University Law School, Member of UN International Law Commission*

Sean D. Murphy is the Manatt/Ahn Professor of International Law at George Washington University Law School and is a Member of the U.N. International Law Commission, where he serves as Special Rapporteur for Crimes against Humanity. From 1995 to 1998, he was legal counselor at the U.S. Embassy in The Hague, arguing several cases before the International Court of Justice, representing the U.S. government in matters before the International Criminal Tribunal for the former Yugoslavia, and serving as U.S. agent to the Iran-U.S. Claims Tribunal. From 1987 to 1995, he worked in the U.S. Department of State Office of the Legal Adviser, primarily advising on matters relating to oceans and international environmental law, international claims, and international humanitarian law.

Since entering academia, Professor Murphy has represented several countries in international courts and tribunals, and has served as an arbitrator in inter-State and investor-State arbitrations. Professor Murphy has published numerous articles on international law; his article on international environmental liability won the *American Journal of International Law* (AJIL) 1994 Deák Prize for best scholarship by a younger author. His book *Humanitarian Intervention: The United Nations in an Evolving World Order* won the 1997 American Society of International Law 1997 certificate for preeminent contribution to creative scholarship. His most recent books are *Principles of International Law* (3d ed. 2018); *International Law relating to Islands* (2017); *Foreign Relations and National Security Law: Cases, Materials and Simulations* (5th ed. 2017) (with Swaine and Wuerth); and *Litigating War: Arbitration of Civil Injury by the Eritrea-Ethiopia Claims Commission* (2013) (with Kidane and Snider). Professor Murphy served for ten years on the AJIL Board of Editors and is a Patron of the Society.



Michael Newton, *Professor at Vanderbilt Law School*

Michael Newton is a Professor of the Practice of Law, and Practice of Political Science at Vanderbilt University. He is an expert on terrorism, accountability, transnational justice, and conduct of hostilities issues. Over the course of his career, he has published more than 90 books, articles, op-eds and book chapters. He has been an expert witness in terrorism related trials and is admitted to the counsel list of the International Criminal Court, where, in 2018, he helped prepare the appeal of Jean-Pierre Bemba and participated in oral arguments in the Appeals Chamber. At Vanderbilt, he developed and teaches the innovative International Law Practice Lab, which provides expert assistance to judges, lawyers, legislatures, governments, and policy makers around the world. Professor Newton is most recently the editor of *The United States Department of Defense Law of War Manual: Commentary and Critique*, forthcoming from Cambridge University Press.



Chris Rogers, Senior Program Officer, Open Society Foundations

Christopher Rogers is a senior program officer with the Open Society Foundations' Middle East, North Africa, and Southwest Asia Program. An expert on international law, human rights, and conflict, he conducts research and advocacy in the region, and provides support to Open Society partners. He has published reports on counter-terrorism operations and policy, the use of armed drones, unlawful detention and torture, insurgent abuse, and the protection of civilians. Prior to joining the Open Society Foundations, Rogers was a researcher for the Center for Civilians in Conflict based in Afghanistan and Pakistan, investigating civilian casualties from military operations and terrorism. He received his BA from the University of Pennsylvania, an MPhil in international development from Oxford University, and his JD from Harvard Law School.



Andrea Prasow, Deputy Washington Director, Human Rights Watch

Andrea Prasow, deputy Washington Director at Human Rights Watch, conducts advocacy before the US government on global human rights issues. Previously, as senior national security counsel and advocate for Human Rights Watch, Prasow investigated and analyzed US national security policies and practices, and led advocacy efforts urging executive and legislative branch officials in Washington to implement national security policies that respect internationally recognized rights. Prior to joining Human Rights Watch, Prasow was a defense attorney with the Office of Military Commissions. She served as assistant counsel for Salim Hamdan in the only contested military commission trial to date. Andrea was previously an associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP in New York, where, in addition to representing large corporations in complex civil litigation she served as habeas counsel for ten Saudi detainees at Guantanamo. Her work on behalf of Guantanamo detainees has taken her to Bahrain, Yemen and Afghanistan. Andrea holds a B.A. from the University of Toronto in political science and a J.D. from Georgetown University Law Center.



Osamah Al-Fakih, Advocacy Director, Mwatana for Human Rights

Osamah Alfakih is the director of media, communications and advocacy and the former director of research unit at Mwatana for Human Rights. Before joining Mwatana in 2015, he has worked with different local and international organizations including Human Rights Watch, Youth Leadership Development Foundations, and Resonate Yemen Foundation. He started his activism in the civil society in Yemen since 2008, and he is a co-founder of #SupportYemen Media Collective which established during the uprising in 2011.



Michelle DiGruttolo, Senior Managing Director, Ankura; former White House Intelligence Briefer; Army Combat Veteran

Michelle DiGruttolo is a Senior Managing Director at Ankura where she brings more than 25 years of experience as a trusted advisor to senior decision-makers in the White House, the Department of Defense, and the Department of State, and to corporate executives. She leads the firm's geopolitical advisory team and is based in Washington, DC. Michelle is an Army intelligence veteran with over 20 years' experience in the U.S. intelligence community, primarily in military and geopolitical risk analysis and production, and senior executive level support. As the executive coordinator of the President's Daily Intelligence Brief in the Office of the Director of National Intelligence, Michelle delivered daily intelligence briefs directly to President Barack Obama, his chief of staff, and his national security staff. She also communicated daily with the national intelligence director to coordinate, screen, and prioritize intelligence topics for the president.



Lauren Minsky, *Assistant Professor of History, New York University, Formerly NYU Abu Dubai*

Lauren Minsky is an Assistant Professor of History at New York University Abu Dhabi (NYUAD), where she has worked since 2010. She received her PhD from the University of Pennsylvania, and has held a variety of fellowships including FLAS, Fulbright-Hays, SSRC, and a Mellon Fellowship for Assistant Professors at the Institute for Advanced Study in Princeton. Her research and teaching areas of expertise lie at the intersection of environmental, medical, religious and labor histories of the Western Indian Ocean region.



Gianfranco dell'Alba, *Chair of the Board, No Peace Without Justice*

Gianfranco Dell'Alba was elected Chair of the Board of No Peace Without Justice on 21 May 2018. He graduated cum laude in Political Science at the La Sapienza University of Rome, and from 1980 to 1989 he was an official of the European Parliament. From 1994 to 2004 he was Member of the European Parliament, elected in 1994 with the Lista Marco Pannella and in 1999 with the Lista Emma Bonino. From 1998 to 2009, he was the Secretary General of No Peace Without Justice. From 2006 to 2008 he became Head of Cabinet of the Minister for European Policies Emma Bonino. From March 2009 to September 2017 he was Director of the Confindustria Delegation to the European Union in Brussels.



Daniela Tejada Venegas

Daniela Tejada Venegas rose to prominence in October 2018 when she mounted a campaign to free her husband Matthew Hedges who was detained for 7 months in the UAE, falsely-accused for spying for the UK Government. She faced many challenges in the 7 months of his detention both from within the UAE as well as from the UK authorities. She is now using her experience to campaign for other people arbitrarily detained to raise their own profile. Daniela has an MA in Arts and Cultural Management from King's College

London. When Matthew was detained she put her career as a PR executive on hold to take on the role of full-time campaigner for his rightful freedom.

Panel Hosts and Moderators



Mark Agrast, *Executive Director, American Society of International Law*

Mark Agrast is Executive Director and Executive Vice President of the American Society of International Law. He previously served as deputy assistant attorney general in the U.S. Department of Justice's Office of Legislative Affairs from 2009 to 2014. Mr. Agrast was a senior vice president and senior fellow at the Center for American Progress from 2003 to 2009, and held senior staff positions with the U.S. House of Representatives from 1992 to 2009. He practiced international law with the Washington office of Jones Day from 1985 to 1992. Mr. Agrast has served in numerous leadership capacities in the American Bar Association, including as a member of its Board of Governors and its Executive Committee, a longtime member of the ABA House of Delegates, chair of the Commission on Immigration and the Section of Individual Rights and Responsibilities (now the Section of Civil Rights and Social Justice), and chair of the Commission on Disability Rights. He currently serves on the Council of the Section of International Law and as a member of the Center for Racial and Ethnic Diversity. Mr. Agrast has been a leader of the World Justice Project since its inception and has played a central role in designing and implementing its Rule of Law Index, which measures the extent to which countries adhere to the rule of law. He is a member of the Board of Governors of the Washington Foreign Law Society and a past co-chair (and ABA delegate) of the National Lesbian and Gay Law Association (now the National LGBT Bar). Mr. Agrast is a member of the American Law Institute and a life fellow of the American Bar Foundation. He graduated summa cum laude from Case Western Reserve University, pursued his postgraduate studies as a Rhodes Scholar at the University of Oxford, and received his J.D. in 1985 from Yale Law School, where he was editor in chief of the *Yale Journal of International Law*.



Shana Marshall, *Associate Director, Institute for Middle East Studies, GW Elliot School of International Affairs*

Shana Marshall is Associate Director of the Institute for Middle East Studies and Assistant Research Professor. Her dissertation, "The New Politics of Patronage: The Arms Trade and Clientelism in the Arab World" examined how Middle East governments use arms sales agreements to channel financial resources and economic privileges to pro-regime elites. Prior to GW, Dr. Marshall was a fellow at The Crown Center for Middle East Studies at Brandeis University and the Niehaus Center for Globalization and Governance at Princeton University. Her current research focuses on patterns of military entrepreneurship in Egypt, Jordan, and the UAE. Dr. Marshall's current research explores questions relating to how transnational economic interests shape regional politics, including how Western public relations firms market nation-branding and strategic communications campaigns to Middle Eastern Governments, and how FDI and other official investment channels influence the distribution of economic and political power within Arab States.



Haydee Dijkstra, *33 Bedford Row, International Criminal and Human Rights Lawyer*

Haydee Dijkstra practices international criminal and human rights law before international, regional and domestic courts. Her practice has included work before the ICC, ICTY, SCSL, African Commission and Court on Human and Peoples' Rights and UN Working Group on Arbitrary Detention. She has been a member of legal teams representing parties including the defence, victims and Governments before the ICC and other courts, and currently works on the legal team representing victims of the Gaza Freedom Flotilla and legal team representing Palestinian victims before the ICC.

In addition to her legal practice, Haydee founded and manages a UK 'small charity', called ICL Media Review, dedicated to providing publications on developments in international criminal and human rights law. She is called the Bar in the State of Illinois as well as to the Bar of England and Wales.

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