

## Global Interns

# Working on some of the most important human rights issues of the day

Internship report by Ellyse Borghi



Ellyse and another Global Intern, Laura John, on the Brooklyn Bridge.

**During my internship at the Center for Constitutional Rights (CCR) I worked on four primary cases, and each one taught me different things and challenged me in different ways.**

The largest case was Al-Shimari, in which we acted on behalf of four plaintiffs who had been victims of torture at the Abu Ghraib prison in Iraq. The defendants were CACI International, a private military contractor whose employees, we alleged, committed these acts of torture. There were two key challenges for me in this case. The first was the vast amount of information and the number of documents used in the case. It was simply overwhelming. The second challenge was the use of corporate law. As a student with an interest in social justice and human rights I'd never previously invested much time on corporate law issues. Yet, in this case, we were suing a corporation and these matters were crucial. It was a fun adventure perusing the various precedents from different states and determining what was useful for our case.

In a related but quite different case, I helped research and draft a request for a thematic hearing to the Inter-American Human Rights Commission. It was part of the "Right to Heal" group of projects in commemoration of the 10th anniversary of the Iraq War. I researched and drafted the section about gender based violence in Iraq and Afghanistan perpetrated by Coalition forces or enabled by the wars. This included the rise in Female Genital Mutilation in northern Iraq and vigilante murders of homosexual Iraqis. In Afghanistan this was seen by a marked increase in human trafficking for sex work, particularly young boys who are kept as sex slaves by wealthy warlords. This research was quite emotionally taxing but after a Skype meeting with a women's activist in Iraq who was under constant threat, I felt a strong sense of urgency in this work which enabled me to really dedicate myself to this research. A particularly inspiring aspect of the work was

our collaboration with Iraq Veterans Against War. The compassion these returned soldiers felt for the Iraqi civilians affected by the U.S. led invasion really humanised the conflict for me and demonstrated that not all combatants can engage in war with an untroubled conscience.

On the topic of child sexual abuse, I worked on the CCR cases against the Vatican, which included researching and drafting an article about freedom of religion as a defence against litigation resulting from child sex abuse by clergy. If that sounds dense and complicated and fascinating, then you're right. This was probably my favourite research task; American constitutional jurisprudence is complex and nuanced and I thoroughly enjoyed sinking my teeth into it. About 2 weeks before my internship was due to end, CCR received a request from the UN Commission on the Rights of the Child to draft a submission for the inquiry into the Holy See and its obligations under the Convention. This required not only research into the Convention but also into Canon law and the legal system within the Vatican. It was really interesting work, even if it was disappointing to learn how little the Church has done to protect their most vulnerable congregants.

The last significant case that I worked on was *Sexual Minorities Uganda v. Scott Lively*. Mr. Lively is an American pastor who CCR alleges preaches hate against homosexuals. He has worked in Uganda with other church leaders and politicians to institute the death penalty for homosexuality and to persecute the community activists supporting human rights for all Ugandans irrespective of their sexual identity. My research included the Nuremberg trials against Nazi propagandists who spread hatred and persecuted minorities in Germany and its conquered territories. As a Jew whose family fled anti-Semitic persecution to arrive in Australia, it felt especially important to me to ensure that the lessons learned from the Nuremberg trials are applied wherever hatred is being spread.

My time at CCR provided me with a great supportive environment to hone my legal skills in research and analysis. I had exceptional role models for ethical lawyering for the benefit of society. I went to work every day eager to contribute to something bigger than myself. Better yet, I left work at the end of each day satisfied that it was a day well spent. I was overwhelmed with the kindness and attention showered upon me by my supervisors and colleagues. Lastly, I am appreciative in the extreme to the Castan Centre for providing me with a game-changing opportunity.

Thank you.