



MINISTERIO DE  
RELACIONES EXTERIORES  
Y CULTO

GOBIERNO  
DE COSTA RICA



OAS | More rights  
for more people

In commemoration of Human Rights Day,  
**Ambassadors Francisco Mora and Alejandra Solano,  
U.S. and Costa Rican Permanent Representatives to the OAS,**

invite you to a memorial event



**"Honoring Judge Thomas Buergenthal's Lasting Impact on the  
Inter-American System and the Americas"**

*With a moderated panel discussion.*

**Co-Sponsored by:** The GW International & Comparative Law Program, Inter-American Institute of Human Rights (IIDR), Inter-American Commission on Human Rights (IACHR), Inter American Court of Human Rights, Due Process of Law Foundation (DPLF), American University (AU) Washington College of Law, and The Carter Center.

**Friday, December 1, 2023; 1:00 - 3:00pm**

*The invitation is open to the public, but capacity is limited.*

**RSVP:**

E-mail: [USMissionRSVP@gmail.com](mailto:USMissionRSVP@gmail.com)

**OAS Columbus Memorial Library**

19th Street and Constitution Avenue, N.W.

**JUDGE THOMAS BUERGENTHAL** (1934-2023) was a prominent figure known for his significant contributions to the field of international human rights. Having survived the Holocaust, he dedicated his life to promoting peace and justice through his roles at various prestigious institutions including the International Court of Justice, the Inter-American Court of Human Rights, and the Inter-American Institute of Human Rights. His profound impact on the Inter-American System and the Americas is worthy of commemoration and celebration. Within the Americas, Buergenthal served as the only judge and President of the Inter-American Court of Human Rights from the United States (1979-1991, nominated twice by Costa Rica), founder and first President of the Inter-American Institute of Human Rights (1980-1992), director of The Carter Center's human rights program (1986-1989), judge and President of Inter-American Development Bank's Administrative Tribunal (1989-1994), and one of the three commissioners of the UN Truth Commission for El Salvador (1992-1993) who together founded the Due Process of Law Foundation (DPLF). This memorial event, held in the context of Human Rights Day (December 10), honors Buergenthal's legacy by highlighting his multifaceted contributions to the field of human rights, his influential role as a judge and mentor, and his unwavering commitment to the promotion of peace through the rule of law.

### **- EVENT PROGRAM -**

- **Welcoming Remarks**
  - Brief introduction to the legacy of Judge Buergenthal.
    - Short video remarks: Representative of the Inter-American Court of Human Rights
    - Commissioner Margarette May Macaulay, *President, Inter-American Commission on Human Rights (IACHR)*
- **Panel Discussion: "Striving for Peace through Rule of Law and Human Rights in the Americas"**
  - Moderated panel discussion involving experts and colleagues of Judge Buergenthal, exploring his contributions to peace-building efforts in the Americas through the rule of law and human rights.
    - Prof. Claudio Grossman, *Professor of Law and Dean Emeritus of the American University Washington College of Law, President of the Inter-American Institute of Human Rights (IIDR)*.
    - Prof. Robert Goldman, *Professor of Law and the Louis C. James Scholar at American University Washington College of Law, Former IACHR Commissioner and President*.
    - Prof. Dinah Shelton, *GW Law Manatt/Ahn Professor of International Law Emeritus, Former IACHR Commissioner and President*.
    - Dr. Jennie K. Lincoln, *Senior Advisor for Latin America and the Caribbean, The Carter Center*.
    - **Moderator:** Leonor Arteaga, *Program Director, Due Process of Law Foundation (DPLF)*.
- **The Lasting Impact of Thomas Buergenthal on the Inter-American System and the Americas**

- Sharing of personal thoughts and insights from friends/colleagues on Judge Buergenthal's role in shaping the Inter-American Human Rights System, and his enduring impact on the Americas and today's human rights advocates.
  - Prof. Douglass Cassel, *Former President of DPLF, board member of the Justice Center of the Americas (CEJA), and U.S. nominee to the IACHR.*
  - Amb. Hattie Babbitt, *Former U.S. Ambassador to the OAS, co-chair of The Global Water Challenge and vice chair of The National Democratic Institute.*
  - Mr. Charles Moyer, *Former Assistant IACHR Executive Secretary and first Secretary of the Inter-American Court of Human Rights.*
- **Closing Remarks**
  - Comments by Mr. John Buergenthal, *Family Member.*
  - Summation of the event, emphasizing Judge Buergenthal's legacy and the importance of carrying forward his vision for human rights and justice.
    - Representatives of the U.S./Costa Rican Missions to the OAS
- **Coffee Reception / Toast**

### **ABOUT JUDGE BUERGENTHAL**

Tom Buergenthal left an indelible mark on the Americas and the global human rights landscape. His significant contributions are lasting due to the various roles he assumed within the Inter-American System and beyond. In commemorating this year the 75th anniversaries of the adoption of the Universal Declaration of Human Rights (UDHR) and the American Declaration on the Rights and Duties of Man, his work reminds us of the importance of living up to the values enshrined in these declarations.

Buergenthal's relationship with the Inter-American System was multifaceted; he served as the only judge and President of the Inter-American Court of Human Rights from the United States. He was instrumental in advocating for the effective protection of human rights, particularly during his tenure at the Inter-American Court. His leadership as the founder and first President of the Inter-American Institute of Human Rights further solidified his commitment to fostering a culture of human rights within the region. Additionally, his role as the first director of The Carter Center's human rights program exemplified his dedication to advancing human rights causes with a focus on marginalized and persecuted communities. His involvement with the Inter-American Development Bank's Administrative Tribunal also showcased his commitment to ensuring justice within regional development institutions.

Buergenthal's legacy extended to his founding and advisory roles with the Due Process of Law Foundation (DPLF), emphasizing his active engagement in promoting legal frameworks that safeguard the rights of individuals and communities. He played a significant part in shaping discourse on international human rights law through his prolific writings and his contributions to academic institutions such as The George Washington University Law School and American University's Washington College of Law. And yet, his influence reached beyond academic realms, with pivotal roles at the United Nations Truth Commission for El Salvador and the International Court of Justice in The Hague (2000-2010). Buergenthal's consistent advocacy for justice and human rights earned him accolades and respect from peers and colleagues in the

human rights and legal communities, with a steadfast commitment to upholding the dignity and rights of all individuals.

Buergenthal's personal history, in surviving the Holocaust, deeply informed his commitment to preventing human rights abuses and ensuring justice for victims of atrocities. His experiences in the concentration camps of Auschwitz and Sachsenhausen shaped his profound understanding of the impact of human rights violations and inspired a lifelong dedication to promoting peace and justice.

The 75th anniversaries of the UDHR and the American Declaration on the Rights and Duties of Man come at an opportune moment as we consider Buergenthal's legacy. His work, deeply rooted in the principles of these declarations, continues to resonate with a profound emphasis on the protection of human dignity, freedom, and justice for all. The commemoration of Buergenthal's life and contributions serves as a reminder of the ongoing, and urgent, need for vigilance in safeguarding human rights and preventing future atrocities.

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*“What it means to suffer human rights violations is something I feel in my bones. I don’t have to be told what happens in a massacre, what it is like to be disappeared or to be tortured. These are not academic subjects for me.” - Judge Thomas Buergenthal*

## **SPEAKERS**

**LEONOR ARTEAGA RUBIO**, a Salvadoran attorney, joined the team of the Due Process of Law Foundation (DPLF) in January 2012, and heads the program on Impunity and Grave Human Rights Violations. As a Senior Program Officer, Leonor leads investigations, advocacy, and monitoring and analysis on issues relating to memory, truth, justice, and guarantees for non-recurrence of past armed conflicts and current situations of state violence in Latin America. Leonor holds a law degree from the Universidad Salvadoreña “Alberto Masferrer” (USAM). Before joining DPLF, Arteaga was Deputy Ombudsman for Children and Youth at the Office of the Ombudsman for the Defense of Human Rights. Prior to working at the Ombudsman Office, Leonor extended legal support to victims and their relatives as well as litigated cases on forced disappearances at the national and international level. She has published articles and opinion pieces on the internal armed conflict legacy in El Salvador. In February 2018, Leonor was appointed by the El Salvador government as a Commissioner for the National Commission for the Search of Disappeared Persons (CONABÚSQUEDA) in the context of El Salvador’s armed conflict, an ad-honorem position.

**HARRIET C. BABBITT (HATTIE)** serves as co-chair of The Global Water Challenge (GWC), as vice chair of The National Democratic Institute (NDI), and as vice chair-emerita of The World Resources Institute (WRI). She served as the chair of the board of Population Action International (PAI) and as a member of the board of The Water Initiative (TWI). She is a member of the Council on Foreign Relations. Ambassador Babbitt served in the US Department of State as Ambassador and US Permanent Representative to the Organization of American States from 1993-1997. She served as Deputy Administrator of the US Agency for International Development (USAID) from 1997-2001. Babbitt also served as a Senior Public Policy Scholar at the Woodrow Wilson International Center for Scholars and spent 20 plus years as a practicing attorney.

**JOHN C. BUERGENTHAL** is President/Managing Director at ResourceWorks, Inc., focused on HR consulting, interim support, and outsourcing services in the fields of biotechnology, pharmaceuticals, information technology, health services, and financial services. ResourceWorks' offerings under his leadership encompass a wide array of HR solutions, including HR Project Consulting, Interim HR Support, and full HR Outsourcing. The comprehensive program offerings include HR Policy/Program Management, Compensation, Benefits, Employee Engagement/Communication, Performance Management, Employee Data Management, M&A Diligence, Training, Talent Acquisition, AAP (Affirmative Action Program), and more.

**DOUGLASS CASSEL** is a widely recognized expert on business and human rights, international human rights law, and public international law. He has long taught in these fields, most recently at Notre Dame Law School, where he was Notre Dame Presidential Fellow. He has also taught at leading universities in Belgium, England, Hungary, Mexico and Spain. He has published more than one hundred scholarly articles and reviews. Cassel has represented international law

experts, and retired US diplomats, before the United States Supreme Court. He has assisted human rights victims before the Inter-American Commission and Court of Human Rights, the European Court of Human Rights, and the International Criminal Court. His articles have been published in the *Business and Human Rights Journal*, *Business Ethics Quarterly*, and many other journals. On behalf of the American Bar Association's Human Rights Center and the Law Society of England and Wales, he was principal author of the *White Paper: Options for a Treaty on Business and Human Rights* (2015). Cassel has both defended and sued major corporations. Before the Inter-American Commission on Human Rights, he defended Chevron from an attempt to enforce a fraudulent judgment entered against the company in Ecuador. Cassel is experienced in investigations, negotiations and diplomacy. He was Legal Advisor to the United Nations Truth Commission for El Salvador. In 2015 Colombia's President called on him to help negotiate the justice provisions of the peace treaty with FARC guerrillas, for which Cassel was later awarded Colombia's highest honor given to foreign citizens.

**ROBERT K. GOLDMAN** is Professor of Law and Louis C. James Scholar at American University Washington College of Law. He is also Faculty Director of the War Crimes Research Office and Co-Director of WCL's Center For Human Rights and Humanitarian Law. A member of WCL's faculty since 1971, Professor Goldman was the law school's Acting Dean from 1979-1980. He was instrumental in founding and was the first Faculty Director of WCL's International Legal Studies Program. He practiced international trade law at Arnold & Porter from 1974-1976. Professor Goldman teaches, practices and writes in the areas of International Law, Human Rights Law, Terrorism, and International Humanitarian Law. In 1993, he chaired the Commission of International Jurists on the Administration of Justice in Peru, jointly tasked by the US and Peruvian governments to evaluate Peru's anti-terrorist legislation. He helped from 1994-1996 develop the normative framework for internally displaced persons and was a principal author of *The Guiding Principles on Internal Displacement*. He was a member of the Inter-American Commission on Human Rights from 1995 to 2004 and was that body's president in 1999-2000. From July 2004 to August 2005, Professor Goldman was the former UN Human Rights Commission's Independent Expert on the protection of human rights and fundamental freedoms while countering terrorism. In 2008, he was elected a Commissioner and member of the Executive Committee of the International Commission of Jurists (ICJ) and since 2014 was its Vice President. In July 2018, Professor Goldman was elected President of ICJ. Prior to his election to the Inter-American Commission, he was a member of the Policy Committee of Human Rights Watch and the Advisory Boards of Americas Watch, Helsinki Watch and Middle East Watch. Professor Goldman is currently a member of the Diplomatic Reception Room's Fine Arts Committee of the State Department.

**CLAUDIO GROSSMAN** is Professor of Law, Director of Impact Litigation and the Kovler Practicum, Dean Emeritus, and the Raymond Geraldson Scholar for International and Humanitarian Law at American University Washington College of Law (WCL). Throughout his career, Professor Grossman has promoted the rule of law, human rights and legal education through his contributions to academia and international and domestic organizations, and has participated in landmark cases and decisions in the regional and universal system. Professor Grossman litigated in the International Court of Justice representing Chile. He was also the

President of the Inter-American Commission on Human Rights and of the Committee Against Torture of the United Nations. He was the Dean at Washington College of Law from 1995-2016 and is currently member of the United Nations International Law Commission. In March of 2023 Professor Grossman was elected as Vice-President of the Committee of Admissibility for Chile's new constitution. In 2021, Professor Grossman was re-elected to serve a five-year term as a member of the United Nations International Law Commission (ILC). Professor Grossman was first elected in November 2016 for a five-year term and in 2019 Chair of the ILC's Drafting Committee for a one-year term. In 2019, Professor Grossman was elected to L'Institut de Droit International (International Law Institute) in its session in the Hague. He previously served as member (2003-2015) and chairperson (4 terms, from 2008-2015) of the United Nations Committee against Torture (CAT). On May 20, 2013, Professor Grossman was elected chair of the UN Human Rights Treaty Bodies for a one-year term. In May 2009, he was named to the judging panel for the Robert F. Kennedy Human Rights Award by the Robert F. Kennedy Center for Justice & Human Rights, and in May 2010 he was appointed to the Center's Board of Directors. Professor Grossman served on the governing board for the International Association of Law Schools since 2008 and was reelected in 2010 for a three-year term. On January 1, 2014, Professor Grossman began serving as President of the Inter-American Institute of Human Rights, following three years on its Board of Directors. He is also a member of the American Law Institute. Professor Grossman previously served as President of the College of the Americas (COLAM), an organization of about 400 colleges and universities in the Western Hemisphere (2003- 2007). He also served as Chair of the Committee on International Cooperation of the Association of American Law Schools (2005- 2009) and as a member of the Commission for the Control of Interpol's Files (2005- 2011). In addition, he was a member of the Inter-American Commission on Human Rights (IACHR) from 1993-2001. He was twice elected its President, in 1996 and again in 2001. He was the IACHR's first Special Rapporteur on the Rights of Women (1996-2000), as well as Special Rapporteur on the Rights of Indigenous Populations (2000-2001) and the IACHR's observer of the AMIA Trial (2001-2005). Representing the IACHR, Professor Grossman participated in missions to Argentina, Bolivia, Brazil, Canada, Chile, Colombia, the Dominican Republic, Guatemala, Haiti, Mexico, Panama, Paraguay, Peru, Venezuela, among others. On behalf of international and non-governmental organizations, he has also chaired or participated in missions to observe elections in Nepal, Nicaragua, Paraguay, Romania, Surinam, and the Middle East.

**JENNIE K. LINCOLN** manages the Carter Center's focus on Latin America and the Caribbean and is a professor at the Sam Nunn School of International Affairs at the Georgia Institute of Technology, where she teaches Latin American politics and U.S.-Latin American relations. In 2010, she retired as principal research associate at the Georgia Tech Research Institute. Her research interests focus on uses of information technology to improve democratic initiatives and civil-military relations. She has been an international election observer in 13 elections, including two with the Organization of American States (Ecuador 2013 and Bolivia 2014). In the summers of 2012 and 2013, she taught "Threats, Technology, and the Information Society" for the master's program in security and defense for the National Institute of Higher Studies in Quito, Ecuador. In May 2014, she was invited by the U.S. Embassy in Equatorial Guinea to conduct workshops and speak with government officials, non-governmental organizations, the

press, and the private sector on elections administration and models of domestic and international observation. Lincoln also has a long, distinguished record of consulting for the U.S. government, nongovernmental organizations, and private sector companies. She served as a consultant on a variety of cross-cultural initiatives, training, and project design and evaluation for the Ford Foundation; the MacArthur Foundation; Frost and Sullivan Political Risk Analysts; Creative Associates International, Inc.; the International Foundation for Electoral Systems; and HansaOne, Inc. She has managed projects for Management Systems International; Development Associates; the U.S. Department of State; the U.S. Department of Defense; the U.S. Office of National Drug Control Policy; and the U.S. Agency for International Development in Latin America and the Caribbean, as well as Namibia and Mozambique. Lincoln received her Ph.D. in political science from The Ohio State University and has taught at Miami University (Ohio). She was a Fulbright professor in Costa Rica from 1984-86 and then served as associate director of the Latin American and Caribbean Program at The Carter Center before going to Georgia Tech in 1991. Lincoln has been a policy advisor for the U.S. Southern Command J3/J5 exercises and is adjunct faculty for the U.S. Department of Defense Institute for Security Assistance Management at Wright Patterson Air Force Base.

**MARGARETTE MAY MACAULAY** was re-elected to the Inter American Commission on Human Rights by the General Assembly of the OAS during its 49th Regular Period of Sessions, on June 28, 2019, for a further four-year term from January 1, 2020 through December 31, 2023. She had previously been elected by the General Assembly of the OAS for a first term as a commissioner that also ran for four years, January 2016-December 2019. President Macaulay holds a bachelor of laws degree from the University of London and is currently an attorney in private practice. She serves as Mediator in the Supreme Court of Jamaica and as Associate Arbitrator, as well as serving as Notary Public. She served as a Judge of the Inter-American Court of Human Rights from 2007 to 2012, contributing to the formulation of the Court's Rules of Procedure. She is an honored member of the Gender Justice Legacy Wall of notable women's rights advocates who have brought about important changes, which was launched in December 2017 at the United Nations in New York, during the Assembly of Ministers. She took part in the reform and drafting of laws in Jamaica and is well known as a strong proponent of and authority on women's rights. She is a citizen of Jamaica.

**CHARLES MOYER** joined the staff of the IACHR in 1970 and was subsequently appointed Assistant Executive Secretary of the Commission. In January 1980, Mr. Moyer was elected the first Secretary of the Inter-American Court of Human Rights, a position which he held until 1989. He also has served as Director of Administration and Finances of the Inter-American Institute of Human Rights. Moyer holds B.A. from Gettysburg College, an LL.B. from the University of Michigan and is a member of the Bar Association of California. In honor of his work, the Charles Moyer Human Rights Fellowship has been awarded annually since 2012 by the Bernard and Audre Rapoport Center for Human Rights and Justice at the University of Texas School of Law.

**DINAH L. SHELTON** is Manatt/Ahn Professor of International Law Emeritus at George Washington Law School. She joined the law school faculty in 2004. Before her appointment, she



was professor of international law and director of the doctoral program in international human rights law at the University of Notre Dame Law School from 1996-2004. She previously taught at Santa Clara University and was a visiting lecturer at the University of California, Davis, Stanford University, University of California, Berkeley, the University of Paris, and the University of Strasbourg, France. From 1987 to 1989, she was the director of the Office of Staff Attorneys at the U.S. Court of Appeals for the Ninth Circuit. Professor Shelton is the author or editor of three prize-winning books: *Protecting Human Rights in the Americas* (winner of the 1982 Inter-American Bar Association Book Prize and co-authored with Thomas Buergenthal); *Remedies in International Human Rights Law* (awarded the 2000 Certificate of Merit, American Society of International Law); and the three volume *Encyclopedia of Genocide and Crimes against Humanity* (awarded a "Best Research" book award by the New York Public Library). She also has authored many articles and books on international law, human rights law, and international environmental law. She is a member of the board of editors of the *American Journal of International Law* and is a vice-president of the American Society of International Law. Professor Shelton serves on the boards of many human rights and environmental organizations. In 2006, she was awarded the prestigious Elizabeth Haub Prize in Environmental Law, and has served as a legal consultant to the United Nations Environment Programme, UNITAR, World Health Organization, European Union, Council of Europe, and Organization of American States. In 2009, she became the first woman nominated by the United States to become a member of the Inter-American Commission on Human Rights, established by the Organization of American States to promote and protect human rights in the Western Hemisphere. She served a four-year term, during which she went on to become President of the Commission.

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