Preface to Second Edition

It has been more than three years since the first edition of this book was published. Since then the International Criminal Court has continued to confound, disappoint and dismay its supporters and greatly strengthen the arguments of those opposed to it. Established in 2002, the International Criminal Court is now widely seen as an impotent European white elephant. The ICC's claims to international jurisdiction and judicial independence are institutionally flawed and the court's reputation has been irretrievably damaged by its racism, blatant double standards, hypocrisy, corruption and serious judicial irregularities. 2015 was a particularly bad year for the court. The reputation of the ICC sank to a then all time low under the new chief prosecutor Fatou Bensouda, someone ironically brought in to replace the scandal-prone first chief prosecutor, Luis Moreno Ocampo. In January 2015, for example, the ICC had to publicly deny that it had been involved in the abduction and murder of Meshack Yebei, a defence witness in its Kenyan cases, cases which subsequently collapsed.[1] Allegations of sexual harassment and ongoing witness coaching have also emerged.[2] The ICC's continuing alienation from Africa initially came to a head in October 2016 when South Africa, previously a keen member, announced it was leaving the ICC.[3] South Africa had already publicly ignored questionable ICC arrest warrants, thus allowing the Sudanese President Omar al-Bashir to attend the 2015 African Union heads of state summit in Johannesburg.[4] Both The Gambia and Burundi also said they were withdrawing from the court.[5] African discontent culminated at the January 2017 annual heads of state of summit in Addis Ababa when the AU called for the mass withdrawal of its member states from the International Criminal Court. The BBC described it as "a huge announcement showing how frustrated the AU was with the international court."[6]

India, the world's largest democracy, which chose not to join the ICC because the court is subordinate to the United Nations Security Council and because it does not criminalise terrorism or the use of nuclear weapons, also pointedly snubbed ICC calls for it to detain Sudanese President al-Bashir while he was attending an India-Africa summit in New Delhi in October 2015.[7] In an international system in which the old political and economic power blocs are shifting, it is very significant that four out of the five emergent BRICS nations are not members of the court or have pointedly refused to cooperate with it.

The pressure on the Court continued to mount in 2016. The last of its Kenyan cases, those against Vice-President William Ruto and the journalist Joshua arap Sang, collapsed. Originally brought by the ICC against six Kenyans indicted for alleged involvement in the 2009 post-election violence in that country, the cases were characterised by wishful-thinking, incompetence and ineptitude on the part of the Court. The Kenyan cases were

very significant for the ICC as they were the first instance in which the Chief Prosecutor had exercised *proprio motu* powers granted to the court to open an investigation itself. The other investigations had been by way of politicised United Nations Security Council referrals or questionable, self-serving "self-referrals" by states (as Mark Kersten notes "[t]he ICC risks being instrumentalized by the referring government which may 'use' the Court to delegitimize their adversaries whilst drumming up international support for their own role in the conflict."[8]) The Court, the Office of the Prosecutor and the ICC's supporters have sought to blame the failure of its Kenyan cases on witness tampering and intimidation. This simply does not hold water as an explanation for the failure of these trials. It is the Court's symbiotic relationship with non-governmental organisations engaged by the ICC to procure "witnesses" that was primarily why the Kenyan cases fell apart. The ICC had chosen, as usual, to rely upon "intermediaries", usually self-styled human rights NGOs, to supply it with prosecution "witnesses" and "evidence".

The extent of the rot became clear. In January 2015, for example, there was an extraordinary spectacle when the ICC had to admit in court that one of its own star witnesses in the remaining Kenyan trials was "thoroughly unreliable and incredible". This was amidst claims that all the ICC witnesses whose statements were relied on by the Court to confirm the charges against Vice-President Ruto had given false evidence.[9] It is a simple fact that the ICC has had an institutional problem with its "witnesses" and witness procurement process from its earliest days. Almost exactly seven years earlier, the very first witness on the very first day of the ICC's first-ever trial, that of Thomas Lubanga of the Democratic Republic of the Congo, admitted he had been coached in what to say by the intermediary non-governmental organisation that had procured him for the ICC.[10] He too proved to be a thoroughly unreliable prosecution witness. There have been many others since then. It is nobody else's fault save that of the ICC when the Court itself has to admit that its own key witnesses are thoroughly unreliable and incredible.

It is not as if the International Criminal Court was not warned about the dangers of reliance upon unqualified and often politically motivated non-governmental organisations to produce "evidence" and procure "witnesses". As early as 2004, Human Rights First (the former Lawyers Committee for Human Rights) published *The Role of Human Rights NGOs in Relation to ICC Investigations*, and distributed it to members of the NGO Coalition for the International Criminal Court (CICC) during the Third Session of the ICC Assembly of States Parties in The Hague in September 2004.[11] Human Rights First acknowledged that "[t]raditionally, human rights NGOs documented violations, drew attention to them, and by doing so, helped to bring a halt to ongoing violations." It also noted however that human rights NGOs would have "to rethink their practices in light of the establishment of the International Criminal Court (ICC) and the prospect that the violations they are documenting could become the subject of a criminal prosecution before an international tribunal."

The report made the following observations:

> There are significant limitations, however, that human rights NGOs face. Most NGOs do not employ trained criminal investigators…Human rights

> NGOs also need to be aware that their actions could actually harm an ICC investigation. By gathering multiple statements from a witness, NGOs may create difficulties for that witness when testifying in ICC proceedings. In addition, untrained collection of physical or forensic evidence could limit its value before the Court. In light of these circumstances, human rights NGOs face numerous questions regarding their role in relation to ICC investigations. A fundamental issue for many human rights NGOs will be whether to hand information to the ICC or testify before the Court to what they have observed. However, even if NGOs do not accept such a role, they also will need to address some of the same questions. What changes might need to be made in NGO fact-gathering methodologies? What are the implications of a potential ICC investigation for the ways in which NGOs interact with witnesses, particularly as regards taking statements? [12]

None of these concerns were addressed by the ICC. They have simply been ignored.

The failed NGO cottage industry supplying unreliable witnesses to a gullible and less than demanding ICC is a by-product of a bigger problem which continues to eat like acid into the Court's credibility. The ICC has a fatal relationship with non-governmental organisations at both a macro and micro level. The Court's relationship with NGOs and the palpable belief of certain NGOs, such as the Coalition for the International Criminal Court, that they created and therefore they control the Court, with all that that entails by way of politicisation and stale concepts of political correctness, is deeply problematic. The damaging relationship between the ICC and unelected and unaccountable NGOs, while very significant, is itself not a sufficient explanation for the failure of the ICC. There are other factors.

It is all too clear that the International Criminal Court has failed. It has let down all those people who had hoped for so much more from this institution. It is equally clear that the ICC has itself been failed by those institutions and organisations tasked with its supervision.

The Assembly of State Parties, the body charged with the management and oversight of the International Criminal Court should accept that it has grotesquely neglected its responsibility to supervise the court, having turned a blind eye to systemic failure on the part of the ICC. Once a year the ASP brings together a motley crew of smug western politicians, lawyers infused with their own self-importance, bored diplomats, tame journalists, naïve fresh-faced interns and a slew of excitable, self-righteous human rights activists from the lucrative international human rights industry, various dogsbodies and others whose jobs depend upon the burgeoning industry that is the ICC. While meant to supervise the ICC what generally ensues is an orgy of self-congratulatory back-slapping.

The November 2015 Assembly of State Parties, meeting in The Hague, was typical. Rather than focusing on the all-too-clear systemic failings of the International Criminal Court, painstakingly documented by friend and foe, the Assembly chose to spend much of its time on "politically correct" issues, obsessed, for example, with what it described as women's rights, "gender justice" and the "advancement of women". Huge amounts

of time and effort was expended on securing the election of Judge Silvia Fernandez de Gurmendi as president of the ICC, to parade alongside two new female vice- presidents and a female ICC chief prosecutor. Not content with this gender asymmetry, apparently, President Fernandez de Gurmendi went on to demand five new women judges. The ASP was awash with self-congratulatory acclamation at these achievements and aspirations while ignoring the fact that the legitimacy and credibility of the court they were meant to supervise had reached an all-time low, snubbed by countries such as India and South Africa. The reality is that the court's promises to usher in a new era of gender justice on the ground are absent outside of the ASP's comfortable corridors. Women's rights specialists such as Professor Louise Chappell have noted that the ICC's record in this respect "has been partial and inconsistent", and that in this area "[t]he ICC's legitimacy is fragile." The reality is that the ASP and its self-obsessed delegates continue to fiddle while the Rome statute and ICC credibility within Africa and elsewhere continue to burn.

Another feature of the Assembly of State Parties is the presence of dozens of non-governmental organisations under the auspices of the Coalition for the International Criminal Court, sister organisations to those NGOs responsible for having procured the thoroughly unreliable and discredited witnesses that have destroyed the Court's reputation in Africa. That they are there is fitting perhaps given that the CICC has been more responsible than most for the disastrous institution the world sees before it today. It is said that a camel is a horse designed by committee. The ICC is a grotesquely deformed court designed by NGOs who foisted the fatally flawed Rome statute upon the court on a take it or leave it basis. Even avid fans of the ICC warned of "serious flaws", "many… flaws", "ambiguities and dilemmas" and "fault lines" in the statute. The legacy of letting unaccountable NGOs influence and draft international legal instruments has resulted in the sort of sub-prime justice being foisted upon Africa. The presence of the CICC, non-governmental organisations and other components of the self-serving human rights industry and their baying T-shirt wearing activists at the yearly ASP meetings continues to undermine the credibility of the body. Shrill and self-centred, they are the latter-day equivalent of *Les Tricoteuses*, the little old ladies who sat knitting beside the guillotine during public executions in Paris in the French Revolution – and with as much legal training and even less accountability.

The Court's reputation is in free-fall. A case has already been made that the ICC is the FIFA of international justice:

> It would have been impossible not to notice that the international football association, *Fédération Internationale de Football Association* (FIFA), has recently been at the centre of a very public international scandal. Less obvious, but considerably more troubling, is the fact that the International Criminal Court has been at the heart of a similar international scandal. At the heart of both have been allegations of corrupt vote-trading and bribery.[13]

That both the ICC and FIFA have engaged in vote trading scandals is an open secret.[14] And in this context the Assembly of State Parties is at the heart of allegations of corruption.

The *Shorter Oxford English Dictionary* defines "corrupt" as "destroyed in purity, debased; vitiated by errors or alterations." The Assembly of State Parties is responsible for the appointment of judges to the ICC. It is in the selection of judges that the ASP and ICC have been at their most corrupt. ICC judges – some of whom staggeringly have never been lawyers, let alone judges before appointment – are the result of corrupt vote-trading within the Assembly of State Parties amongst member states and delegates. The general view on vote-trading has been summarised as follows:

> The practice of vote-trading usually carries a moral stigma. Vote-trading is widely criticized by commentators as being a form of corruption, undue influence, and even coercion. In most countries there are domestic laws that prohibit agreements based on the exchange of goods or money for votes. There is also an ongoing international effort to stop voting transactions in elections in developing countries. Common wisdom would thus suggest that the practice of vote-trading should be made illegal in international law as in domestic systems.[15]

The relationship between appointments to the ICC and vote trading between states is clearly documented. *Selecting International Judges: Principle, Process, and Politics*, a groundbreaking study of international judicial appointments, written by Professor Philippe Sands QC, and others as part of Oxford University Press' International Courts and Tribunals Series, revealed that "[m]any individuals who participate in the ICC process believe it to be even more politicized than other international judicial elections." Once again, it is not as if the ASP was not aware of the issue. At the First Session of the Assembly of States Parties in 2002, there were appeals to State Parties not to engage in trading votes.[16] Fourteen years on, it is very clear that the appeals made in 2002 and repeatedly since then continue to fall on deaf ears. At a press conference held during the ICC's 2011 ASP meeting in New York, for example, Women's Initiatives for Gender Justice Board Member María Solís García said that the election process continued to be rife with vote trading, disregarding the candidates' qualifications: "The great problem here is they are not respecting the Rome Statute. They are violating the Statute by trading votes."[17]

The sheer corruption of the process aside, the reality is that vote-trading results in mediocre, under-qualified or unqualified judges which in turn leads to a debased and dysfunctional court. When Japan joined the ICC in 2007, after repeated courting by the European Union, Japan became the biggest single contributor to the ICC, paying 22 per cent, or 20 million Euros, of the Court's budget that year. As a reward it received one judge on the bench, Fumiko Saiga. The fact that Saiga had neither law degree nor any legal training or experience did not in any way hinder her election by the Assembly of State Parties. In an example of carefully orchestrated vote-trading and bloc voting she received the highest number of votes, winning her appointment in the first round. When Saiga died in office she was replaced by another unqualified Japanese diplomat who similarly had never practised as a lawyer or been a judge before. This judge presided over the botched Kenyan cases. It is legitimate to ask whether or not Japan's 20 million

Euro contribution to the ICC budget in 2007/8 may have bought it a judgeship. The fact that the question can be asked shows how far the ICC's reputation and credibility have sunk. What is irrefutable is that vote trading has corrupted international justice just as much as it has international football.

The Assembly of State Parties has not acted on the issue of vote-trading. This is not surprising given that many of the decisions taken at the ASP itself are clearly decided by all-too-obvious orchestrated bloc voting and vote-trading by the European Union and the Anglo-sphere which dominate the meetings.

Almost as much to blame as the Assembly of State Parties for the demise of the ICC has been the European Union. The European Union's control of the Court and its deployment of the Court as an instrument of European foreign policy, most recently as the outrider of European – and largely French-led – military interventions in Libya, the Ivory Coast and Mali, have fatally undermined the credibility of the ICC. The very funding of the ICC is deeply questionable. The Rome Statute is very clear regarding the funding of the Court. It replicates the funding formula for the United Nations. That is to say that the maximum amount a single country can pay in any year is limited to 22 percent of the Court's budget.[18] This budget formula is in place for the simple reason that it is very undesirable for any one state to dominate the funding of either the ICC or the United Nations. The European Union is still trying to carry off a sleight of hand in pretending with regard to the International Criminal Court and its funding that it is not to all intents and purposes a state. The EU meets every one of the five requirements for statehood as defined by the Montevideo Convention, the international treaty addressing this area. The European Union, through its constituent member countries, provides a huge amount of the ICC's budget, considerably more than the 22 percent limit. The Assembly of State Parties *Report of the Committee on Budget and Finance on the work of its Twenty-Third session*, published in November 2014, revealed in its 'Status of contributions as at 13 October 2014' that the European Union, as a whole, had provided 65,770,927 Euros out of the budget of 109,754,698 Euros, some 59.9 percent of the ICC budget as of October 2014.[19] The Assembly of State Parties publication *Financial statements of the International Criminal Court for the year ended 31 December 2014*, showed that the European Union, as a whole, had provided 63,376,391 Euros out of the 105,430,983 Euros received, some 62 percent of the ICC budget as of the end of 2014.[20] The Assembly of State Parties *Report of the Committee on Budget and Finance on the work of its Twenty-fourth session*, published in 2015, revealed in its 'Status of contributions as at 20 April 2015' that the European Union, as a whole, had provided 51,712,125 Euros out of the 71,697,720 Euros received, some 72 percent of the ICC budget as of April 2015.[21] Given the ICC's track record of focusing on only their continent many Africans see white Europeans using the ICC to destabilise and re-colonise black Africa by way of a discredited court which Europe finances, controls and directs. The fact that the ICC is illegally funded by the EU merely adds to international concerns.

But ultimately it is the International Criminal Court itself that is most too blame for its own decline. Any hope that a change of Chief Prosecutor might stem the Court's downward spiral has proved to be wishful thinking. A Gambian lawyer, Fatou Bensouda

was picked by the Europeans to succeed the lacklustre Luis Moreno Ocampo as Chief Prosecutor in 2012. Bensouda defined the ICC's role as one of "addressing the injustices that fall through the gaps when national courts can't or won't step in."[22] She has also declared that "the age of impunity is over, the age of committing…crimes and going free… is over", that "if the domestic jurisdictions are taking up their responsibilities, then the ICC would not get involved" and that "[s]ometimes as a prosecutor I have to take tough legal decisions."[23] Her actions have shown quite the opposite. Ocampo's deputy for some time, she appears to have learned little from his mistakes. The International Criminal Court's involvement with Mali under the new prosecutor highlights several of the fatal structural faults within the court.

On 13 July 2012, the government of Mali made a formal request to the ICC to investigate war crimes and crimes against humanity that took place in Mali since January 2012. The ICC is not obligated to accept self-referrals. It is the Chief Prosecutor who decides whether or not to accept them. On 16 January 2013 Fatou Bensouda formally opened an investigation into alleged atrocity crimes committed in Mali, including murder, executions, amputations and rapes. Bensouda stated that such acts may constitute war crimes under the Rome Statute. That Bensouda accepted the request demonstrated not just bad judgment on her part but everything that is wrong with the ICC. The ICC states that complementarity is at the heart of the Court, that is to say the ICC intervenes only when a member state is unable or unwilling to prosecute serious crimes. As was the case in Uganda, the Malian government was not unwilling to prosecute rebels for alleged crimes; it was simply unable to arrest them – something the ICC is also unable to do given it has no policing arm.

The second issue is that the ICC accepted the Mali referral at a time when the Court was itself pleading a shortage of funding and resources. Dr Phil Clark, an expert on international justice issues, questioned Bensouda's judgment: "There are serious questions to be asked of the new prosecutor as to whether it is a drastic overstretch to have eight African countries being dealt with simultaneously with essentially the same level of staff and the same level of finance as her office was operating on before. Is it really feasible for the office to be dealing with so many cases?"[24] ICC supporter Professor Kevin Jon Heller noted further: "They are really at the edge of what they can do with their resources."[25] The reality is that the ICC accepted the Malian self-referral because it served French interests to do so.

The third issue is that despite the fact that the ICC's dependence upon "intermediary" NGOs to procure its "evidence" has been riddled with corrupt practices and abuses in country after country, the Integrated Regional Information Networks agency reported that the ICC would once again be using so-called intermediaries as part of their "investigations", noting that "[t]he use of intermediaries by ICC investigators has been controversial in previous cases".[26]

The fourth issue is the Court's continuing disinclination to do anything by way of investigation or prosecution that would upset its European funders. When she announced her first formal investigation since taking office, Fatou Bensouda on 16 January 2013 promised justice to victims of "brutality and destruction" in the conflict-afflicted regions

of Mali.[27] That war crimes and crimes against humanity and ethnic cleansing have been committed in northern Mali is clear. Several human rights organisations have reported on grave abuses during the northern Mali conflict that started in early 2012. Amnesty International published a detailed report in May 2012, describing the human rights situation as "Mali's worst human rights situation in 50 years".[28] It is also clear that all sides to the conflict, including Malian government forces, have been involved in war crimes and crimes against humanity. In March 2015, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and the Office of the High-Commissioner for Human Rights (OHCHR) published their first joint public report on the situation of human rights in Mali. The report documented gross violations and abuses of international human rights and international humanitarian law committed in Mali between 1 November 2013 and 31 May 2014. The report documented violations committed by the *Forces Armées Maliennes* (FAMa) against civilians, including cases of summary and extra-judicial executions, torture and other cruel, inhuman or degrading treatment, cases of rape, arbitrary arrests and detentions particularly in Kidal but also in Anefis, Tarssek, Aguelhok and in the region of Gao. According to the information collected by the MINUSMA's Human Rights Division, 150 cases of arbitrary arrests had been made by FAMa between 1 November 2013 and 31 May 2014. The UN High Commissioner for Human Rights stated that "the impunity enjoyed by those perpetrators is unacceptable and must stop". The report was the result of 36 field missions undertaken by MINUSMA Human Rights Officers.[29] Human Rights Watch has also documented detailed allegations of serious human rights abuses by Malian government forces.[30] Amnesty had also stated that it had evidence of war crimes by the Malian army against civilians.[31] The United Nations has stated that it is "deeply disturbed" by allegations of Malian army involvement in human rights abuses.[32] The human rights group International Federation for Human Rights (FIDH) and its member organisation, the *Association Malienne des Droits de l'Homme*, have warned of "persistent impunity" for perpetrators of human rights violations and crimes committed since 2012. FIDH has stated that since 2013 the Malian government has released dozens of detainees "accused of crimes against humanity, war crimes or other serious human rights violations".[33] In addition French military involvement has also resulted in the deaths of innocent civilians, including women and children.[34]

The ICC is clearly aware of credible allegations of Malian government involvement in war crimes and crimes against humanity. The prosecutor herself stated:

> My Office is aware of reports that Malian forces may have committed abuses in recent days, in central Mali. I urge the Malian authorities to put an immediate stop to the alleged abuses and on the basis of the principle of complementarity, to investigate and prosecute those responsible for the alleged crimes. I remind all parties to the on-going conflict in Mali that my Office has jurisdiction over all serious crimes committed within the territory of Mali, from January 2012 onwards. All those alleged to be responsible for serious crimes in Mali must be held accountable.[35]

Given Bensouda's repeated statements that the ICC will not tolerate impunity and the ICC's commitment to pursue the most serious of war crimes and crimes against humanity, and will prosecute when ICC member states are unwilling to prosecute those crimes, what has been the sum result of the ICC's three year involvement in Mali?

To date there has been one indictment regarding the Malian conflict. Needless to say serious allegations of war crimes and human rights abuse and impunity on the part of Malian government forces and their French protectors have been ignored. On 18 September 2015, Bensouda indicted a Malian rebel fighter, Ahmad al-Mahdi, on one count of war crimes with regard to the situation in Mali. Al-Mahdi was charged with the war crime of "intentionally directing attacks against buildings dedicated to religion and/or historical monuments." On 26 September 2015 he was transferred by the government of Niger to the custody of the Court in The Hague, making his first appearance before the Court on 30 September 2015. The question that must be asked is what is the ICC doing expending its time and resources in this prosecution? Why was al-Mahdi not handed over to the Malian authorities who would have been able to prosecute him under any number of relevant domestic laws regarding the destruction of property (blowing up buildings presumably being against the law in Mali)? Does the ICC not see how bad this particular decision must look? Why is allegedly destroying a mausoleum a more important crime than summary and extra-judicial executions, torture and other cruel, inhuman or degrading treatment and cases of rape? Is this really why the ICC was created? Why has the Prosecutor not indicted those implicated in the allegations made by Amnesty International, Human Rights Watch and other human rights organisations with regard to Mali? Why are these crimes not being pursued? Why is the ICC prioritising crimes against property over war crimes and crimes against humanity? Why is Bensouda not honouring her commitment to end impunity?

The answer to the last question is clear. The International Criminal Court will not do anything that does not conform to western foreign policy interests in Africa (and elsewhere) or which might implicate western politicians or servicemen. The Malian government is an ally of France and is a willing party to a French and European military intervention within its country. It is therefore granted *defacto* immunity by the ICC and can act with impunity.

Much has been made by the chief prosecutor of the "gravity" of alleged crimes in focusing the attention of the court. The question must therefore also be asked why the ICC is expending its limited time and resources on a case regarding the destruction of buildings in Mali while pointedly ignoring the tens of thousands of Afghan civilians who have been shot, blown apart, buried alive or otherwise allegedly killed or injured by the armed forces of ICC member states within an ICC member state? The ICC's first chief prosecutor was roundly criticised for citing a "gravity threshold" in choosing to prioritise the prosecution of the use of child soldiers in Africa rather than addressing allegations of systemic and massive war crimes and crimes against humanity in Iraq. Bensouda's prosecutorial decisions regarding Mali are equally perverse.

Why has the International Criminal Court managed to get away with being such an obviously broken institution for so long? First and foremost, it serves European interests

in destabilising Africa. This has meant that the Assembly of State Parties, the body charged with the management and supervision of the court, and itself dominated by the European Union and Anglo-sphere, is mute. Politics aside, another important reason is that the ICC is a billion Euro industry with all the momentum that comes with that. The ICC's continued existence is also partly explained by the concept of "pluralistic ignorance", a term in social psychology which describes a situation in which a majority of group members privately see a failing, but incorrectly assume that most others accept it, and therefore go along with it. This is also described as "no one believes, but everyone thinks that everyone believes." "Pluralistic ignorance" may help to explain the "bystander effect", that is to say if no-one acts, onlookers may believe others believe action is incorrect, and may therefore themselves refrain from acting. Well, Africa, having clearly seen how corrupt and racist the ICC is as a body, is now no longer a bystander. It is acting.

Notes to Preface to second edition

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10 'With First Witness Ruled Unable to Testify, Prosecution Scrambles', International Justice Monitor, 29 January 2009, available at <http://www.ijmonitor.org/2009/01/with-first-witness-ruled-unable-to-testify-prosecution-scrambles/>.

11 *The Role of Human Rights NGOs in Relation to ICC Investigations*, Human Rights First, New York, September 2004. This report is available online at <www.HumanRightsFirst.org>.The paper was produced by the International Justice Program at Human Rights First and was published with financial assistance from the Ford Foundation, the Horace W. Goldsmith Foundation, the William and Flora Hewlett Foundation, the JEHT Foundation, the Kaplen Foundation, the Lawson-Valentine Foundation, the John D. and Catherine T. MacArthur Foundation, and the Oak Foundation. Human Rights First (formerly known as the Lawyers Committee for Human Rights) is a non-profit, nonpartisan human rights organisation established in 1978 and based in New York City and Washington, D.C.

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