

# HUMAN RIGHTS



# OBSERVER

PUBLISHED BY MINNESOTA ADVOCATES

FOR HUMAN RIGHTS

## 2007 Year in Review

This past year, we have expanded the scope and impact of our work at Minnesota Advocates for Human Rights. We have enhanced advocacy for refugee populations locally, nationally, and internationally, including asylum victories in our own community. We have extended our law reform efforts on behalf of women who are victims of human rights violations to new regions and countries. We have also developed broader public education campaigns to educate people in the United States about important human rights issues, including education, housing, food, health, and immigration.



Liberian TRC Commissioner Oumu Syllah

This year, Minnesota Advocates provided free legal assistance, advice, and consultations in over 1200 cases. We provided full legal representation in nearly 500 asylum-related matters, and more than 550 people were seen through our legal advice clinics. In addition, staff taught the immigration clinic at the



Ira Liston, Emily Good, David Takassi, Malinda Schmiechen, and Kyrsten Skogstad of the Refugee and Immigrant Program

University of Minnesota Law School and served as chair of the Detention Watch Network. In July, Michele Garnett McKenzie, Director of the Refugee and Immigrant Program, testified about severe problems with health care delivery to people detained in immigration custody at a Congressional briefing sponsored by Congressman Keith Ellison (MN-5th).

Minnesota Advocates' Energy of a Nation website continued to keep people informed about developments in immigration law and policy. The site provides data and human rights analysis of issues affecting refugee and immigrant populations in the United States.

Minnesota Advocates also created a new section on the Stop Violence against Women website, called Global Gender Issues. This section will address other women's human rights violations such as: forced and early marriages, female genital mutilation, honor killings, dowry-related violence, rape as a weapon of war, female infanticide, and forced sterilization. Minnesota Advocates posted its first topic, "Forced and Early Marriage," in August.



Loretta Frederick in Tbilisi, Georgia

In the United States, Minnesota Advocates worked with Pangea World Theater and Magnetic Technologies to create a new video and facilitator's guide for our Journey to Safety training program. The video and facilitator's guide are designed to put participants in the shoes of an immigrant victim of domestic violence as she tries to negotiate legal, medical, and government systems. The video contains the 40-minute *Journey to Safety* theater performance as well as three case studies and informational interviews

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## Minnesota Advocates for Human Rights

The mission of Minnesota Advocates for Human Rights is to implement international human rights standards to promote civil society and reinforce the rule of law. Minnesota Advocates was founded in 1983 by a group of Minnesota lawyers who recognized the community's unique spirit of social justice as an opportunity to promote and protect human rights here at home and worldwide. We are a non-profit, volunteer-based organization that investigates and exposes human rights violations; represents immigrants and refugees in our community who are victims of human rights abuses; trains and assists groups that protect human rights; and works through education and advocacy in Minnesota to engage the public, policy-makers and children about human rights and cultural understanding. Minnesota Advocates holds Special Consultative Status with the United Nations.

## From the Director's Desk

In 2008, Minnesota Advocates for Human Rights will be celebrating its 25th anniversary. We have come a long way since a group of volunteer lawyers first met in a conference room to discuss the idea that a committed group of individuals in Minnesota could improve human rights conditions for people around the world. Today, Minnesota Advocates is an internationally recognized organization with innovative projects making an impact in our home communities and around the world.

Over the years, we have accomplished many things. We developed standards for autopsy and forensic procedures to investigate politically motivated homicides – standards still used by the United Nations today. We also implemented a creative model for *pro bono* legal representation of asylum seekers through collaboration with local law firms. Together, we have changed the lives of thousands of indigent asylum seekers, helping them find safety and hope for a new life in this country.

Both the Human Rights Education Program and the Women's Human Rights Program were started by volunteers in the community who saw potential in using new approaches to improve human rights conditions. Over the years, we have educated thousands of students about human rights and responsibilities. We have trained thousands of judges, police officers, prosecutors, journalists, and advocates on issues of violence against women in countries around the world. We have provided technical assistance to people in 100 different countries through our website dedicated to violence against women in Central and Eastern Europe and the former Soviet Union ([www.stopvaw.org](http://www.stopvaw.org)).

We have recruited *pro bono* lawyers to represent inmates on death row in their post-conviction appeals and provided public education about the human rights implications of the death penalty. We also worked diligently over the years to ensure the death penalty does not return to Minnesota.

More recently, we have formed an historic

partnership with Liberia's Truth and Reconciliation Commission (TRC) to ensure the voices of the Liberian refugee community are included in the TRC process. Volunteers have taken statements from refugees and immigrants across the United States, the United Kingdom, and Ghana.

This year, in addition to our 25th anniversary, we will celebrate the first graduation from our school in Sankhu, Nepal, where the community's poorest children are given the opportunity to go to school instead of laboring in exploitative conditions.

Minnesota Advocates' programs thrive on the vision, energy, commitment, and support of its many volunteers. During our year-long anniversary celebration, we will honor the extraordinary volunteers who have contributed countless hours to our human rights work over the years. While we celebrate the many efforts and accomplishments of the volunteers, staff, board, and supporters of Minnesota Advocates for Human Rights, we will continue to stay focused on the challenges before us. Terrorism, anti-immigrant bias, trafficking in women and girls, racism, domestic violence, discrimination, and the rise in religious fundamentalism all make human rights work more important today than ever before. We need your continued energy and look forward to working with you in the coming years to face these issues. Thank you for being a part of a powerful quarter century of human rights work.



Robin Phillips  
Executive Director

# Human Rights Week

Minnesota has a strong history of people devoted to human rights work. The state is recognized across the globe for its human rights advocacy. In honor of this work, September 30 - October 6 was declared "Human Rights Week" in Minnesota.



Gov. Tim Pawlenty presenting an award to Ethel Kennedy

In celebration, Minnesota Advocates for Human Rights joined other human rights organizations in Minnesota in hosting several events to raise awareness about the importance of human rights.

The feature event was a live performance of

*Speak Truth to Power: Voices from Beyond the Dark* at the Children's Theatre Company in Minneapolis on October 1. This play by Ariel Dorfman was inspired by a book written by Kerry Kennedy that explores courage through the words of leading human rights defenders from around the world. The play was put on by Speak Truth to Power, a division of the Robert



Dan Seipp, Ethel Kennedy, and Minnesota Advocates' Kathy Seipp at the *Speak Truth to Power* performance

F. Kennedy Memorial and starred renowned actors and local celebrities.

Minnesota Advocates sponsored several lectures and CLEs throughout the week, including "America's Civil Liberties: The First Casualty of a Nation at War," presented by Jeffrey J. Keyes, and hosted by Robins, Kaplan, Miller & Ciresi LLP. We also presented a panel of volunteers who discussed their experiences working with Minnesota Advocates at "Lawyers Changing Lives: Volunteering for Human Rights" at Dorsey & Whitney.



Martin Sheen engaging in discussion before the *Speak Truth to Power* performance

## Minnesota Advocates' 25th Anniversary

### Please Join Us!

#### January Kick-Off Celebration

**What:** Open house at our offices with ethnic food and live music.

**Where:** Minnesota Advocates for Human Rights  
650 Third Avenue South Suite 550  
Minneapolis, MN 55402  
Visit our website for directions:  
[www.mnadvocates.org](http://www.mnadvocates.org).

**When:** January 10, 2008, 4:30-7:30 p.m., with brief remarks at 6 p.m.

Visit our website for information on other events throughout the year at [www.mnadvocates.org](http://www.mnadvocates.org).

## Human Rights Video Contest

Minnesota Advocates will be hosting a human rights video contest as part of our 25th Anniversary year.

For more information, please contact DeAnne Hilgers at [dhilgers@lindquist.com](mailto:dhilgers@lindquist.com) or see our website [www.mnadvocates.org](http://www.mnadvocates.org)

# Liberian TRC: Taking Statements in Ghana



Week One team with Liberian statement colleagues in front of Liberian Refugee Welfare Council building

Minnesota Advocates staff, along with more than 20 volunteers from around the United States, traveled to the Buduburam refugee settlement outside of Accra, Ghana as part of the Liberian TRC's Diaspora Project. The Liberian TRC is the first such body to systematically engage its refugee population in the statement-taking effort. Working in tiny one-room homes, on doorsteps, on benches under trees, and occasionally in an office with a fan, the Minnesota Advocates team worked tirelessly to document hundreds of statements from Liberian refugees living in Ghana.



Volunteer Itonde Kakoma conducting a Palava Hut meeting at Women of Glory

After an assessment trip in May 2007, Minnesota Advocates planned a two-week trip back to the settlement in the fall. Minnesota Advocates Deputy Director Jennifer Prestholdt led a team of volunteers from Sept. 21-29 and Executive Director Robin Phillips led a team from Sept. 29-Oct. 6, along with staff members Laura Young and Ahmed Sirleaf, who helped coordinate the teams during both weeks. The teams included lawyers from the Minneapolis firms of Fredrikson & Byron and Faegre & Benson, clinical students from the University of Pennsylvania Law School, members of the Atlanta Friends of

the TRC, former Minnesota Advocates interns, returned Peace Corps volunteers from Liberia, immigration attorneys, and other experienced statement takers.

This trip to Buduburam underscored the community's strong desire for inclusion in decision-making about Liberia's future. Although many had to wait days to meet with a statement taker, hundreds took advantage of the opportunity to participate in the TRC process, including Liberians from all tribal groups, counties and religious affiliations, as well as members of different professions and residents of both urban and rural areas of the country. As Buduburam residents waited to meet with statement-takers, the team facilitated group discussions about the meaning of truth and reconciliation, recommendations for Liberia's future, and the hope for national unity and healing.



Volunteers Leigh-Erin Irons, Kara Apland, and Dan Pauly

In addition, the team conducted individual interviews and group meetings to better understand the conditions in the settlement and document gaps in the interconnected systems of international refugee protection. In Buduburam, for example, only two physicians staff the clinic that serves a population of more than 35,000 refugees. Malnourished children and vulnerable groups are provided with some monthly food rations, but with no assistance to obtain potable water. Many refugee children are uneducated because they cannot afford to pay school fees or purchase uniforms to go to school, and educated adults can only rarely find employment in their host country. The United Nations High Commission for Refugees (UNHCR) program to encourage voluntary repatriation back to Liberia saw only a few hundred individuals return to their homeland. As a result, the humanitarian crisis in Buduburum has not been alleviated.

The Minnesota Advocates team also had the unique opportunity to work alongside several Liberian refugee statement takers who had been trained by the TRC to help meet the



Volunteer Ted Irgens and Minnesota Advocates Board Chair Aviva Breen

demand for statement taking in the camp. For Liberians, the statement-taking experience is even more difficult because of their intimate familiarity with the events of the conflict and life in the camp.

Ultimately, the two weeks in Buduburam were a powerful testament to the commitment of Minnesota Advocates volunteers. Day after day of documenting stories of atrocities, disappearances, displacement, and the everyday stress of life as a refugee is exhausting and heart-wrenching work. Mark Nordell, volunteer and Methodist pastor, said, "The people at Buduburam expanded my heart. Their capacity to experience such terrible trauma, suffering and violence; . . . for people who have very little rational reason to hope, many still find hope . . . It was my privilege to meet survivors, to listen to their stories and to contribute a small part to this extremely important project."

Volunteer Kristin Vachuska said, "The opportunity to take statements at Buduburam was an incredible honor. I was



Lines of people waiting to give statements in the Buduburam refugee settlement in Ghana

honored to listen to the courageous individuals willing to share their past. The Liberian refugees at Buduburam will always hold a special place in my heart. It was very difficult to leave."

**Ghana Volunteers**

Alexandra Fellowes, PA  
 Aviva Breen, MN  
 Dan Pauly, MN  
 David Clark, MN  
 Erin Argueta, PA  
 Eve Lotter, Liberia  
 Itonde Kakoma, GA

Kara Apland, London  
 Kristin Vachuska, MN  
 Leigh-Erin Irons, MN  
 Mark Nordell, MN  
 Martha Whitman, GA  
 Nkiruka (Niki) Amalu, PA  
 Patricia Minikon, Washington, D.C.

Paula Schwartzbauer, MN  
 Rachel Brown, GA  
 Robert Manzanares, PA  
 Sarah Paoletti, PA  
 Ted Irgens, MN  
 Theresa Dykoschak, MN  
 Andy Barton, PA

## Liberian TPS Ends, DED Designated

On September 12, 2007, President George W. Bush issued a memo establishing Deferred Enforced Departure (DED) for certain Liberian citizens who currently have Temporary Protected Status (TPS) and who have resided in the United States since October 1, 2002. Minnesota Advocates for Human Rights has advocated throughout the last year for permanent resident status for Liberians, and the grant of DED is an important step toward ensuring long-term protection for Liberians living in the United States. Minnesota Advocates continues to work with local and national partners on securing permanent resident status.

Why Liberia Is Not Ready for the Forced Return of Liberians  
 In August 2007, Dorsey & Whitney, LLP and Minnesota Advocates for Human Rights released a paper highlighting the reasons the United States government should not end TPS for Liberians.

Thousands of these Liberians legally live and work in the United States under Temporary Protective Status (now DED). Although the conflict ended in 2003 and Liberians elected a new government in 2005, Liberia's economy, infrastructure, and social services remain devastated. The report, *Liberia Is Not Ready: A Report of Country Conditions in Liberia and Reasons*

*the United States Should Not End Temporary Protected Status for Liberians*, examines the most recent accounts of the country conditions in Liberia. The findings in the report underscore the vital need to grant the Liberian government time to establish itself as a stable and secure democracy that is able to provide for its population. The report can be found at [http://www.mnadvocates.org/Minnesota\\_Advocates\\_and\\_Dorsey\\_Whitney\\_Release\\_Liberia\\_Is\\_Not\\_Ready.html](http://www.mnadvocates.org/Minnesota_Advocates_and_Dorsey_Whitney_Release_Liberia_Is_Not_Ready.html).

Deferred Enforced Departure: Who Is Eligible in 2007?  
 Liberians who have DED will not be deported from the United States for 18 months starting October 1, 2007 and ending on March 31, 2009. To be eligible for DED, a person must demonstrate that he or she is a Liberian national who is under a grant of TPS as of September 30, 2007 and who has continuously resided in the United States since October 1, 2002. Individuals must currently have TPS in order to be eligible for DED.

According to the Department of Homeland Security, no action is required to register for DED or to extend employment authorization. Individuals on DED are instructed to provide a copy of the Federal Register notice extending DED to their employers.

## Republic of Georgia Training

At the invitation of the Anti-Violence Network of Georgia, Minnesota Advocates for Human Rights sent a team to Tbilisi, Georgia in October to train professionals on best practices for implementation of the new Georgian domestic violence law. The training team included Robin Phillips and Cheryl Thomas of Minnesota Advocates, Judge Mary Louise Klas, Judge Kathryn Quaintance and Loretta Frederick, Legal Counsel for the Battered Women's Justice Project.

Minnesota Advocates for Human Rights presented three two-day trainings to a total of 70 police officers, prosecutors, and civil and criminal court judges from Tbilisi and other regions of Georgia. The trainings focused on Georgia's new domestic



Women's Program Director Cheryl Thomas with Judge Kathryn Quaintance and Judge Mary Louise Klas at the training for police, prosecutors and judges in Tbilisi, Georgia

violence law, passed in the summer of 2006. The law includes an Order for Protection remedy for victims of violence, a new remedy which is being tested throughout the region. The trainings included discussions about the following topics: model police, prosecutor and judicial response to domestic violence, coordinated community response, evaluating



Cheryl Thomas, Director of the Women's Program, speaking at the Georgia training

evidence in domestic violence protective order applications, risk evaluation, custody issues, and strangulation in domestic violence cases. Participants also discussed their experience to date with the implementation of the new law. Police reported that almost 400 restrictive orders (similar to a protective order) had been issued under the new law over the past year.

The trainings were part of an ongoing collaboration between Minnesota Advocates for Human Rights and groups in Georgia working to end violence against women and child abuse. Most recently, in 2006, the United Nations invited Minnesota Advocates to conduct research on domestic violence and child abuse in Georgia. The report on this research was published in January 2007 and identified strengths and weaknesses in the Georgian government's response to domestic violence and child abuse and included recommendations for improvements.

## Morocco Workshop



Global Rights Morocco workshop participants

Minnesota Advocates for Human Rights' Women's Program Director, Cheryl Thomas, traveled to Fez, Morocco in October to present at a workshop titled *Promoting a Law on Violence Against Women in Morocco*. Global Rights Morocco sponsored the workshop and the participants were representatives of women's advocacy groups from around the country. These groups are providing direct services to victims of violence and

working on advocacy and awareness campaigns to lay the groundwork for a new domestic violence law in Morocco.

The two-day workshop included discussions about model domestic violence laws and policies from around the world; highlights of civil and criminal legal reform efforts on domestic violence from other countries, including the order for protection remedy; strengths and weaknesses of domestic violence legal reform; and Morocco's current laws relevant to violence against women. Other presenters at the workshop were Moroccan human rights lawyer Maitre Ahmed Arrehmouch and Payal Saksena, Global Rights, India. The two-day workshop culminated in a simulated presentation to a panel of Moroccan parliamentarians (portrayed by the workshop presenters) of a new domestic violence law. Participants were asked to write five important provisions of a new law and support them in a presentation to Parliament. Participants selected key concepts learned over the course of the workshop to include in a draft law.

# House Parties

Throughout the year, Minnesota Advocates staff and supporters gathered at house parties to celebrate the work of Minnesota Advocates' programs, honor volunteers, and raise money so that these projects may continue in the future.

Over 90 people gathered at the St. Paul home of Marlene and Tom Kayser on September 6, 2007 to celebrate and support the Women's Human Rights Program. Staff attorneys Mary Ellingen and Rosalyn Park described their summer fact-finding mission to Bulgaria, in which they visited six different cities to research the implementation of Bulgaria's 2005 domestic violence law. Staff members also presented



Amy Albus, former intern and Women's Program volunteer award recipient with husband Borna and son Dominik at the Women's Program's House Party



Sally Flax and Libby Siegal with other Women's Program supporters at the House Party

volunteer recognition awards to Amy Albus, former Women's Program intern, and Lily Troia, current volunteer, for their work in the program. The Refugee and Immigrant Program held a successful house party at the home of Andrea and Jim Rubenstein on October 25. More than 75 supporters, volunteers, and clients joined to

honor this year's volunteer award winners. The Refugee and Immigrant Program recognized James Keuning (Dorsey & Whitney) for his work building a case-tracking database, Matt

Ralph (Dorsey & Whitney) for his representation of Minnesota Advocates' client in *Hassan v. Gonzales*, Kim Hunter (St. Paul) for her mentorship of volunteer attorneys, and Mourad Ammi for his work as a member of our volunteer interpreter panel. Many thanks to our host committee and to the steering committee of the Refugee and Immigrant Program for their work to make the event a success.



Mourad Ammi at the Refugee and Immigrant Program's House Party

Supporters of the Liberian Truth and Reconciliation Commission Diaspora Project gathered at the home of Linda Foreman on Friday, November 9, 2007 for an evening with TRC Commissioners Oumu Syllah and Massa Washington. The house party was a success as Commissioners Syllah and Washington gave both an overview of the TRC of Liberia's mandate and update on the current happenings in Liberia. Minnesota Advocates' Deputy Director Jennifer Prestholdt recognized members of the TRC Project Advisory Committee and Management Team and TRC



TRC Commissioner Oumu Syllah with Minnesota Advocates' Wellstone Fellow Laura Young and her son, Gavin, at the TRC House Party

statement-taker volunteers who served on the host committee including Williametta Saydee, Paula Schwartzbauer, Kristen Vachuska, Father James N. Wilson II, Matt Ziegler, Patrick Kugmeh, Rev. Mark Nordell, James O'Neal, Doris Parker, Dan Pauly, Dulce Foster, Dianne Heins, Ted Irgens, Leigh-Erin Irons, Mark Kalla, Yende Anderson, Aviva Breen, David Clark,

Wayne Douglas Doe, and Theresa Dykoschak. Thank you to all who attended or supported the event!



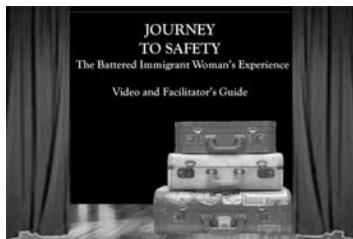
Refugee and Immigrant Program Director Michele Garnett McKenzie, Sally Silk, and her husband Thomas Wolfe



TRC Diaspora Advisory Committee members Doris Parker and Wayne D. Doe and supporter Muzamba at the TRC House Party

**2007 Year in Review Continued from page 1**

with police officers, policymakers, prosecutors, judges, medical professionals, and other legal advocates. The facilitator's guide



provides information and tools for professionals working with immigrant victims of domestic violence, such as fact sheets, referral lists, case studies, and domestic violence resources.

The video and facilitator's guide were distributed nationally at a training sponsored by the Battered Women's Justice Project in June.

Sponsored by Minnesota Advocates since its inception, the Sankhu-Palubari Community School in Nepal added the eighth grade this year, increasing its student body to 225. We will be celebrating the first graduation from the school in the spring. The school provides free quality education and a daily meal to the region's poorest students, including girls who are often expected to give up school to earn money as domestic workers. The opportunity to go to school provides children their fundamental right to education and prevents them from working as child laborers in the exploitative working conditions common in Nepal.



Students at the Sankhu-Palubari Community School in Nepal

Minnesota Advocates continued its work at the United Nations. Volunteer Penny Parker submitted a report to the United Nations describing changes in the UN Human Rights Treaty Body System over the past year, with recommendations on how to increase NGO input. The treaty system has experienced both positive and negative developments this year, but NGOs are concerned with the general lack of visibility and awareness of the treaty system's recommendations and decisions, as well as the lack of implementation by governments.

Minnesota Advocates participated in the State Fair this summer with the UDHR - U Do Have Rights Campaign. This campaign took an honest look at economic, social, and cultural rights within the United States with a focus on four different rights



Summer interns Gauri Subramani and Cassie Fields at Minnesota Advocates' booth at the 2007 Minnesota State Fair

outlined in the Universal Declaration of Human Rights: the right to education, food, health, and housing.

Minnesota Advocates also expanded its education work through lunch lectures and community forums on important human rights issues. The Death Penalty Project presented a lecture series and a film series this year, focusing on different issues surrounding the death penalty, such as taking mental illness into account in capital cases, DNA capability implications, and wrongful convictions. Minnesota Advocates also celebrated World Day against the Death Penalty with a lecture by capital defense attorney, Nicholas Trenticosta.

Minnesota Advocates presented the Women's Human Rights Speaker Series with Briggs and Morgan, P.A.; the Children's Human Rights Speaker Series with Faegre & Benson, LLP; and the Human Rights Lecture Series with Fredrikson & Byron, P.A. Each has had a tremendous response, receiving large, interested audiences and raising critical human rights concerns. During this past year, we had many successes that moved us closer to our vision of a world in which the human rights of all people are respected. At the same time, we learned more about the many challenges to making this vision a reality in the future. We are very grateful for all of the generous financial and volunteer support that enables us to do this important work, including approximately \$4,500,000 in in-kind donations. Thank you to everyone who has been a part of our efforts this past year. We look forward to working with you in 2008.



Volunteer Dan Pauly and Liberian TRC Commissioner Massa Washington



Women's Program Staff Attorneys Mary Ellingen and Rose Park with Judge Milka Yordonova in Sofia, Bulgaria



Baris Gumus-Dawes, Research Fellow of the Institute on Race and Poverty; Amy J. Goetz, Attorney at School Law Center; Representative Carlos Mariani, Executive Director of The Minnesota Minority Education Partnership (MMEP); Todd Otis, President of Ready 4 K; and Ann Theisen, Education Program Associate of Minnesota Advocates at the 2007 Human Rights Law and Policy Conference



Refugee and Immigrant Program and Liberian TRC Volunteer Gabrielle Mead



Kevin Lashus and Refugee and Immigrant Program Staff Attorney Emily Good speaking at the 2007 Asylum Conference



Volunteer Emily Willits



Dr. Jane Plihall, Dr. Fouzia Saeed, and Dr. Jerry McClelland at the Women's Human Rights Speaker Series



A discussion at International Women's Day with Emily Good, Kathy Moccio, Holly Ziemer, and Ifrah Jimale



Ahmed Sirleaf, TRC Commissioner Oumu Syllah, Amina Costello of Somali Civil War Association, and Jim O'Neal of Faegre & Benson LLP

## Take the UDHR Quiz!

1. In 1991, a Wilder survey determined that around 450 Minnesotan families were homeless on any given night. In 2006, the same survey revealed that currently \_\_\_\_ families are without housing in Minnesota on any given night.

- A. 150
- B. 500
- C. 875
- D. 1,300

2. What percentage of people without medical insurance are employed or live in working families?

- A. 80%
- B. 66%
- C. 55%
- D. 40%

3. What proportion of Americans support a federal guarantee of health coverage for all?

- A. 1/3
- B. 1/2
- C. 2/3
- D. 4/5

4. What percentage of Minnesota adults who use Minnesota's food shelves skip meals in order to stretch their budgets?

- A. 28%
- B. 47%
- C. 68%
- D. 20%

5. On the 2005 National Assessment of Educational Progress (NAEP), where did Minnesota's African-American : white achievement gap in 4th grade reading rank nationally?

- A. Largest achievement gap
- B. Second largest achievement gap
- C. Average achievement gap
- D. Smallest achievement gap

Answers on page 14

### Thank you for the donations of computers and furniture:

Heins, Mills and Olson PLC – bookcases, shelving, printer, desktop computers, refrigerator, microwave, office supplies

Livgard & Rabuse, P.L.L.P – Canon photocopier  
Oppenheimer, Wolfe & Donnelly LLP – 5 office suites & conference room furniture for expansion space

MP Johnson Construction – build-out of expansion space

Jennifer Prestholdt & Charles Weed – laptop and desktop computers

Robin Phillips – laptop computer

Carly Grothe – desktop computer

Fredrikson & Byron – 2 LaserJet 5 printers

Siewert Cabinets – 5 computer monitors

### Minnesota Advocates still has need for:

- Desktop and laptop computers
- Laser printers
- Hard drives with jump drives or CD/DVD players
- DVD player

Thank You!

*Save the Date in 2008!*

13<sup>th</sup> Annual International  
Women's Day Celebration

Saturday, March 15, 2008

Coffman Memorial Union, University of Minnesota  
Free and open to the public

Presented by Minnesota Advocates for Human  
Rights and the Human Rights Program at the  
University of Minnesota

Keynote speaker- Robin Morgan, feminist activist  
and author

Workshops, performances, film, visual arts, and  
resources for activism

# Death Penalty Updates

On September 21, 2007, Minnesota Advocates submitted an analysis to the Department of Justice urging it to reject proposed regulations that would limit the rights of death row inmates in their post-conviction appeals. The Justice Department is in the process of developing new regulations to give the U.S. Attorney General the authority to decide whether states are providing adequate representation for capital defendants and to approve “fast-track” procedures in death penalty cases. Essentially, a “fast-track” case shortens the time a death row inmate has to file a federal appeal after a conviction in a state court. Federal judges would also have less time to consider such petitions. Previously, this authority to approve “fast track” cases has been held by federal judges. The re-authorized USA PATRIOT Act, however, transfers this power to the U.S. Attorney General, the nation’s highest prosecutor, to determine whether individual states are indeed providing adequate counsel to defendants and can be approved for “fast track” proceedings. The proposed regulations would implement this provision of the PATRIOT Act.

The U.S. Department of Justice provided the public with a limited time frame within which to submit comments on the regulations. Minnesota Advocates coordinated a *pro bono* team of attorneys, including Lisa Pritchard Bayley and Faegre & Benson attorneys William Callison, Dianne Heins, Eric Jorstad, Mara Garcia Kaplan, Brian McCormac, and Robert Schnell, to review and comment on the proposed regulations. The team drafted an analysis, which emphasized the importance of habeas corpus in capital appeals and described the numerous problems with the regulations, highlighting that: a) the regulations do not clearly require a state, within a reasonable time, to provide competent counsel and resources to people sentenced to death; b) they create a process that lacks transparency; c) they fail to require states to appoint *competent* counsel for indigent defendants in death penalty cases as required by Chapter 154; and d) by merely requiring the state establish “a mechanism” for compensation of appointed counsel, they do not ensure that counsel with sufficient expertise and resources will be provided in such complex cases.

Minnesota Advocates’ comments are now available on the U.S. government’s website at [www.regulations.gov](http://www.regulations.gov) (Document ID: DOJ-2007-0110-0173).

## October 10, 2007: World Day Against the Death Penalty

October 10th marked the fourth annual World Day Against the Death Penalty. Initiated by the World Coalition Against the Death Penalty, citizens and organizations around the world take action on October 10th every year to denounce the continued use of the death penalty and recall that its abolition is a universal battle. To date, 133 countries have abolished capital punishment in law or in practice. The top offending countries remain China, the United States, Iran, Iraq, Pakistan, and Sudan, which together account for 91% of all executions. Since the

World Day’s inception in 2003, activists have organized hundreds of initiatives including debates, petitions, and educational activities in more than seventy countries. This year, activists around the world called on all UN Member States to vote in support of a resolution calling for a universal moratorium on executions. The United Nations General Assembly will vote on the resolution in November; it will be a pivotal moment toward a world without executions.

To commemorate the World Day against the Death Penalty, Minnesota Advocates invited Nicholas Trenticosta, a longtime capital defense attorney and Director of the Center for Equal Justice in New Orleans, to visit Minnesota and discuss his work against the death penalty. Minnesota Advocates co-sponsored several events throughout the day featuring Mr. Trenticosta, including a film screening of *Judgment at Midnight*, followed by a discussion and reception. In addition, Minnesota Advocates distributed educational materials and an urgent action to sign a petition calling for a global moratorium.

## Speaker Series

Minnesota Advocates, in collaboration with Dorsey & Whitney, continued its noontime Death Penalty Project Speaker Series. In July, Bruce Manning, an attorney at Robins, Kaplan, Miller & Ciresi, discussed his *pro bono* representation of death row inmate Jeremiah Jackson through an eventually successful commutation of his sentence to life without the possibility of parole. Mr. Jackson’s case is one of very few nationwide where a change occurred as a result of *Atkins v. Virginia* (2002), and it was the first case in Alabama where a sentence of death was commuted because of a finding of a developmental disability. In September, Dorsey & Whitney attorney Cliff Anderson discussed the firm’s current death penalty case, *State of Texas v. Andre Thomas*. The State of Texas tried Thomas for a triple murder, to which Mr. Thomas pled not guilty by reason of insanity. Mr. Anderson discussed the trial, his team’s initial post-conviction application for habeas corpus relief now pending in Texas, and the long-term prospects for his client.



Cliff Anderson, a death penalty lecture series speaker and attorney at Dorsey & Whitney



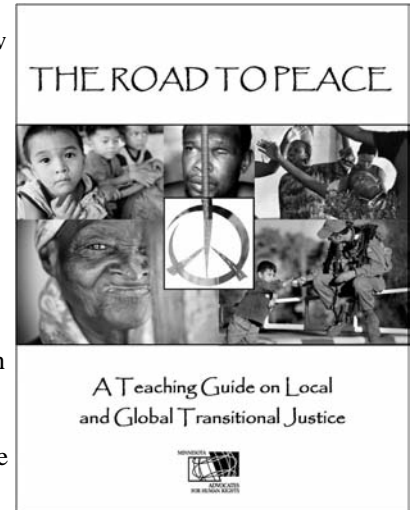
Bruce Manning, a death penalty lecture series speaker and attorney at Robins, Kaplan, Miller & Ciresi

## The Road to Peace

Minnesota Advocates is pleased to announce the release of its new curriculum, *The Road to Peace: A Teaching Guide on Local and Global Transitional Justice*. *The Road to Peace* is a comprehensive teaching guide that introduces students who have a general knowledge of human rights to the concept of transitional justice. Using the expertise of Minnesota Advocates' human rights monitoring teams, our Education Program has created this teaching guide to be used with ninth grade through adult learners.

Specifically, the teaching guide focuses on the aftermath of war and conflict, emphasizing the processes that countries coming out of conflict undertake to seek resolution, address past human rights abuses, reform their societies, and heal from violence. *The Road to Peace* provides educators with creative, thought-provoking, and innovative lesson plans that help students explore these topics. Included in the teaching guide are lessons on the root causes of war and conflict; an overview of human rights and different transitional justice mechanisms; mock war crimes tribunal and mock truth commission role plays; in-depth country case studies; individual case studies on human rights abuses; investigative tools to study the need for transitional

justice in the U.S.; skill-building resources on how to apply reconciliation on a local level; conflict resolution and peer mediation exercises; a transitional justice glossary; and resources for further study and action on peace and justice. Each lesson is tied to the Minnesota high school social studies standards. We hope this teaching guide will inspire and empower students to promote peace and justice in their own communities and around the world. To reserve a copy of *The Road to Peace: A Teaching Guide on Local and Global Transitional Justice*, email Emily Farell at [efarell@mnadvocates.org](mailto:efarell@mnadvocates.org). The curriculum is also free and downloadable at [www.mnadvocates.org/Road\\_to\\_Peace](http://www.mnadvocates.org/Road_to_Peace).



## Human Rights Day



*Divided We Fall* video, courtesy of [www.dwf-film.com](http://www.dwf-film.com)

This year, Minnesota Advocates for Human Rights commemorated the signing of the Universal Declaration of Human Rights by focusing on the long-term impact of 9/11 on refugees, immigrants, and religious minorities. In collaboration with the Human Rights Center at the University of Minnesota, Minnesota Advocates held a day-long CLE on December 3, 2007 with plenary sessions, workshops, and training sessions and held an evening showing of the documentary “Divided We Fall: Americans in the Aftermath.” The CLE, “Voices From Silence: September 11 and the Impact on Refugees, Immigrants, and Religious Minorities” highlighted the findings of Minnesota Advocates’ report *Voices From Silence: Personal Accounts of the Long-Term Impact of 9/11*, issued in 2006. Topics addressed in workshops included the history of nativism and its impact in

the United States; bias in schools and academic institutions; understanding Islam; and legal remedies for discrimination based on race, religion, and national origin.

Following the evening screening of “Divided We Fall,” a panel comprised of community members and filmmaker Valarie Kaur discussed the film and related topics with the audience. Five years in the making, the documentary film explores race, religion, and what it means to be American in times of national crisis. The audience and panel engaged in dialogue about these issues as well as the documented hate crimes against Sikhs, Muslims, and others after 9/11 and Americans’ reaction to the perceived “other” in times of war.



Valarie Kaur at Ground Zero, 2005 in *Divided We Fall*. Credit: Matthew Blute

## MN Advocates Wins FGM Case

Volunteer attorney F. Matt Ralph, of Dorsey & Whitney, won a great victory before the Eighth Circuit Court of Appeals. The case, *Hassan v. Gonzales*, No. 05-2084 (Eighth Cir.) found that a woman who had been subjected to Female Genital Mutilation (FGM) could qualify for asylum. The case has been remanded to the Board of Immigration Appeals.

A citizen of Somalia, Hafza Hassan was subjected to Type III FGM, the most invasive type, as a young woman. Indeed, as the Ninth Circuit has stated "...genital mutilation permanently disfigures a woman, causing long term health problems, and deprives her of a normal fulfilling sexual life." *Mohamed v. Gonzales*, 400 F.3d 785, 800 (9th Cir. 2005).

Ms. Hassan entered the U.S. in 1997 and sought asylum. The case has a complex procedural history. Ms. Hassan's asylum case initially was heard in Atlanta, and the immigration judge there granted asylum based on Ms. Hassan's fear that her U.S. citizen daughter would be subjected to FGM if forced to return to Somalia with Ms. Hassan. Unfortunately, there had been no testimony on the FGM issue, providing the government with a ripe basis for appeal. The Board of Immigration Appeals agreed with the government's position, and remanded the case back to the immigration court for further proceedings. Venue was subsequently moved to Minnesota, and at the remanded hearing, Ms. Hassan was denied asylum. The immigration judge concluded that FGM did not qualify Hassan as an asylee and

that, if she was forced to return to Somalia, her daughters could remain in the U.S. with their father. Ms. Hassan appealed the decision, and at that point came to Minnesota Advocates for assistance with the appeal.

Matt Ralph volunteered to represent Ms. Hassan before the Board of Immigration Appeals and subsequently petitioned for review to the U.S. Court of Appeals for the Eighth Circuit. The Court initially declined to hear oral argument, but later scheduled the case for oral argument on February 12, 2007. Matt traveled to St. Louis to argue before a three judge panel, asserting that Ms. Hassan qualified for asylum both because her own FGM experience qualified her and because her daughters would be subjected to FGM if they accompanied her to Somalia.

The Court agreed, finding that "a factfinder could reasonably conclude that all Somali females have a well-founded fear of persecution based solely on gender given the prevalence of FGM." The Court noted the Ninth Circuit's previous finding that the immutable trait of being female is the motivating and but-for cause behind the persecution (the FGM). Perhaps most importantly, the Hassan decision closes off the argument that because FGM happened in the past, and cannot happen again, there is no well-founded fear of future persecution. Rather, the court stated "[W]e have never held that a petitioner must fear the repetition of the exact harm that she has suffered in the past. Our definition of persecution is not that narrow."

### Thanks to volunteers listed below who took new cases in 2007 and also to the hundreds of volunteers continuing to represent clients!

Mourad Ammi	Paula Duthoy	Rachel Hughey	Katherine Mesner-Hage	Sally Silk
Joel Andersen	Paul Egan	Kim Hunter	Sara Meyer	Stacy Slaughter
Brian Aust	Mark Ehling	Loan Huynh	Jessica Mowles	Akeem Soboyede
Bobbile Ba	Jeff Ehrich	Gail Irish	Declan Mumford	Rachel Soffer
Anne Barthel	Karen Ellingson	Mary Jansen	Laura Myers	Amy N. Softich
Steven Benolkin	Laura Espondaburu	Randi Johnson	Peder Nestingen	Evon Spangler
Chris Bercaw	Lindsay Faine	Roger Junnila	Casey Nolan	Andrea Specht
Michael Berger	Rebecca Fallon	Ethelind Kaba	Seth Northrop	Christina Spencer
Roger Branigan	Michael Feller	Anne Kanyusik	Dan O'Fallon	Chris Stafford
Diane Bratvold	Valerie Ferment	Jeff Keyes	Tokunbo Okanla	Alison Stover
Sarah Bray	Amber Fink	Mary E. Kiedrowski	Kathy Olmscheid	Elizabeth Streefland
Richard Breitman	Patrick Finnegan	Sarah Kilibarda	Mohamed Omer	Dr. Shana Swiss
Sang Young Brodie	Carole Finneran	Michael Krause	Rachel Osband	Roger Taylor
Donald Campbell	Phil Fishman	Chris Kuhlman	Dan Palmquist	Steve Thal
Jayne Carlson	David Flower	Robin Lackner	Dr. David Parker	Laura Thomas
Ben Casper	Trevor J. Foster	Jeff Larson	Cristina Parra-Herrera	Ellie Tellier
Apu Chakraborty	Mark Frey	Sara Lathrop	Anne Parsons	Karla Vehrs
Joe Christopherson	Alan Goldfarb	Karen Leko	Sheena Paul	James von Geldern
Tom Church	Sarah Goldthwait	Dr. Judy Levitan	Nancy Peterson	Regan Waller
Nicolas Collard	Jennifer Green	Maggie Lockner	Anna Petosky	Jody Ward
Heather Crain	Katie Gumpertz	Rod Mackenzie	Matt Ralph	Dan White
Patrick D'Silva	Lesley Guyton	Ashwen Madia	Renae Ries Sussman	Virgil Wiebe
Hetal Dalal	Andre Hanson	John Mandler	Michelle Rivero	R. Cameron Winton
Laura Danielson	Tara Harkins	William H. Manning	Susan Roberts	David Woodward
Clara Davis	James Hietala	Sara McLaren	Julie Roorda	Dick Zonneveld
Megan Dempsey	Michael Holden	Gabrielle Mead	Odile Ela Rousselle	
Erika Donner	Annie Huang	Brooke Mengel	Debra Schneider	
Jim Dorsey	Brian Huffman	Alexandra Mertens	Amy Schroeder Ireland	

## Upcoming Events

More information about these and other Minnesota Advocates events can be found on our website: [www.mnadvocates.org](http://www.mnadvocates.org).

### Women, Truth and Transition

Speaker: Professor Fionnuala Ní Aoláin  
Women's Human Rights Speaker Series  
Co-presented by Briggs and Morgan, P.A.  
Tuesday, December 11, 2007, 12:00-1:00 p.m.  
Briggs and Morgan, P.A., Minnesota Room  
2200 IDS Center, 80 South Eighth Street, Minneapolis

### Challenged to Treat People Equally

Human Rights Lecture Series  
Co-presented by Fredrikson & Byron, P.A.  
Thursday, December 20, 2007, 12:00-1:00 p.m.  
Fredrikson & Byron, P.A., U.S. Bank Plaza  
200 South Sixth Street, Suite 4000, Minneapolis

### Women's Human Rights Film Series

Presented by Minnesota Advocates and the Friends of the  
Saint Paul Public Library  
Free and open to the public; discussion follows screening.

"Killer's Paradise"  
December 13, 7 p.m. at Riverview Branch Library

"Crimes of Honour"  
January 17, 7 p.m. at Merriam Park Branch Library

"Not for Sale" and "So Deep a Violence"  
February 13, 7 p.m. at Highland Park Branch Library

"View from a Grain of Sand"  
March 4, 7 p.m. at Arlington Hills Branch Library

*Additional screenings take place at the Humphrey Center;  
for more details see our website.*

## Answers to the UDHR Quiz

1. **D – 1,300.** This number represents a disturbing and dramatic increase in homeless families in Minnesota over the last 15 years. While transitional/long-term affordable housing projects often target families with children, these families represent the fastest growing demographic among Minnesota homeless. 8 Wilder Research 2007. Overview of Homelessness in Minnesota 2006. Accessed June 2007 at <http://www.wilder.org/homelessness.0.html>.

2. **A – 80%.** Despite having access to a consistent source of income, too many Americans remain uninsured. Often, the uninsured are working in small businesses or low-wage occupations that fail to offer employer-based coverage. 5 "Kaiser Commission on Key Facts: Medicaid and the Uninsured." Washington DC: The Henry J. Kaiser Family Foundation, November 2004. Accessed July 2007 at <http://www.kff.org/uninsured/upload/Health-Coverage-for-Immigrants-Fact-Sheet.pdf>.

3. **C – 2/3.** A March 1, 2007 CBS News/New York Times poll indicated that "64 percent of Americans support a government guarantee of health coverage for all." 10 "Health Protection Amendment – Health Care Fact Sheet." Office of Congresswoman Betty McCollum. Accessed July 2007 at

<http://www.mccollum.house.gov/vertical/Sites/%7B6CD95013-7C424AD8A464EB8D8679E9C9%7D/uploads/%7B801C4C9F-6CE5-436A-8684-8669D00D2A1E%7D.pdf>.

4. **B – 47%.** According to *the State of Hunger in Minnesota*, 47 percent of adults skip meals to stretch their budget and 14 percent of children do. *The State of Hunger in Minnesota, 2005: Hunger Solutions Minnesota/Wilder Research; Survey of Food Shelves (2006), Hunger Partners; Quarterly food shelf reports, 2006.*

5. **A – Largest achievement gap.** Minnesota had the largest African-American:white achievement gap on the 4th grade reading exam in addition to having the fifth largest gap on the 4th grade mathematics exam and the second largest gap on the 8th grade reading and mathematics exams. 4 "Education Watch: 2006 State NAEP Tables." The Education Trust. Washington DC: The Education Trust, 2006. Accessed June 2007 at <http://www2.edtrust.org/edtrust/summaries2006/2006StateNAEPTables.pdf>.

## Volunteer Corner



Volunteer Elena Ateva

Elena Ateva is an attorney and a graduate of Hamline University School of Law. A native of Bulgaria, Elena is fluent in Bulgarian and German. She first began volunteering with Minnesota Advocates for Human Rights in 2004, when she completed a summer internship with the Women's Human Rights Program. As a full-time intern, Elena worked on a variety of projects, including the Stop Violence against Women website,

the Battered Immigrant Women's Project, and the National Violence against Women Monitor network. Her work in and

dedication to these projects were a tremendous contribution to the Women's Program.

Although her internship ended a few years ago, Elena has remained committed to promoting women's human rights. Since then, Elena has continued to volunteer with Minnesota Advocates, translating training modules, court files, and news articles. Elena always turns around projects within one day - if not within the hour. Thanks to Elena's language skills, we have been able to obtain many important documents essential to our work against domestic violence in Bulgaria. Most recently, Elena has begun volunteering to help us investigate the needs of sex trafficking victims in Minnesota.

Thank you, Elena, for your time and commitment!

## Staff Update

This fall, Minnesota Advocates for Human Rights is pleased to welcome four new staff members through volunteer organizations. Two full-time volunteers joined Minnesota Advocates through Americorps VISTA (Volunteers in Service to America). This is a year-long program in which volunteers work in non-profits to bring people out of poverty. **Katie Gaughan** is working in Communications and Development and recently graduated from the University of Minnesota with a degree in Professional Journalism and Gender, Women's and Sexuality Studies. **Kim Condon** is working in the Education Program and recently graduated from Macalester College with a degree in International Studies and French. Katie and Kim are members of the Americorps VISTA Twin Cities Refugee and Immigrant Resource Network.

**Alena Chaps** is a second-year St. Joseph Worker (SJW) in the Women's Program at Minnesota Advocates. The Sisters of St. Joseph of Carondelet sponsor the SJW Program that trains, supports, and mentors women to be change agents while meeting direct needs in the community and working for justice. She worked at Hope Community, Inc. in English language learning and adult basic education her first year as a Worker.

**Kyrsten Skogstad** has recently joined the Refugee and Immigrant Program as the Program Assistant. She is the sixth Lutheran Volunteer Corps (LVC) worker sponsored by the Refugee and Immigrant Program since 2001. In addition to working at Minnesota Advocates for a year, she has committed to living in community with four other LVC volunteers and upholding LVC's tenets of simplicity, sustainability, and spirituality. Kyrsten has recently graduated from Duke University where she studied Arabic and Biological Anthropology and Anatomy.



Mary C. Ellison, who joined the Women's Program

A fifth new staff member joined our Women's Program. **Mary C. Ellison** is our new Legal Fellow. Previously, Mary was the judicial clerk to the Honorable Diane Alshouse in the Second Judicial District. She received her law degree from William Mitchell College of Law in June, 2007. Mary earned a B.A. cum laude from St. Olaf College and a M.F.A. in Creative Writing from Colorado State University.

We welcome our new staff members and say goodbye to those leaving:

**Kim Babine** left her position of Receptionist and Administrative Assistant of the Liberian TRC Project to take a position as Legislative Assistant at the State Capitol. Good luck, Kim!

**Fatima Jawaid** left her position of Receptionist and Administrative Assistant to focus more on her studies. We wish you luck, Fatima!

**Becky Palmer** left her position as Staff Attorney in the Women's Program to pursue philanthropic consulting. This work will take her around the world, including to Bhutan, which has been a long-time destination for her. We wish you all the best, Becky!

**Ann Theisen** will be leaving her position of Online Editor in the Education Program to move to Mexico. Best of luck, Ann!

## Staff

<b>Robin Phillips</b>	Executive Director
<b>Colleen R. Beebe</b>	Education Program Director
<b>Ramla Bile</b>	Assistant to the Executive Director/ Administrative Associate
<b>Angela Bortel</b>	Women's Program Staff Attorney
<b>Alena Chaps</b>	Women's Program Assistant, St. Joseph Worker
<b>Kimberly Condon</b>	Education Program Assistant, VISTA
<b>Mary Ellingen</b>	Women's Program Staff Attorney
<b>Mary C. Ellison</b>	Legal Fellow
<b>Emily Farell</b>	Education Program Associate
<b>Katie Gaughan</b>	Development and Communications Assistant, VISTA
<b>Emily Good</b>	Refugee & Immigrant Program Staff Attorney
<b>Sarah Herder</b>	Development and Communications Director
<b>Mary Hunt</b>	Women's Program Associate
<b>Julia Kashaeva</b>	Education Program Assistant
<b>Kay Kautio</b>	Administrative Director
<b>Michele Garnett McKenzie</b>	Refugee & Immigrant Program Director
<b>Rosalyn Park</b>	Staff Attorney, Special Projects and Women's Program
<b>Jennifer Prestholdt</b>	Deputy Director
<b>Malinda Schmiechen</b>	Refugee & Immigrant Program Staff Attorney
<b>Kathy Seipp</b>	Education Program Associate
<b>Ahmed Sirleaf</b>	Special Projects Program Assistant
<b>Kyrsten Skogstad</b>	Refugee & Immigrant Program Assistant
<b>David Takassi</b>	Refugee & Immigrant Program Assistant
<b>Ann Theisen</b>	Education Program Online Editor
<b>Cheryl Thomas</b>	Women's Program Director
<b>Laura Young</b>	Wellstone Legal Fellow

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