

# The Due Process of Law Foundation



Annual Report 2005

## Words from the President

In March of 2006, the Due Process of Law Foundation celebrated its tenth anniversary of promoting judicial reform in the Western Hemisphere. These years have been full of exciting and innovative projects, wonderful partnerships, and inspirational relationships with friends and colleagues from the entire region. They have included moments of joy as well as sadness. But through it all, the board and staff of DPLF has held true to the initial inspiration and commitment expressed by the members of the El Salvador Truth Commission when they founded the organization—to address in a real and timely manner the human rights violations suffered throughout Latin America through the improvement and modernization of its judicial systems.



**Margaret L. Popkin**  
May 21, 1950–May 18, 2005

As many of you know, in May of 2005 we unexpectedly and tragically lost our executive director, Margaret “Maggi” Popkin, to complications during what was to be a routine surgical procedure. Maggi, a distinguished human rights lawyer whose work was known and respected throughout the hemisphere, spent six years as the mainstay of DPLF which she and her staff developed into a recognized and highly-regarded organization in its field.

Since that time, DPLF’s operations and outreach director, Laura Park, and programs director, Katy Salazar, together with members of the board of directors, have devoted enormous efforts to carrying on with the work of the organization and to complying with its commitments, as Maggi certainly would have wanted. In spite of the difficulties involved in continuing without Maggi’s guidance, coupled with our grief at losing our dear friend, we have moved DPLF’s work forward with the support and encouragement of friends, colleagues, and partners from all over the Americas. In Maggi’s memory, we continue to dedicate ourselves to the pursuit of justice reform and respect for human rights and the rule of law throughout the Americas.

We are also delighted that in the very near future, our new executive director, Eduardo Bertoni, will assume his duties in leading the foundation’s work. Mr. Bertoni has an outstanding record of service and experience in human rights and judicial reform issues throughout the hemisphere. Most recently, he won the respect of diplomats, civil society, and journalists in the hemisphere for his excellent work as Special Rapporteur on Freedom of Expression for the Inter-American Commission on Human Rights. We are confident that under Eduardo’s leadership, the foundation will do credit to Maggi’s legacy.

We extend our thanks to all friends who have worked with and supported the foundation during our first decade, and look forward to future collaboration.

—Douglass Cassel  
Foundation President  
April 2006

## WHAT IS THE DUE PROCESS OF LAW FOUNDATION?

The Due Process of Law Foundation (DPLF) is a 501(c)(3) organization dedicated to promoting the reform and modernization of national justice systems in the Americas, and to the full implementation of international and regional human rights protections by those justice systems.

### Table of Contents

Programs and Projects .....	3
New projects for 2005.....	3
Projects completed in 2005 .....	5
Ongoing projects.....	6
Institutional Developments.....	7
Supporters.....	8
Publications .....	9
Public Presentations .....	11
DPLF Board and Staff.....	12

Founded by Professor Thomas Buergenthal (now judge of the International Court of Justice) and his colleagues from the Truth Commission for El Salvador, DPLF seeks to contribute to efforts to make national justice systems throughout the Americas capable of protecting human rights and maintaining the rule of law in a democratic society. Board members include key figures in recent efforts to build democratic institutions and the rule of law in the Americas.

Over the past ten years, DPLF has become known for its research, seminars and conferences, technical assistance and publications on issues such as judicial independence and transparency, criminal justice reform, civil society initiatives for justice reform, access to judicial information, and access to justice. DPLF identifies advances or innovative experiences and provides opportunities for learning and exchange among individuals and institutions confronting similar issues in their countries. We have developed a growing network of experts who are in the vanguard of justice reform initiatives within the judiciary, other state institutions and civil society organizations. DPLF publications are widely cited and are available on our website ([www.dplf.org](http://www.dplf.org)).

### DPLF program areas include:

- Judicial Independence and Transparency
- Civil Society and Judicial Reform
- Criminal Justice Reform
- Access to Justice
- Impunity and Transitional Justice

### DPLF Statement of Financial Position December 31, 2005

<b>Assets</b>	
Cash and cash equivalents	242,223
Contributions receivable	5,095
Prepaid expenses & other assets	5,307
Fixed assets, net	1,897
<b>Total Assets</b>	<b>\$254,522</b>
<b>Liabilities</b>	
Accounts payable	12,132
Employee Benefits	430
<b>Total current liabilities</b>	<b>\$ 12,562</b>
<b>Net Assets</b>	
Unrestricted	179,409
Temporarily restricted	62,551
<b>Total net assets</b>	<b>\$241,960</b>
<b>Total</b>	<b>\$254,522</b>

## DPLF partners:

- DPLF works closely with state and nongovernmental organizations throughout the region in developing projects and planning events. We have carried out projects with colleagues in Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, and Peru, with participants from these countries and Argentina, Bolivia, Brazil, Chile, Costa Rica, the Dominican Republic, the United States and Venezuela.
- DPLF has received core funding from the Parthenon Trust, Open Society, and General Service Foundation.
- DPLF projects have been funded by the Open Society Institute (OSI), the Tinker Foundation, the Ford Foundation, Project Counseling Service, the National Endowment for Democracy, US Institute for Peace, and USAID.



Participants in our project to strengthen the capacity of indigenous lawyers in Oaxaca. The first seminar was held in November 2005.

## DPLF PROGRAMS AND PROJECTS

During 2005, the Due Process of Law Foundation continued to create opportunities for sharing comparative experiences with reforms in areas such as judicial independence and transparency, citizen participation in reform efforts, access to justice for vulnerable groups, and criminal justice reform. The organization's new projects, as has been the case in all the organization's projects, identified positive experiences from other countries and from within the countries themselves to serve as a basis for discussion of potential strategies and proposals. DPLF also published a number of books this year which pull together the presentations, discussions, and recommendations from recently completed projects. These research and educational efforts are designed to contribute to the discussion of needed reforms and to improvements of those already underway.

DPLF continued to promote the use of the Inter-American system of human rights in cases and situations where national justice systems have failed to protect human rights. In March of 2005, DPLF joined representatives from several NGOs from Oaxaca, Mexico, to present information about discriminatory treatment of indigenous people in Oaxaca's criminal justice system at a hearing before the Inter-American Commission on Human Rights. DPLF also began work on a new project that studies the impact of the Inter-American system of human rights protection on transitional justice in Latin America.

A summary of DPLF's activities during 2005 follows.

### New projects for 2005

#### ■ **Strengthening the Capacity of Indigenous Lawyers in Oaxaca, Mexico**

*A one-year project, beginning in July 2005, with support from the National Endowment for Democracy (NED)*

The overall objective of the project is to better guarantee due process and surmount discrimination against indigenous people in the justice system. DPLF's project partner is the Center for Human Rights and Advice for Indigenous Peoples (CEDHAPI) and consists of two training seminars and the production of a training manual for indigenous lawyers.

The first seminar was held in Oaxaca in November 2005, co-sponsored by the Sub-Secretariat for Human Rights of the government of Oaxaca and Oaxaca's State Human Rights Commission. Thirty-four indigenous lawyers participated in the seminar, which included presentations from experts from Oaxaca, Chiapas, Mexico City and also Colombia, Chile, Costa Rica and the Inter-American Commission on Human Rights (IACHR).

The seminar had a tremendous impact in Oaxaca, receiving prominent coverage in the news



Esther Sánchez, Colombian anthropologist, in our seminar in Oaxaca, November 2005, explaining how indigenous law is recognized and is coordinated with official law in Colombia.

media which interviewed the speakers and released daily news pieces on the event. We attribute this success to several factors, including the relevance of the subjects discussed, the quality of the invited speakers, and that CEDHAPI and DPLF were able to bring civil society groups and government institutions to the same table with common goals—something new in Oaxaca. We are currently planning a second seminar to be held in May 2006.

#### ■ **Assessing the Reality of Judicial Corruption in Central America**

*A two-year project, beginning in April 2005, supported by the Open Society Institute*

This study will examine the effects of judicial reforms on judicial corruption and seek to develop a more reliable basis for understanding the phenomenon of judicial corruption and how it might best be addressed in these countries.

DPLF staff is developing a common thematic and technical methodology with input from an advisory group of Latin American experts. Following this methodology, in-country consultants will produce reports on individual countries (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama) and DPLF staff will write a comparative report which will include recommendations and best practices.

DPLF's programs director, Katya Salazar, and project officer Jaqueline de Gramont are directing this project. They have already made exploratory trips to most of the countries included in the study and met with authorities, civil society groups, academics, attorneys and potential consultants. A meeting to discuss the methodology with all the in-country consultants will be held in July 2006. DPLF will publicly present the report's conclusions and recommendations in each of the Central American countries and in Washington.

#### ■ **The Impact of the Inter-American System of Human Rights Protection on Transitional Justice in Latin America**

*Project begun in November 2005 with support from the United States Institute of Peace*

The final product of the project will be a volume examining the impact of the Inter-American system of human rights protection—especially the Inter-American Commission—on the post-conflict struggle for justice in four Latin American countries.

The study will analyze the factors that have contributed to the impact of recommendations and decisions from the Inter-American system in Argentina, Guatemala and Peru. It will also look at the factors that have contributed to the very different situation in El Salvador, where recommendations from the Inter-American Commission have had virtually no effect. The book is planned for fall 2006 and authors will include, among others, Santiago Canton, Ariel Dulitzky, Juan Mendez, Naomi Roth-Arriaza, Marcie Mersky, Susana Villarán, Benjamín Cuellar, Doug Cassel, and Victor Abramovich.

## Projects completed in 2005

### ■ **The Involvement of Civil Society in Promoting Justice Reform in Latin America**

*Begun in 2003 in coordination with the National Center for State Courts, supported by a USAID subgrant*

From 2003 to 2004, DPLF organized a series of seminars in selected Mexican states to provide information to the legal community and civil society on regional advances in justice reform and, especially, the role that civil society can play in proposing, implementing, and monitoring reform processes.

Mexican speakers—from state institutions, NGOs and academic institutions—and visiting experts from Brazil, Chile, Costa Rica, the Dominican Republic, Guatemala, Peru, and the United States addressed issues related to the access to justice, criminal justice reform efforts in their respective countries, and mechanisms and roles for citizen participation in the reform and modernization of the justice system. The final product of the project was a book that has been distributed widely throughout Latin America and is available on our web page.



DPLF's Maggi Popkin and Katya Salazar, and Maurilio Santiago from our partner organization in Oaxaca, CEDHAPI, at the March 2005 hearing before the IACHR on due process violations of indigenous detainees in Oaxaca.

### ■ **Implementing Mexico's New Access to Information Law: Seminars and Research on Public Access to Information from the Judiciary**

*Funded through a grant from the Open Society Institute*

This project was designed to promote the proper implementation by federal and state judiciaries of Mexico's new access to information laws by providing information and comparative experiences about initiatives and mechanisms designed to enhance judicial transparency while protecting the right to privacy.

Experts from Argentina, Canada, Colombia, Costa Rica, Chile, Mexico, and the United States participated in seminars and workshops to speak about their countries' experiences in promoting judicial transparency and addressing additional issues such as public access to sentences, case status information, and other information available on the internet; search mechanisms for finding jurisprudence; statistics; and relations between judges and the media.

It was the first time that comparative experiences on the subject were heard in Mexico, which expanded the panorama for our Mexican colleagues and helped them extract specific ideas for the implementation and interpretation of federal and state laws for access to information. The final product was a book that was widely distributed within Mexico and is available on our Web site.

### ■ **Justices of the Peace and Indigenous Law in Guatemala**

*Funded by the Tinker Foundation*

The 1996 Guatemalan Peace Accords called for a new national justice system that would reflect the multicultural nature of that country. Unfortunately, the reforms implemented after the signing of the Peace Accords and the subsequent ratification of ILO Convention 169 (concerning Indigenous and Tribal Peoples) have failed to in this respect.



To begin to address this issue, DPLF and the Myrna Mack Foundation organized the seminar, “Justices of the Peace and Indigenous Law: Proposal for Coordination,” held in Guatemala City in August 2004. The participants included justices of the peace, including some from the community level, lawyers and academics, representatives from the justice sector (including the Supreme Court, the prosecutor's office and the human rights ombudsman's office), NGOs, and international donor agencies.



Left to right: Jaime Slomiansky, director of the research institute of Oaxaca's judiciary; Jan Perlin of the office in Mexico of the UN High Commissioner on Human Rights; Isabel Madariaga, staff attorney of the IACHR; and Judge Cresencio Martinez, member of the commission drafting Oaxaca's new criminal procedure code. All participated in DPLF's Oaxaca seminar in November 2005.

To focus and stimulate the discussion, the organizers commissioned two documents, one written from an anthropological perspective and the other from a legal one. Four international experts—from Bolivia, Colombia and Peru—spoke of their countries' experiences with these issues and relating to attempts to coordinate national and customary systems of justice were discussed. A publication containing the seminar's principal presentations was issued and is available on our web site.

### Ongoing projects

#### ***Strengthening the Inter-American System of Human Rights***

- In August 2005, DPLF's programs director, Katya Salazar, participated as advisor in negotiations between the Center for Human Rights and Advice to Indigenous Peoples (CEDHAPI) and the Mexican government regarding the implementation of precautionary measures granted by the the Inter-American Commission of Human Rights on behalf of an indigenous leader illegally removed from his position as community authority. Following seven hours of negotiations, a settlement was reached and is now being implemented.
  - In June 1982, two young sisters were taken away by soldiers during a major military operation in El Salvador's department of Chalatenango and never reunited with their family. In this March 2005 case, the Inter-American Court of Human Rights handed down its first sentence against the government of El Salvador. DPLF prepared an amicus brief, and DPLF president Douglass Cassel provided a sworn declaration on the Truth Commission's work in El Salvador. DPLF's executive director wrote an article about the case and its potential significance for El Salvador, and prepared an article about the court's sentence for the first issue of the Center for Justice and International Law's new journal, *Debates en Derechos Humanos*.
  - At a hearing before the Inter-American Commission on Human Rights held in March 2005, DPLF and several NGOs from Oaxaca, Mexico presented information on the discriminatory treatment of indigenous people within Oaxaca's criminal justice system. The hearing had a direct impact—within one week of the hearing, Oaxaca state authorities released more than 300 indigenous prisoners, and ultimately, a total of 1,000. We asked the Commission to visit Oaxaca, and in August, a delegation of the Commission (including the Special Rapporteur on Indigenous Peoples) made a work visit to Oaxaca where they met with representatives of indigenous communities, government authorities, and NGOs, including CEDHAPI.
- The hearing also provided the opportunity for our Oaxacan colleagues to request clarification regarding whether or not precautionary measures issued by the Commission were binding, following comments made in Oaxaca by Venezuelan commissioner Freddy Gutierrez indicating that they were not. After the hearing, the Commission issued Resolution 1/05, which reaffirmed the international obligation of OAS member states to implement precautionary measures issued by the Inter-American Commission of Human Rights.

▪ Motivated by the empowering experience and successes of the March 2005 hearing, our colleagues in Oaxaca once again sought DPLF’s technical assistance in requesting a new hearing before the IACHR for the March 2006 session—this time to address the situation of women, particularly indigenous women, in Oaxaca. In addition to working on the hearing itself, DPLF will help schedule private meetings for the Mexican delegation with various NGOs, multilateral organizations, U.S. government officials, and donors, and will set up at least one public forum for them.

▪ **Criminal Justice Reform**

On February 23, 2005, DPLF co-sponsored a very successful conference—“Voices From the Field: Local Initiatives and New Research on Central American Youth Gang Violence”—in Washington, D.C., in conjunction with the Pan American Health Organization, the Washington Office on Latin America (WOLA), and the Coalition for the Prevention of Violence (which includes the World Bank, the Inter-American Development Bank, the Organization of American States, the United States Agency for International Development and the Center for Disease Control).

This conference brought together an unprecedented range of actors from both Central America and the United States and emphasized the need for better information and comprehensive and rights-respecting approaches to this complex issue. After the conference, DPLF’s executive director, Margaret Popkin, was interviewed as a guest on a Voice of America television program dealing with Central American youth gang violence as a transnational issue, and spoke at a forum at American University. More information, including the official conference report in both English and Spanish, can be found on its own page on WOLA’s website, [www.wola.org/gangs/conference\\_page\\_more\\_info.htm](http://www.wola.org/gangs/conference_page_more_info.htm).

## INSTITUTIONAL DEVELOPMENTS

▪ **DPLF Staffing**

In spite of the tragic loss of our executive director, the continuity of DPLF’s unique and important work was ensured by the dedication and experience of the staff. Programs director Katya Salazar and operations and outreach director Laura Park jointly took on running DPLF until a new executive director was in place. These two led the programs, fundraising, staffing, and everyday work of the organization while mourning the loss of their close friend and colleague.

The search for a new executive director was officially announced in December. The job announcement was circulated widely and a number of excellent applications were submitted. DPLF is proud that such highly qualified applicants are interested in working with the organization. Following an extensive interview and deliberation process, DPLF appointed Eduardo Bertoni as its new executive director. Mr. Bertoni will take up his duties by the end of May 2006.

▪ **Consultants and Interns**

**William Spencer**, former director of the Washington Office on Latin America, was hired on a temporary contract basis to assist DPLF staff and board with fundraising strategies and our executive director search.

**Jacqueline de Gramont** once again joined DPLF as a consultant to work as project officer on the project “Assessing the Reality of Judicial Corruption and Programs to Combat it in



**DPLF Staff 2005**

Left to right: Jacqueline de Gramont, June Beittel, Laura Park, Ben Turner, and Katya Salazar.

Central America.” Ms. de Gramont worked on a number of DPLF projects as program associate from 2002 to 2003.

**June Beittel**, formerly outreach director at The George Washington University’s Elliott School of International Affairs, gave DPLF additional assistance in project support and proposal writing on a part-time basis.

DPLF also hosted our very own “Katrina evacuee” during the fall semester—**Ben Turner**, a junior at Tulane University, helped DPLF staff with our contacts database, research, and a little bit of everything else.

## **Institutional Supporters**

**Ford Foundation**  
**General Service Foundation**  
**National Endowment for Democracy**  
**Open Society Institute**  
**US Agency for International Development**

**Parthenon Trust**  
**Project Counseling Service**  
**Tinker Foundation**  
**U.S. Institute for Peace**

## **Donations in Memory of Maggi Popkin**

<b>Africa Society</b>	Washington, DC	<b>John Laursen &amp; Teresa Toscano</b>	Riverside, CA
<b>Frances Andersen</b>	Los Angeles, CA	<b>Judith Levine &amp; Avram Levine</b>	Lexington, KY
<b>Patrick Ball</b>	Palo Alto, CA	<b>Nancy Loy</b>	Silver Spring, MD
<b>Ora and Arnold Band</b>	Beverly Hills, CA	<b>Marc Mauer</b>	Silver Spring, MD
<b>Patty Blum</b>	New York, NY	<b>Marc McClellan</b>	Chicago, IL
<b>Elizabeth Cecchetti</b>	Berkeley, CA	<b>Caroline &amp; Christopher Miller</b>	Gansevoort, NY
<b>Marlene Cohen</b>	Silver Spring, MD	<b>Tommie Sue Montgomery</b>	Ontario, Canada
<b>Sandra (Sandy) Coliver</b>	San Francisco, CA	<b>Elaine Noll</b>	Pacific Palisades, CA
<b>Kirsten Cowal</b>	New York, NY	<b>Carol O'Reilly</b>	Lexington, KY
<b>Bruce Eastwood &amp; Sanae Asahara</b>	Lexington, KY	<b>Karen Petrone &amp; Ken Slepian</b>	Lexington, KY
<b>Mark Ellyne</b>	Oak Hill, VA	<b>Henry Pinsker</b>	Teaneck, NJ
<b>Judith Feins</b>	Belmont, MA	<b>Jeremy &amp; Beate Popkin</b>	Lexington, KY
<b>Helen Fogelquist</b>	Pacific Palisades, CA	<b>Sue Popkin &amp; Norman Hall</b>	Vienna, VA
<b>Rachel Garst</b>	Coon Rapids, IA	<b>Diego Rodriguez &amp; Maria del Pilar Valencia</b>	Potomac, MD
<b>Evelyn Geller</b>	Lexington, KY	<b>Naomi Roht-Arriaza &amp; Gilberto Arriaza</b>	Albany, CA
<b>Steven Goldstein &amp; Alyssa Sepinwall</b>	San Diego, CA	<b>Eileen Rosin</b>	Washington, DC
<b>R. Scott Greathead</b>	New York, NY	<b>Diane Ross</b>	San Francisco, CA
<b>Reynold (Renny) Greenstone</b>	Brookville, MD	<b>Phillip Schneider</b>	Bronx, NY
<b>Beverly Hall</b>	Vadnais Heights, MN	<b>Aly &amp; Virginia Shabaik</b>	Sherman Oaks, CA
<b>David Hamilton</b>	Lexington, KY	<b>Miriam Siegel</b>	Lexington, KY
<b>Nora Hamilton</b>	Santa Monica, CA	<b>H.D. Uriel Smith</b>	Lexington, KY
<b>Priscilla B. Hayner</b>	Brooklyn, NY	<b>Spriggs &amp; Hollingsworth</b>	Washington, DC
<b>George Herring &amp; Dottie Leathers</b>	Lexington, KY	<b>Peter Stern</b>	Tokyo, Japan
<b>Todd Jailer &amp; Sarah Shannon</b>	Berkeley, CA	<b>Sidney Stern Memorial Trust</b>	Pacific Palisades, CA
<b>Elizabeth Jones &amp; Larry Buron</b>	Bethesda, MD	<b>Renee Weitzner</b>	Washington, DC
<b>Robert Kerrigan</b>	Pensacola, FL	<b>David &amp; Merle Wekstein</b>	Lexington, KY
<b>Andrea &amp; Jay Labinger</b>	Claremont, CA	<b>Judy &amp; Paul Woodward</b>	Saint Paul, MN
		<b>UCLA Faculty Women's Club, Writers' Section</b>	Pacific Palisades, CA



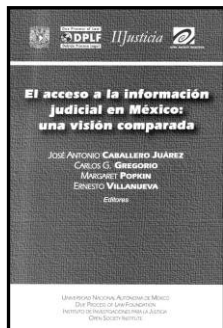
## PUBLICATIONS

- **El Asesinato de Mujeres en Ciudad Juárez** (The Murder of Women in Ciudad Juárez) , March 2005

Based on DPLF's work in Ciudad Juárez in 2004 and our ongoing contact with Mexico's Federal Commission to Prevent and Eradicate Violence against Women in that city, DPLF programs director Katya Salazar wrote this article which appeared in *IDEELE*, the monthly magazine published by the Legal Defense Institute, a prominent Peruvian human rights NGO. The article discusses the failure of the Mexican government to resolve these cases, the multiple due process violations in the investigations and trials, and the lack of legal representation for the relatives of victims.

- **El Derecho a la Educación de Niñas y Niños Desplazados y en Situación de Extrema Pobreza en Colombia** (The Right to Education for Displaced Children Living in Extreme Poverty in Colombia.)  
*Supported in part by grants from the Ford Foundation and Project Counseling Service, April 2005*

This volume collects the presentations from our seminar of the same name held in Bogotá in 2004. The book includes the UN Special Rapporteur on Education's report after her 2003 visit to Colombia, and analyzes proposals for improving access to education in Colombia from a variety of perspectives with a special focus on domestic and international mechanisms for enforcing this right in Colombia.

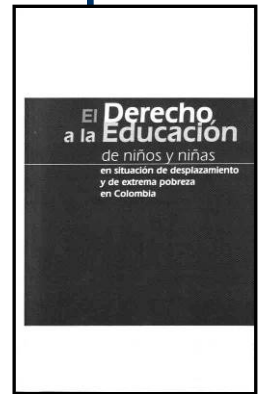


- **El Acceso a la Información Judicial en México: una Visión Comparada.** (Access to Judicial Information in Mexico: a Comparative Vision)  
*Published in collaboration with the Legal Research Institute of Mexico's Autonomous National University, June 2005*

This book brings together the main presentations and studies from DPLF's project on the new Mexican access to information law as it has affected judicial information. The publication features advances in this area in countries throughout the region as well as in Mexico itself. It also reflects the evolving discussion on these issues in Mexico as the courts have begun to implement the new legislation.

- **Justicia de Paz y Derecho Indígena: Propuestas de Coordinación (Justices of the Peace and Indigenous Law: Proposals for Coordination)**  
*Co-organized with the Myrna Mack Foundation with support from the Tinker Foundation, September 2005*

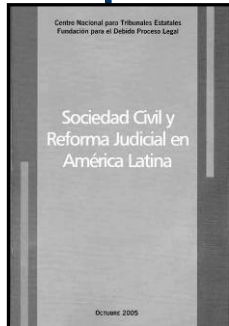
This is the official report from our August 2004 seminar of the same name held in Guatemala City. It contains a summary of the presentations made by national and international speakers, and the background papers that formed the basis for discussion among seminar participants. We also included summaries of discussions that took place during the seminar, and the event's conclusions and recommendations.



---

- **Sociedad Civil y Reforma Judicial en América Latina (Civil Society and Justice Reform in Latin America)**

*Co-organized with the National Center for State Courts, and funded by USAID, October 2005*



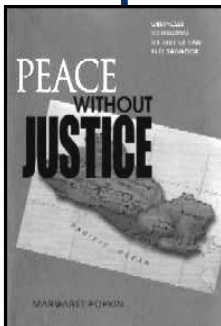
This publication includes articles prepared for a series of seminars held in Mexico during 2003 and 2004. Bringing together accounts of strategic civil society efforts from throughout the region, it is relevant to the strengthening of civil society initiatives in both Mexico and countries throughout the region.

- *La confirmación del magistrado John Roberts* (The confirmation of John Roberts)

This article describes the process of confirming John Roberts as Chief Justice of the Supreme Court of the United States, addressing the importance of broad access to information on the nominee by the media and the population in general to help offset the impact of political interests in the process. (Katya Salazar, *Justicia Viva*, no. 215, October 13, 2005, available on the internet at [www.justiciaviva.org.pe/justiciamail/jm0215.htm](http://www.justiciaviva.org.pe/justiciamail/jm0215.htm).)

- *Género, violencia sexual y derecho penal en el período post-conflicto en el Perú* (Gender, sexual violence and criminal law in Peru's post-conflict period)

In this article written by DPLF programs director Katya Salazar as a part of a book edited by the International Center for Transitional Justice (ICTJ) on transitional justice in Peru, she evaluates the position taken by the Peruvian Truth Commission on the situation of women, especially indigenous women, during the internal conflict in Peru. She addresses cases of sexual violence and the role played by the judiciary in prosecuting the perpetrators.



- *Peace Without Justice: Obstacles to Building the Rule of Law in El Salvador* (Paz sin Justicia: Obstáculos para construir un estado de derecho en El Salvador)

Following the tragic death of DPLF's executive director Margaret Popkin, her family and friends expressed the desire that her book be translated into Spanish for distribution in El Salvador and throughout the region. DPLF accepted private donations to cover translation costs and has made arrangements for the book to be published by the Instituto de Derechos Humanos of the Universidad de Centro America "José Simeon Cañas" in El Salvador. Publication of the Spanish version of Maggi's book is expected in 2006.

## PUBLIC PRESENTATIONS

- **Book Presentations: Civil Society and Judicial Reform in Latin America**  
(*Sociedad Civil y Reforma Judicial en America Latina*)

- Mexico City, Mexico, November 10, 2005. Organized by the Human Rights Commission of Mexico City and the Office in Mexico of the UN High Commissioner of Human Rights (UNHCHR). Speakers included Emiliano Alvarez Icaza and Rocio Culebro, president and technical secretary of the Human Rights Commission of Mexico City, and DPLF's programs director Katya Salazar.

- Oaxaca, Mexico, November 14, 2005. Organized by the judiciary of the state of Oaxaca, DPLF, the Oaxacan chapter of the Mexican Bar Association, and the newly formed NGO, Empoderate. Paul Rueda, one of the book's authors, spoke on the role played by the Bar Association of Costa Rica in that country's judicial reform process. Other speakers included the president of the judiciary of Oaxaca and a federal senator.

- DPLF's programs director Katya Salazar gave a presentation in Oaxaca, Mexico entitled, "Legal Representation of Vulnerable Groups in Latin America: the Case of Persons Unjustly Accused of Terrorism in Peru," to staff members of the UNHCHR office in Oaxaca, México. All the participants were indigenous lawyers working in a project recently launched by that office to address the situation of indigenous peoples and the criminal justice system in Oaxaca (August 2005).

- Ms. Salazar discussed DPLF's work on women's access to justice in the April 2005 work meeting, "The Protection of Women's Rights in the Inter-American System: An Analysis of Access to Justice," organized by the Inter-American Commission on Human Rights' Special Rapporteurship on the Rights of Women to review the main achievements and challenges women face in gaining access to justice in the Americas. The meeting included judges, academics, representatives of multilateral organizations and NGOs, as well as attorneys from the executive secretariat of the IACHR and the special rapporteur on women, Susana Villarán.



DPLF's executive director Margaret Popkin gave the keynote address at the seminar, "Judicial Independence, Democracy and Development," held in Quito, Ecuador, in March 2005.

- DPLF's executive director Margaret Popkin gave the keynote address at the seminar, "Judicial Independence, Democracy and Development," held in Quito, Ecuador, in March 2005. She joined the president of Colombia's constitutional court and an Argentine supreme court justice in emphasizing the importance of judicial independence to protect individual and minority rights. Ecuador's supreme court was replaced by the legislature in December 2004 in an unconstitutional action designed to replace anti-government justices with others closer to parties in the

governing coalition. Protests against this action led President Gutierrez to dismiss the new supreme court in April 2005, precipitating the congressional



DPLF book presentation in Mexico City. Left to right: Rocio Culebro, Mexico City's human rights commission's technical secretary; Martín Sánchez, one of the book's authors and director of RENACE; Emilio Alvarez Icaza, president of Mexico City's human rights commission; and DPLF's Katya Salazar.



DPLF book presentation in Oaxaca. Left to right: Paul Rueda, a Costa Rican lawyer and one of the book's authors; national senator Jorge Franco; Hector Mafud, president of Oaxaca's judiciary; Raul Avila, director of the Center for Constitutional and Multicultural Studies; Antonio Fourzan, director of Empoderate.

decision to remove the president from office. In response to requests from civil society organizations in Ecuador, DPLF has provided information to contribute to developing an adequate selection process for a new supreme court.

### DPLF'S BOARD OF DIRECTORS—2005

**Reinaldo Figueredo Planchart**, *Chairman of the Board*

- Former Senior Advisor to the Secretary General of UNC-TAD
- Former Special Rapporteur on Debt for the United Nations Commission on Human Rights
- Former Minister of Foreign Affairs of Venezuela

**William D. Rogers**, *Vice Chairman of the Board*

- Former Assistant Secretary of State for Latin American Affairs
- Former Under-Secretary of State for Economic Affairs, U.S. Department of State

**Douglass Cassel**, *President of the Foundation*

- Director, Center for Human and Civil Rights, Notre Dame Law School
- Board Member, Justice Studies Center of the Americas

**Jorge Carpizo**

- Former Attorney General of Mexico
- Former Minister of Interior of Mexico
- Former President of the Universidad Nacional Autónoma de México
- First National Human Rights Ombudsman of Mexico

**Alejandro Garro**

- Adjunct Professor of Law, Columbia University of Law

**Christopher Jochnick**

- Oxfam America

**Helen Mack**

- President, Fundación Myrna Mack

**Alain Philippson**

- Chairman Banque Degroof, Belgium

**Jeremy Popkin**

- University of Kentucky

**Susan Popkin**

- Urban Institute

**Margaret Roggensack**

- Attorney

**Ronald Scheman**

- Former Director General of the Inter-American Agency for Cooperation and Development
- Former Executive Director for the United States, Inter-American Development Bank

### HONORARY MEMBERS OF THE BOARD OF DIRECTORS

**Thomas Buergenthal**

- Founder and Honorary President of the Foundation
- Member of the International Court of Justice
- Professor of International and Comparative Law, George Washington University
- Honorary President, Inter-American Institute of Human Rights
- Honorary President, Inter-American Court of Human Rights
- Former Member of the United Nations Committee on Human Rights

**Belisario Betancur**

- President, Fundación Santillana para Iberoamérica
- Former President of Colombia

**Oswaldo Hurtado**

- President, Corporación de Estudios para el Desarrollo
- Former President of Ecuador

**Javier Pérez de Cuéllar**

- Ambassador of Peru in France
- Former Prime Minister of Peru
- Former Secretary General of the United Nations

**Sonia Picado**

- President, Inter-American Institute of Human Rights
- Former Member of the Legislative Assembly of Costa Rica
- Former Judge, Inter-American Court of Human Rights

#### DPLF OFFICERS

**Douglass Cassel**, *President of the Foundation*

**Susan Popkin**, *Treasurer*

**Katya Salazar**, *Secretary*

#### DPLF Staff

**Margaret Popkin**, *Executive Director (d. May 18, 2005)*

**Laura Park**, *Operations and Outreach Director*

**Katya Salazar**, *Programs Director*

**Jacqueline de Gramont**, *Program Officer (consultant)*

**June Beittel**, *Associate (consultant)*

**Ben Turner**, *Intern*

**William Spencer**, *Development Consultant*