

Newsletter
GUERNICA 37
International Justice Chambers



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JUSTICE

‘Representing the interests of victims, we empower them to demand justice both locally and internationally’



ACCOUNTABILITY

‘We work hard to conceive strategies to further accountability for human rights abuses globally’



SUSTAINABILITY

‘We work on atrocity prevention through transnational initiatives, promoting meaningful national transformations’

A Message from the Co-Head of Chambers,

In early February, we were pleased to receive the historic news that Innocente Orlando Montano's conviction and sentence were upheld in their entirety by the Second Chamber of the Spanish Supreme Court, in a prosecution partly led by our co-founder Almudena Bernabeu. The court recognised Montano's responsibility for the crimes as an indirect co-perpetrator for the commission of five murders characterised as acts of terrorism.

This month we also saw the United Nations Working Group on Arbitrary Detention uphold our legal team's submission on behalf of Christian James Michel, a British national. Mr Michel was unlawfully arrested by the UAE and handed over to the Government of India, where he has been in arbitrary detention since 2018.

We are proud to continue supporting the development of young and new members of the bar. This month's newsletter features a snapshot of a day in the life of our Pupil Barrister Miriam. As always, you can find a roundup of the month's international legal news, a summary of our key achievements and more in this newsletter. We hope you find it useful and informative.

Toby Cadman,
Co-Head of Chambers

During this difficult time of uncertainty, we would like to assure you that Guernica 37 International Justice Chambers remains committed to all its clients and will take every measure to ensure that they are not affected by the challenges being adopted globally.

As a responsible Barristers' Chambers, we will follow the Government and Bar Council guidelines that are consistent with ensuring the measures taken are strictly necessary and proportionate.

Furthermore, our team remain ready to attend to any new needs and demands that the #Coronavirus crisis

imposes and stands ready to assist any of those affected, wherever they may be.

Kind regards,
The Guernica Team



The Month In International Legal News



Wikileaks founder Julian Assange cannot be extradited to the United States, a court in London has ruled. The judge blocked the request because of concerns over Mr Assange's mental health and risk of suicide in the US.

French prosecutors have announced the arrest of Roger Lumbala on 29 December 2020. Mr Lumbala is a former opposition lawmaker who led the RCD-N party, an armed group suspected by UN investigators of carrying out extrajudicial killings, rapes and cannibalism in the Democratic Republic of Congo.

Mark Weinberg, the Australian special investigator into allegations of war crimes committed by Australian special forces in Afghanistan, began his work this month. He is tasked with investigating allegations raised in a report authored by Inspector General of the Australian Defence Force (ADF) Paul Brereton, which recommended 19 current and former ADF members be prosecuted for 39 unlawful killings and torture of two prisoners.

On Tuesday 05 January, three independent journalists in Vietnam received severe sentences of between 11- and 15-years' imprisonment after being found guilty of national security offences – a disturbing development that appears to be part of an increasing clampdown on the freedom of expression in the country.

The EU Council adopted a decision and regulation establishing a global human rights sanctioning regime

called the 'EU Human Rights Global Sanctions Regime' similar to the USA's 'Magnitsky Act.' The new regime allows the EU to punish individuals, entities and bodies, including non-state actors for human rights violations including genocide, torture, assassination and arbitrary detentions.

Human Rights Watch called for the Hong Kong government to not file charges against the 53 pro-democracy politicians arbitrarily arrested on 06 January 2021. All were arrested for "subversion" under Hong Kong's draconian National Security Law (NSL), which the Chinese government imposed on 30 June 2020.

Human Rights Watch called for Japan-based Kirin Holdings Company, Ltd to publish its investigation report on the military-owned Myanmar Economic Holdings Ltd. (MEHL) and swiftly cut ties with the company. Kirin announced the conclusion of an investigation by Deloitte Tohmatsu Financial Advisory LLC on 07 January 2021 but declined to publish the report for confidentiality reasons.

The Office of the UN High Commissioner for Human Rights (OHCHR) has found that the police in Peru have used unnecessary and excessive force to quell anti-government mass protests last November, killing two people and injuring hundreds of others.

Donald Trump has become the first president in US history to be impeached twice. The President was charged

with inciting the riot at the US Capitol on 6 January, which left five people dead.

Myanmar's military has taken power in a coup and detained the country's de facto leader Aung San Suu Kyi and other senior figures from the ruling party, the National League for Democracy (NLD). Military television said that the army had taken control of the country and imposed a state of emergency for one year, in response to "fraud" during the 2020 general election, in which the NLD secured 396 of the 498 seats.

Guernica 37 International Justice Chambers submitted an Amicus Curiae to the ICC regarding the situation in the State of Palestine in March last year. We are proud to see the fruits of our work and welcome the decision of Pre-Trial Chamber I of the ICC. It was decided, by majority, that the Court's territorial jurisdiction in the Situation in Palestine, a State party to the ICC Rome Statute, extends to the territories occupied by Israel since 1967, namely Gaza and the West Bank, including East Jerusalem.

A Belgrade Court found Milorad Jovanovic, a former Bosnian Serb policeman, guilty of torture of non-Serb civilians detained at the Simo Miljus Memorial Museum in 1992.

Russian opposition activist Alexei Navalny has been sentenced to three-and-a-half years in prison in a case widely seen as an attempt to neutralise President Vladimir Putin's most prominent critic.

Human Rights Watch (HRW) called for a prompt, independent, and transparent investigation into the murder of the prominent Lebanese writer and Hezbollah critic Lokman Slim. He was an outspoken critic of the Shiite movement Hezbollah and an advocate for preserving the memory of his country's civil war.

Secretary of State Antony Blinken announced that the United States will return to the UN Human Rights Council as an observer. Mr Blinken said in a statement the move is part of the Biden administration's recommitment "to a foreign policy centred on democracy, human rights, and equality."

A new report by the UN human rights office concludes that the government of North Korea continues to commit violations of human rights and has found that torture, wrongful imprisonment and forced labour are rife in prisons, amounting to possible crimes against humanity.

The German authorities stated that German prosecutors have charged a 100-year-old man with over 3000 counts of being an accessory to murder, while serving as a Nazi guard at the Sachsenhausen camp between 1942 and 1945.

Leading Saudi Arabian women's rights activist Loujain al-Hathloul has been released from prison after some 1,000 days in detention and amid persistent international pressure for her to be set free.

Human Rights Watch (HRW) said the UAE authorities have held Michael Bryan Smith, a UK national, in detention for more than 10 years on a 6-year criminal sentence despite having pardoned him in 2014. Prison authorities have denied him access to medication and adequate health care throughout his detention.

UN independent human rights experts have urged Egypt to remove human rights activists Ramy Shaath and Zyad El-Elaimy from its list of terrorists and stop abusing counter-terrorism powers.

British human rights lawyer Karim Khan QC has been elected as the new chief prosecutor of the ICC. Karim Khan will replace Fatou Bensouda from the Gambia and will begin his nine-year term with the challenge of trying to obtain more convictions, and developed acceptance, of the court's jurisdiction worldwide.

The Guernica Accountability Podcast



Our Previous Episodes

- Episode 1 – The Guernica Accountability Podcast – Introducing The Guernica Group, directly from the voices of those who form part of this initiative.
- Episode 2 – Guatemala – Toby Cadman speaks to Law Professor Naomi-Roht-Arriaza about the Guatemalan Genocide and the historic process that saw a former Head of State put on trial in a national court for Genocide.
- Episode 3 – Syria – Toby Cadman speaks to Waad Al Kataeb, the extraordinary young woman who produced the documentary For Sama, her husband Hamza, a surgeon from the last remaining hospital in besieged Aleppo and Catherine Marchi-Uhel, the Head of the United Nations Mechanism for Syria.
- Episode 4 – The Jesuits Massacre Case – Guernica Co-founders, Almudena Bernabeu and Toby Cadman, discuss the historic Jesuit Massacre Trial before the Spanish National Criminal Court. Almudena has been involved in the case for more than a decade.
- Episode 5 – The Secret Barrister – Guernica Co-founder, Toby Cadman discusses a broken legal system with The Secret Barrister. The Secret Barrister discusses the legal system of England and Wales, how it is broken and how it can be fixed.
- Episode 6 – The Pillars of Justice – Guernica Co-founder, Toby Cadman discusses the four pillars of transitional justice - truth; justice; reparations; and non-recurrence - with Pablo de Greiff.
- Episode 7 – Gender Crimes & Sexual Violence – Guernica Co-founder, Toby Cadman speaks to Michelle Jarvis, Deputy Head of the UN IIIM and discusses her career in international criminal justice.
- Episode 8 – An Unorthodox Barrister - Guernica Co-founder, Almudena Bernabeu speaks to Toby Cadman about his unorthodox career path to the English Bar, human rights, Guernica, Bangladesh, Syria, Kung Fu and the Rolling Stones.

You can now listen to the latest episode of the Guernica Accountability Podcast on Spotify, Google podcasts, Apple podcasts and a number of other podcast players. Make sure you subscribe to get access to new episodes as soon as they are uploaded.



Spanish Supreme Court Confirms Historic Conviction of Inocente Orlando Montano

On 20 September 2020, the Criminal Chamber of the Spanish National Court sentenced Inocente Orlando Montano to 133 years, 6 months, and 5 days of imprisonment for the commission of five murders, characterised as acts of terrorism. Montano will effectively remain detained for total of 30 years, the maximum punishment permitted under Spanish criminal law.

On 6 November 2020, Montano's defence appealed this judgment before the Second Chamber of the Spanish Supreme Court, claiming that there had been a violation of certain constitutional precepts in relation to his right to effective judicial protection and the presumption of innocence, as well as an error in the assessment of the evidence or substantial matters. Following this appeal, the Chamber set that its deliberation would take place on 28 January 2021.

On 3 February 2021, the Second Chamber of the Spanish Supreme Court – composed of Justices Manuel Marchena Gómez, Antonio del Moral García, Pablo Llarena Conde, Vicente Magro Servet and Eduardo de Porres Ortiz de Urbina - rejected the 14 grounds of appeal put forward by Montano's defence, dismissing

the appeal and upholding the conviction and sentence in its entirety. In line with the lower court judgment, the Spanish Supreme Court recognised Montano's responsibility for the crimes as an indirect co-perpetrator who operated through an organized apparatus of power. Furthermore, the Court also confirmed its decision to consider Professor Terry Karl's intelligence reports as expert evidence, among other contentious issues raised by the defence.

This appeal represented the defence's last resort to challenge his conviction imposed in the trial judgment for the massacre of the six Jesuit priests and two women in El Salvador on 16 November 1989.

At Guernica, we are pleased to announce this historically important news with a view to culminating the justice efforts leveraged, both nationally and internationally, by the popular accusation led by Almudena Bernabeu and Manuel Ollé. This final judgment represents an appeal for the hope of the Salvadoran people who so for long have yearned for peace and justice, putting an end to the reigning impunity that has prevailed in the country ever since this brutal and senseless act.

Toby Cadman of Guernica 37 calls on the UK Foreign, Commonwealth and Development Office to take immediate steps to prevent the imminent extradition of a whistle-blower to Monaco who disclosed unprecedented bribery and corrupt practices in the oil industry.

Jonathan Taylor has now been held in Croatia on an INTERPOL Red Notice, which has since been withdrawn, and an Extradition Request, that has no proper basis in fact or law, for 174 days.

On 11 January 2010, the Count Court in Dubrovnik ordered his extradition for the second time, ignoring the mountain of human rights concerns that have been comprehensively and articulately argued by his legal team and ignoring the fact that the Monegasque authorities have now confirmed, in writing, that Jonathan is not wanted for prosecution or to serve a sentence, but is wanted for the purpose of interrogation by the Investigative Judge. This runs contrary to the INTERPOL legal and regulatory framework and contrary to the extradition framework. It is of some concern that the Court has seemingly glossed over this fundamental failure in the extradition request and his legal team will now need to once again take this to the Supreme Court of the Republic of Croatia which will undoubtedly prolong his forced sojourn in Croatia in the middle of a pandemic.

On 30 July 2020, Jonathan was arrested on an INTERPOL Red Notice issued by Monaco, alleging offences of

bribery and corruption. He was held in detention for a number of days before being released on stringent bail conditions that remain in force.

On 1 September 2020, a Court in Dubrovnik first ordered his extradition after having only considered the procedural requirements for extradition, completely ignoring the abundance of material, as they have done once again, submitted by his legal team.

On 12 October 2020, the Supreme Court partially upheld the appeal and returned the matter to the Dubrovnik Court for reconsideration and requested the United Kingdom to provide a statement as to whether it sought his surrender under the European Arrest Warrant Scheme. On 30 October 2020, the UK informed the Court that it would not seek his surrender and on 31 December 2020, the UK exited the European Union and withdrew from the European Arrest Warrant scheme.

Read more on our [website](#).

The Resumption of the Aggett Inquest

Covid 19 has taken a toll on the quest for apartheid era justice with proceedings suspended and investigations grinding to a halt. Small progress has been made with the resumption on Monday 18 Jan of the judicial

inquest into the death in detention of Dr Neil Aggett. The pandemic forced the hearing online with 17 witnesses testifying.

Guernica 37 is an innovative International Justice Chambers specializing in transnational litigation involving the enforcement of fundamental human rights protection and international criminal norms in national courts.

International Criminal Law

International criminal and humanitarian law is at the forefront of Guernica 37's practice. Its members have been involved in several high-profile matters prosecuting, defending and acting for victims before international tribunals, hybrid courts and human rights monitoring bodies including the International Criminal Court (ICC), International Tribunal for the Former Yugoslavia, Bosnia and Herzegovina War Crimes Chamber, Bangladesh International Crimes Tribunal and Kosovo Specialist Chambers. Previous cases have included General Augusto Pinochet, President Uhuru Kenyatta, former President Pervez Musharraf, former Bosnian Vice President Ejup Ganic, General Karake Karenze of Rwanda, the political leadership of Bangladesh Jamaat-e-Islami, and more recently the President of Syria Bashar al-Assad.

Public International Law

Public International Law is one of the fast growing legal fields. It has been at the cutting edge of legal development in recent years and continues to develop into many interconnected fields. The introduction of the Human Rights Act in the United Kingdom and the increasing reliance on international law in the domestic courts means that expertise in this field is now more important than ever before.

Extradition, Mutual Legal Assistance and Interpol Red Notices

Guernica 37 regularly advises and represents individuals, foreign governments and judicial authorities in extradition proceedings at all levels. Its members have been involved in a number of high-profile extradition

requests for individuals facing trials in the Balkans, South Asia, Latin America, North America, Africa and numerous Member States of the European Union under the European Arrest Warrant Scheme. Human Rights Act in the United Kingdom and the increasing reliance on international law in the domestic courts means that expertise in this field is now more important than ever before.

Rule of Law Development

Guernica 37 seeks to adopt a principle to promote international justice through investigation, litigation, and transitional justice initiatives. It does this by building effective global networks, empowering victims and local partners to secure their voice in transitional justice mechanisms. It uses legal accountability to incentivise institutional reform and prevent future abuses. This way it develops transnational legal strategies to overcome entrenched impunity, fostering an exchange of expertise between legal cultures, civil society groups and victim communities to cross-pollinate accountability strategies.

International Commercial Law, Arbitration & Mediation

International arbitration has enjoyed growing popularity with States and Corporations. There are a number of reasons that parties elect to have their international disputes resolved through arbitration. Guernica 37 is increasingly asked to advise and represent parties in commercial matters seeking to avoid the uncertainties and local practices associated with litigation in national courts. Clients see the more efficient procedures, the relative enforceability of arbitration agreements and awards, the freedom to select and design arbitral procedures, confidentiality and other benefits.

Business and Human Rights

Over recent years, corporate responsibility has seen a change of focus. As a global population becomes ever more alive to general principles of individual human rights, they have also become aware of the social and environmental responsibility. Stakeholders, having developed a common understanding, are increasingly adopting responsibility for the issues that corporations are faced with, and seek to highlight such issues and exert pressure where they can. In the area of Business and Human Rights, Guernica 37 provides bespoke advice and assistance on compliance with human rights standards and due diligence policies, advancing the UN Guiding Principles. Guernica 37 further provides advice and assistance to organisations and States in the areas of anti-corruption initiatives, rule of law development, training, institution building, legal reform, and legislative drafting.

Anti-Corruption, Bribery & Risk Management

Business and corporate strategy is now more global than it has ever been. With the increase in international trade and associated agreements however, international scrutiny has also increased with businesses and their conduct watched evermore closely. Just as the United States has made the enforcement of the Foreign and Corrupt Practices Act a priority, so too has the United Kingdom Serious Fraud Office sought to target allegations of corruption following the enactment of the Bribery Act. It is essential therefore that businesses are alive to both their domestic and international obligations. Dealing with multi-jurisdictional investigations is now the reality for those companies seeking to conduct business in global market place. We recognise that prevention is better than a cure. Guernica 37 members are perfectly placed to assist businesses in designing and implementing appropriate 'anti-corruption' programmes with policy enactment, and employee training.

Government Advisory Work

Guernica 37 International Justice Chambers is a specialist Barristers' Chambers experienced in advising and assisting States as they commence a process of structural reform and transformation following periods of political instability, post-conflict, post-authoritarian regimes or prolonged periods of state institutions controlled by systemic and structural corrupt practices.

International Climate Justice

Climate change and the risk of irreversible environmental damage is one of the greatest challenges we face. It impacts on a variety of human rights and fundamental freedoms. It has immeasurable consequences of the right to life, right to health, right to housing, freedom from poverty, right to access clean water and is likely to cause catastrophic internal and external displacement. Climate change and our response to the challenges we face have a disproportionate impact on the poor and marginalised. It has disproportionate impact on women, children and the elderly and is a greater threat in certain parts of the world already at risk through poverty, conflict and the absence of sustainable economic and environmental stability.





Extract
Published on Foreign policy

Should Trump be Prosecuted? A Foreign Policy Interview with Pablo de Greiff

History shows that holding former leaders to account pays off—if it's done in the right way.

For almost as long as Donald Trump has been president, Americans have been debating whether or not he should be prosecuted for the various crimes he may have committed in office. That debate intensified on Saturday, when Trump called Georgia's secretary of state, Brad Raffensperger, and appeared to threaten him unless he came up with 11,000 more votes for the president. Then came Wednesday's mass assault on Capitol Hill, which Trump did so much to incite.

Advocates of prosecuting or impeaching Trump make strong arguments, but so do those who think the country should just move on. That makes choosing the right answer difficult—especially because neither side has used much data to make a case. But the evidence is out there. To understand what the history of past attempts to prosecute heads of state can teach us, Jonathan Tepperman, Foreign Policy's editor-at-large, spoke on Wednesday with Pablo de Greiff, who from 2012 to 2018 served as the first U.N. special rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence. Their conversation has been edited for length and clarity.

Jonathan Tepperman: The strongest and most basic argument made by advocates for prosecution is that the

United States is a country of laws and must do everything it can to demonstrate that no one is above those laws. Opponents of prosecution argue that a trial could turn Trump into a martyr, further energize his base, help raise even more money, and encourage him to run in 2024—so the best thing for the country might be to just turn the page.

What does the historical record tell us about whether or not prosecutions work? And what metrics should we use to judge whether these cases have been good or bad for the countries involved?

Pablo de Greiff: To start with, it makes a huge difference what you would prosecute a former leader for. It's not an abstract debate about impunity versus prosecution. It should be a precise debate about specific charges and what consequences would follow from prosecuting them.

As for how to measure the effectiveness of prosecutions, when it comes to issues like the rule of law, metrics are very difficult to come by. It's hard to determine whether an individual case has an impact on rule-breaking in the future.

Now, I do think that there is a case to be made for the importance of making sure that legal systems signal that no one is above the law. Therefore, for instance, Guatemala's prosecution of its former president, Efraín Ríos

Montt, was very important because all Guatemalans got to see him being forced to comply with a court of law and a judge who repeatedly told him, “No, it’s not your turn to speak. No, you cannot address me this way. No, this is not something that you can say.” Scenes like that alone were extraordinarily important for a country like Guatemala.

In deciding whether to prosecute Trump, I think two major considerations should be kept in mind. First, there has been a great erosion of the rule of law in the United States, which for me is manifested mainly in the politicization of the judicial system. I don’t know if you have noticed, but it’s become common for news reports, when referring to a judge, to specify which president appointed that judge. I’ve been in this country for almost 40 years, and that’s a noticeable change; it didn’t happen much before.

I also think that, particularly over the last four years, there have been a lot of public attempts to undermine judicial decision-making, which was once seen as almost sacred here. I mention all this because having a reliable judicial system is important when you are advocating prosecutions, and I think that the state of the judicial system in this country has declined tremendously. The erosion is both systematic and involves the way the people view the judiciary.

Jonathan Tepperman is an editor at large at Foreign Policy, a role he assumed in November 2020 after three years as the magazine’s editor in chief. He is the author of *The Fix: How Countries Use Crises to Solve the World’s Worst Problems*.

The full article was Originally published by Foreign Policy and can be found [here](#).



Milomir Stakic was sentenced to 40 years imprisonment in 2006 for extermination, persecution and murder during the Bosnian Serb war. He recently submitted an application for a remission, which The UN court in The Hague dismissed.

Nasim Haradinaj, deputy leader of the Kosovo Liberation Army War Veterans’ Organisation, felt that he was unfairly treated by the courts and refused to appear.

Taric Sisic a former Bosnian army soldier was convicted of involvement of killing 21 Serbs in Kukavice in

1992. In his appeal he stated that he was acquitted of the charges but later retried and sentenced to five years in prison. After a further appeal his sentence was prolonged to eight years.

The Central Election Commission has filed a lawsuit against Milodrag Dodik accusing him of inciting National hatred. If found guilty, it can carry a sentence of three months to ten years in prison.

Fatime Buzolli from Radio Television of Kosovo interviewed, former President of EULEX Judges Malcolm Simmons, about his time with EULEX and how the EULEX was handling the judicial processes in Kosovo as well as the accusations of being a whistleblower.

Vesna Medinica decided to resign, after criticism regarding her third mandate was voiced in European Commission reports and other civic organisations in Montenegro. She stated that she didn’t want to be an obstacle for her countries path to a European Union membership.

Nasim Haradinaj, deputy leader of the Kosovo Liberation Army War Veterans’ Organisation, felt that he was unfairly treated by the courts and refused to appear.

U.N Experts Condemn India And The UAE For Human Rights Violations And Arbitrary Detention Of A British Citizen

The United Nations Working Group on Arbitrary Detention (UN WGAD) issued an Opinion urging the Government of India to immediately release Christian James Michel. Upholding the submission of the Legal Team, which included Guernica 37 International Justice Chambers, the UN Human Rights experts ruled that the United Arab Emirates unlawfully arrested and handed over Christian James Michel to the Government of India where he has been held arbitrarily since December 2018.

On 26 February 2020, the UN WGAD published Opinion No.88/2020 which ruled that Christian Michel, a British national, is being arbitrarily detained by the Republic of India, in contravention of both the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights.

According to the Working Group, “the violations of the right to a fair trial and due process are of such gravity as to give Mr. Michel’s deprivation of liberty an arbitrary character (...)” The UN WGAD further referred the matter to the UN Special Rapporteur on Torture for further action to be taken. Furthermore, the UN experts ruled that the previous deprivation of liberty of Christian Michel by the Government of the UAE was also unlawful and arbitrary.

In turn, the UN WGAD recommended that the appropriate remedy would be for the Government of India to release Christian Michel immediately and for both Governments to accord him an enforceable right to compensation and other reparations, in accordance with international law.

You can read more [here](#).



A day in the life of a Guernica Pupil Barrister

by *Miriam Helena Boxberg*

This is a very personal account about some of my work as a Pupil Barrister at Guernica 37 International Justice Chambers. In my first week, I was asked to review the transcripts of several interviews that members of Chambers had conducted with Syrian torture victims – witness interviews to build a case before the International Court of Justice which the Government of the Netherlands is seeking to bring on behalf of torture victims against Syria, in order to hold the Syrian state accountable for violations of the United Nations Convention against Torture. Members of Guernica 37 are representing the Netherlands in this historic and crucial pursuit for justice. I was given the task of putting several transcripts into a witness statement format, in preparation for the court proceedings.

While I am unable to speak about the contents here, I wish to say that as a lawyer, I was deeply moved and inspired by the witnesses. The witnesses are all immensely courageous for giving an interview, for re-living these events again in such detail, and for all being willing to appear before the International Court of Justice in person for the court proceedings.

The three Syrians whose stories I read are still suffering immensely from what happened to them and what they witnessed. It is heart-breaking to read that they are unable to get effective help in the countries to which they fled as they do not feel understood or able to talk – a cultural, language but also mental barrier is always there. Yet each witness also at some point during their interview mentioned their dream and longing to see justice for what had happened to them and other Syrians, even if it is only partial justice, as a means for them to move on.

This is what members of Guernica 37 are trying to realise together with the Netherlands by bringing this case before the International Court of Justice, when too many other international efforts to achieve justice for Syrians have failed, have been blocked, or have been ineffective.

In this way, my small contribution to the Syrian torture case in my first week at Guernica 37 brought home to me why I wanted to become a barrister in the first place – to speak up in situations of injustice where others cannot or will not do so.

My mother, a speech therapist, often quotes Theodor Fontane to us, who said “Das Menschlichste was wir haben ist die Sprache” – the most human thing we have is language. Being a Barrister and thus a specialist advocate makes us able to utilise our most human tool – language – to achieve a fundamental and integral human pursuit understood beyond all languages – justice. This is what to me makes being a Pupil Barrister at Guernica 37 so meaningful.

Illustration: Male nude with red sheet, by Egon Schiele





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