

## **CHRISTINA MONICA CERNA**

### **PERSONAL DATA**

Citizenship: United States

### **EDUCATION**

- 1967 B.A. New York University, Washington Square College, New York, Classics.
- 1970 M.A. Ludwig-Maximilian Universität, Munich, Germany (1967-1968 Fulbright Scholar) Comparative Literature (Vergleichende Philologie).
- 1973 J.D. American University, Washington College of Law, Washington, D.C. (Dean's Fellow 1971-2, 1972-3).
- 1974 LL.M. Columbia University, Columbia U. Law School, New York, International Law.
- 1989-90 Visiting Fellow, St. Antony's College, Oxford University, Oxford, England.

### **AREAS OF EXPERTISE**

International Human Rights Law, Public International Law, International Organizations, Latin American Affairs.

### **PROFESSIONAL ASSOCIATIONS**

Member of the Bar of the District of Columbia and the United States Supreme Court. Member, Executive Council of the American Society of International Law (1989-1992). Co-chair, Human Rights Interest Group of the American Society of International Law (1998-2001, 2001-2004); Member, Advisory Board of International Legal Materials, ASIL (1996-99), (1999-2002) (2002-2005) (2005-2008). Member, International Human Rights Committee of the International Law Association. Member of the Executive Committee of the American Branch, International Law Association. Former Chair, International Law Task Force, United Nations Association of the National Capital Area (UNA/NCA). Former Member of the Board of Directors, UNA/NCA. Fellow of the Human Rights Center, University of Essex, Colchester, England. Member of the Council, International Institute of Human Rights, Strasbourg, France. Member of the Comité de Lecture of the Revue Québécoise de Droit International (1999- present). Co-chair International Human Rights Committee of the American Branch of the International Law Association (2004-present).

### **PROFESSIONAL POSITIONS**

Spring Semester 2005, 2006, 2007 and 2008 Adjunct Professor of Law at Georgetown University Law Center teaching Graduate Honors Seminar: Advanced Seminar in International Human Rights Law.

Summer June 26- July 29, 2004 Adjunct Professor at Dickinson School of Law, Pennsylvania State University program, "Capitals of Europe", teaching international human rights law in Holland, Belgium, Luxembourg, France, Austria and England.

Fall Semester 2001 and 2002 Adjunct Professor at George Washington University Law School, teaching international human rights law.

1 Nov.2000 - 1 Feb. 2001 Fulbright Fellow conducting research at the European Court of Human Rights.

15 May 1996 - present: Principal Human Rights Specialist, Inter-American Commission on Human Rights, Organization of American States, Washington, D.C..

1 July 1994 - 14 May 1996: Senior Specialist (Legal), Inter-American Drug Abuse Control Commission, Organization of American States, Washington, D.C. (temporary assignment).

1 July 1992 - 1 July 1994: On loan to the United Nations Human Rights Centre from the Organization of American States to assist in the preparation of the 1993 World Conference on Human Rights. From 1 October 1993- 30 June 1994 on loan to the Technical Cooperation Branch of the UN Centre for Human Rights, United Nations, Geneva, Switzerland.

October 1991 - 1 July 1992: Senior Specialist (Legal), Department of Human Resources, Organization of American States, Washington, D.C. (temporary assignment).

January 1979 - October 1991: Senior Human Rights Specialist, Inter-American Commission on Human Rights, Organization of American States, Washington, D.C.

October 1989 - August 1990: Ten month sabbatical from the OAS. Visiting Fellow at St. Antony's College, Oxford University, and Oxford, England.

May 1976 - January 1979: Staff Attorney, International Affairs Division, Office of the Solicitor, U.S. Department of Labor, Washington, D.C.

Previous thereto I held positions, all under one year's duration: as a researcher for the American Society of International Law in Washington, D.C., which resulted in the publication Legal Aspects of International Terrorism (John Murphy & Alona Evans eds.) (1979); with the law firm of Fried, Frank, Harris, Shriver & Kampelman in Washington, D.C.; with the General Counsel's Office of the United States Information Agency in Washington, D.C.

### **LANGUAGES**

English, Spanish, German (mother tongue), and French (UN Proficiency exam).

### **PUBLICATIONS**

Master's Thesis: Paralyse: Ein Versuch über Samuel Becketts Molloy (1970)

#### Articles:

"A Brief Introduction to the Inter-American Commission on Human Rights"  
Human Rights Internet Reporter, Vol. 5, Nos. 4 & 5, Dec. 1979/Jan. 1980.

"Protecting Human Rights in the Americas: Selected Problems" (Review article).  
Human Rights Internet Reporter, Vol. 8, Nos. 2 & 3. Dec. 1982/ March 1983.

German Yearbook of International Law, Vol. 22 (1979) (Review Article)

American Journal of International Law, Vol. 77, No. 3. July 1983.

"The Inter-American System for the Protection of Human Rights: An Example of International Human Rights Procedures" Federal Bar News & Journal, Vol. 31, No. 5, May 1984.

"La Cour Interaméricaine des Droits de l'Homme, Ses Premières Affaires"  
Annuaire Français de Droit International XXIX, 1983.

"Human Rights in Conflict with the Principle of Non-Intervention: The Case of Nicaragua before the Seventeenth Meeting of Consultation of Ministers of Foreign Affairs" in DERECHOS HUMANOS EN LAS AMERICAS, OAS publication. March 1985.

Völkerrecht als Rechtsordnung -Internationale Gerichtsbarkeit - Menschenrechte: Festschrift für Hermann Mosler. (Bernhardt, Geck, Haenicke & Steinberger eds.) (1983) (Review Article). American Journal of International Law, Vol. 79, No. 3. July 1985.

Die Menschenrechtspolitik der USA: Amerikanische Aussenpolitik Zwischen Idealismus und Realismus, 1972-1982, by Friedrich Pfluger (1983) (Review Article) American Journal of International Law, Vol. 79, No. 3. July 1985.

Guide to International Human Rights Practice by Hurst Hannum (Review Article). N.Y.U. Journal of International Law and Politics, Vol. 18, No. 1. Fall 1985.

"The Inter-American Commission on Human Rights" Connecticut Journal of International Law, Vol. 2, No. 2. Spring 1987.

Laws, Rights and the European Convention on Human Rights (Review Article) American Journal of International Law, Vol. 81, No.3. July 1987.

"The Death Penalty in the United States: Application of Inter-American Human Rights Standards" with Wendy Young. Federal Bar News & Journal, Vol. 34, No. 9. November 1987.

Israeli Yearbook on Human Rights, Vols. 13 & 14 (1983, 1984) (Dinstein ed.) (Review Article). American Journal of International Law, Vol. 82, No. 3. July 1988.

"La Cour Interaméricaine des Droits de l'Homme, Les Affaires Récentes"  
Annuaire Français de Droit International, XXXIII, 1987.

"Human Rights in Armed Conflict: Implementation of international humanitarian law norms by regional intergovernmental human rights bodies" in IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW (Kalshoven & Sandoz, Eds.) Martinus Nijhoff, 1989.

International Law Reports (Contributor) Cambridge, England (1989-1990)

"Promotion and Protection of Human Rights by the Inter-American System"  
Interights Bulletin, Vol. 5, No. 1 (1990).

Behind the Disappearances, Argentina's Dirty War against Human Rights and the United Nations by Iain Guest. (Review Article). American Journal of International Law, Vol. 86, No. 1 (1992).

"Regional Support for Democratization in Latin America: The Case of Panama (1989)" (unpublished); Royal Institute of International Affairs, London.

"Remedies under International law: the inter-American system"; and "Access to Court under the inter-American System"; in INTERNATIONAL HUMAN RIGHTS LAW IN THE COMMONWEALTH CARIBBEAN (Byre & Byfield, eds.) International Studies in Human Rights 14, Martinus Nijhoff, 1991.

"The Normative Status of the Universal Declaration of Human Rights- The View from the United States" Proceedings and Committee Reports of the American Branch of the International Law Association 1991-1992.

"Comments of the U.S. Human Rights Committee of the I.L.A. on the proposed Reservations, Declarations, and Understandings of the United States to the International Covenant on Civil and Political Rights" with Joan Fitzpatrick and Hurst Hannum. (Submitted to the U.S. Senate Foreign Relations Committee, Dec. 1991).

The Battle of Human Rights by Cecilia Medina with Tom J. Farer (Review Article) 86 AJIL 852 (1992).

"The Inter-American Court of Human Rights" in INTERNATIONAL COURTS FOR THE TWENTY-FIRST CENTURY (Ed. Mark Janis). (Martinus Nijhoff) (1992).

"The Case of Haiti before the Organization of American States" for a panel on "Self-Determination of Peoples and Polities" Proceedings of the 86th Annual Meeting, American Society of International Law, pp 378-383.

World Justice? U.S. Courts and International Human Rights. (ed. Mark Gibney), Federal Courts and the International Human Rights Paradigm by Kenneth C. Randall, and International Fugitives: A New Role for the International Court of Justice by Barbara M. Yarnold. (Review Article) 86 American Political Science Review 581 (June 1992).

"U.S. Death Penalty Tested before the Inter-American Commission on Human Rights." 10 Netherlands Quarterly of Human Rights 155 (1992).

Charta der Vereinten Nationen, Kommentar (ed. Bruno Simma) (Review Article) 87 AJIL 471 (1993).

"The Structure and Functioning of the Inter-American Court of Human Rights (1979-1992)." British Year Book of International Law at 135-229 (1992).

"Need for Reform of Human Rights Mechanisms" for a panel on International Law and Constitutionalism, 24 July 1993. Proceedings of the Second Joint Conference of the American Society of International Law and the Nederlandse Vereniging voor Internationaal Recht. The Hague, The Netherlands.

"The European Convention for the Protection of Human Rights: International Protection Versus National Restrictions." Edited by Mireille Delmas-Marty and Christine Chodkiewicz. (Review Article). 88 AJIL 206 (1994).

"Universality of Human Rights and Cultural Diversity: Implementation of Human Rights in Different Socio-Cultural Contexts" *Human Rights Quarterly*, Vol. 16, No. 4, Nov. 1994; published in Spanish as "La Universalidad de los Derechos Humanos y la Diversidad Cultural: La Realización de los Derechos Humanos en Diferentes Contextos Socio-Culturales" Instituto Interamericano de Derechos Humanos: ESTUDIOS BASICOS DE DERECHOS HUMANOS II, 1995; reprinted in *Boletim da Sociedade Brasileira de Direito Internacional* Janeiro/Junho 1994, Nos. 91/92.

"The Impact on Human Rights of Policies for Prevention and Control of Injecting Drug Use" (unpublished) for a panel at the First International Conference on Health and Human Rights at Harvard University (Francois-Xavier Bagnoud Center for Health and Human Rights) 22-24 September 1994.

"A Small Step Forward for Human Rights: The Creation of the Post of United Nations High Commissioner for Human Rights." A Festschrift in Honor of Seymour J. Rubin, *American University Journal of International Law and Policy*, Vol. 10, No. 4, Summer 1995.

"Universal Democracy: An International Legal Right or the Pipe Dream of the West?" *N.Y.U. Journal of International Law and Politics*, Vol. 27, No. 2, Winter 1995.

"Human Rights Letter from Washington" in *ASIL Human Rights Interest Group Newsletter*, Winter 1995.

"East Asian Approaches to Human Rights" for a panel of the same name at the Annual Meeting of the American Society of International Law, New York. 6 April 1995. *ASIL PROCEEDINGS* of the 89th Annual Meeting at p. 152; also reprinted in *The Buffalo Journal of International Law*, Vol. 2, No. 2, Winter 1995-96.

"The Changing Role of Public International Organizations, Challenges to UN-OAS Cooperation" for a panel on International Institutions and Development of Civil Society at a conference of the North-South Center of the University of Miami, on Multilateral Approaches to Peacemaking and Democratization in the Hemisphere, 11-13 April 1995, Miami, Florida.

"The Inter-American Commission on Human Rights: Its Organization and Examination of Petitions and Communications" in *THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS* (Eds. David Harris and Stephen Livingstone, Oxford Clarendon Press, 1998).

"Human Rights Letter from Washington" in *ASIL Human Rights Interest Group Newsletter*, Fall 1996.

"Questions Générales de Droit International Examinées par la Cour Interaméricaine des Droits de l'Homme." *Annuaire Français de Droit International* XLII -1996.

"Clarifying a Reviewing Standard" for Special Issue on the Inter-American Human Rights System, *The Journal of Latin American Affairs*, Vol. 4, No. 2 (Fall/Winter 1996).

"Universality of Human Rights: The Case of the Death Penalty" *ILSA Journal of International and Comparative Law*, Vol. 3.2 (1997).

"International Law and the Protection of Human Rights in the Inter-American System: Rethinking National Sovereignty in an Age of Regional Integration" for an ASIL/IJ Conference held in Mexico City June 6-7, 1996. *19 Houston Journal of International Law* 731, (Spring 1997); reprinted in *EL PAPEL DEL DERECHO INTERNACIONAL EN AMERICA*,

La soberanía nacional en la era de la integración regional. Instituto de Investigaciones Jurídicas, Serie H. Estudios de Derecho Internacional Público, Núm. 25, (Mexico 1997).

"The Right to Individual Petition: How far have we come?" presented at the Congreso Internacional de Derechos Humanos "Frente al Año 2000" Homenaje al Cinquentenario de las Declaraciones de Derechos Humanos 1998, Instituto de Derechos Humanos, Facultad de Derecho, Universidad Nacional de Lomas de Zamora, Argentina, 22-24 October 1998.

"Women and Culture" with Jennifer Wallace in WOMEN AND INTERNATIONAL HUMAN RIGHTS LAW, Vol. 1, (Ed. Kelly Askin and Dorean Koenig) (Transnational publishers 1999).

"Challenges to Compliance with Human Rights Decisions of the Inter-American System" presented on July 27, 1999 at the first Latin American regional meeting of the International Law Association held in Sao Paulo, Brazil.

"The United States and the American Convention on Human Rights: Prospects and Problems re Ratification." (David P. Forsythe, ed., THE UNITED STATES AND HUMAN RIGHTS; LOOKING INWARD AND OUTWARD, (Lincoln: University of Nebraska Press, 2000).

Introductory Note to the new Rules of Procedure of the Inter-American Commission on Human Rights, 40 ILM 748 (2002).

Introductory Note to the Barrios Altos Case, 41 ILM 91(2002).

"The Death Penalty and the Jurisprudence of the Organs of the Inter-American system for the Protection of Human Rights" presented at the Irish Centre for Human Rights in Galway, Ireland, September 2001 published as "La Peine de Morte et la Jurisprudence des Organes du Système Interaméricain de Protection des Droits de l'Homme" in LA PEINE CAPITALE ET LE DROIT INTERNATIONAL DES DROITS DE L'HOMME (Eds. Gérard Cohen-Jonathan and William Schabas, Editions Panthéon-Assas, Paris, 2003).

"Questions of International Law raised by Peru's "Withdrawal" from the Inter-American Court of Human Rights" in Liber Amicorum Cancado Trindade "Trends in the International Law of Human Rights" vol. II.

Introductory Note to the U.S. Court of Appeals Decisions in the Guantanamo Detainees cases, 42 ILM 394 (2003)

"Human Rights Commitments in the Americas: From the Global to the Local: The Inter-American System for the Protection of Human Rights" 16 Florida Journal of International Law 195 (2004).

"Extraterritorial Application of the Human Rights Instruments of the Inter-American System" prepared for an Expert Seminar on the Extraterritorial Scope of Human Rights Treaties, Centre for Human Rights, University of Maastricht 23-26 January 2003 published in EXTRATERRITORIAL APPLICATION OF HUMAN RIGHTS TREATIES (ed. Fons Coomans and Menno T. Kamminga, Intersentia, Antwerp/Oxford 2004).

"How the Inter-American System for the Protection of Human Rights has contributed to the Development of International Law" prepared for a Colloquium organized by the three Montreal law schools (at McGill, the University of Quebec and the University of Montreal in Montreal, Canada in May 2003 on the subject: "Do Multiple International Jurisdictions Strengthen or Weaken international law.") in LES JURISDICTIONS INTERNATIONALES:

COMPLÉMENTARITÉ OU CONCURRENCE? (Ed. Olivier Delas, René Côté, François Crépeau, Peter Leuprecht) Bruylant, Belgium 2005.

The Development of Positive Obligations under European Convention on Human Rights by the European Court of Human Rights by Alistair Mowbray. Book Note in Human Rights & Human Welfare (January 2005).

"The Inter-American Commission on Human Rights" in "THE ESSENTIALS OF HUMAN RIGHTS" Hodder Education, England. (2005)

"Are we headed in the right direction? Reflections on the new Rules of Procedure of the Inter-American Commission on Human Rights in light of the experience of the European system" in HUMAN RIGHTS AND REFUGEES, INTERNALLY DISPLACED PERSONS AND MIGRANT WORKERS, Essays in Memory of Joan Fitzpatrick and Arthur Helton, (ed. Anne F. Bayefsky).

Defining Civil and Political Rights: The Jurisprudence of the United Nations Human Rights Committee by Alex Conte, Scott Davidson and Richard Burchill. Ashgate Publishing Company, 2004. Book Note in Human Rights & Human Welfare (August 2005).

The Torture Papers: The Road to Abu Ghraib. Edited by Karen J. Greenberg and Joshua L. Dratel. Cambridge, MA: Cambridge University Press, 2005. 1249 pp. Book Note in Human Rights & Human Welfare (2006).

"Out of Bounds? The Approach of the Inter-American System for the Promotion and Protection of Human Rights to the Extraterritorial Application of Human Rights Law" Published by the NYU Center for Human Rights and Global Justice, Working Paper Number 4 (2006).

The UN International Criminal Tribunals, The former Yugoslavia, Rwanda and Sierra Leone William A. Schabas, Cambridge University Press 2006. 711 pp. . Book Note in Human Rights & Human Welfare.

"The Inter-American Human Rights System: OAS, American Legal Instruments, Inter-American Commission and Court" with Jo Pasqualucci in HUMAN RIGHTS ENCYCLOPEDIA (ed. David Forsythe) (Oxford U. Press – forthcoming 2008).

"The Right to Consular Notification as a Human Right" for the *Medellin Symposium*, published in the 31 Suffolk Transnational Law Review No. 2 (2008).