



Robert Bernstein

Reflections from Bernstein Fellows



Members of the Bernstein family (from left): Tom '77, Andi, Helen, and Robert Bernstein.

Each year, Robert L. Bernstein Fellowships in International Human Rights enable two or three Yale Law School graduating students or recent graduates to devote a year to full-time human rights advocacy work.

The Bernstein Fellowships were established at Yale Law School in 1997 to honor Robert Bernstein, the founder and former chair of Human Rights Watch; former chair, president, and chief executive officer of Random House; and a tireless champion of human rights. The fellowships, supported by the family, friends, and colleagues of Robert Bernstein and administered by the Orville H. Schell, Jr. Center for International Human Rights at Yale Law School, promote innovative and creative approaches to human rights advocacy.

For more about the Bernstein Fellowship and other human rights fellowships, visit www.law.yale.edu/schell.

Bernstein Fellows have undertaken human rights advocacy work across the globe. They have carried out field research and written reports on a wide variety of human rights issues, advocated for stronger protection of human rights, and developed legal strategies for advancing human rights and holding violators accountable. The following excerpts were taken from personal essays written by recent Bernstein Fellows — they give a sense of the type of challenges and triumphs Fellows encounter in their work.

Kristina S. Baehr '08, 2008–2009 Bernstein Fellow, spent her fellowship year working with the Carter Center on sexual and gender-based violence issues in Liberia. Her projects included preparing a *Sexual Assault and Abuse Prosecution Handbook*, which was published in November 2008 as the first of its kind. The handbook has now been reprinted three times and is used by every county prosecutor as well as Liberia's new SGBV Crimes Unit.

"...[T]he Ministry of Justice invited their international partners, including the Carter Center, to draft a prosecution handbook focusing on sexual and gender-based violence, a "how to" guide for prosecuting sexual assault and abuse.

Drafting the handbook, in coordination with the other partners, became my first assignment. I started with a trip to Liberia, where I interviewed prosecutors, clerks, police officers, and aid workers, visited courts and prisons, and researched Liberian procedure laws and the penal code. It became very clear that as a result of either ignorance or flagrant disobedience, the actual practice in court differed greatly from the laws on the books. The challenge for the handbook, then, was to distill the actual law and procedure into a palatable resource that might actually change the way that criminal law (at least in SGBV cases) is practiced in the courtroom."



Stratos Pahis '09, 2009–2010 Bernstein Fellow, spent his fellowship year with the International Commission of Jurists in Geneva, researching and writing a report that focuses on the interpretation of international investment agreements in the context of international law and human rights law.

"During my fellowship, I repeatedly confronted a challenge that I imagine human rights advocates, and indeed advocates of all stripes, must often face in their work: striking the correct balance between pragmatism and idealism. Over and over again, I was faced with the question of whether to emphasize the strongest and least controversial arguments and aim to achieve incremental human rights outcomes; or, to advance more innovative and uncompromising arguments in the hopes of laying a strong foundation for future progress."



Mtiangai Sirleaf '08, 2008–2009 Bernstein Fellow, spent her fellowship year in the Cape Town, South Africa, office of the International Center for Transitional Justice, working on a series of transitional justice initiatives in western and southern Africa. Her field research involved more than 100 interviews in Ghana, Liberia, and Sierra Leone.

"My interviews in rural Liberia were the most intense and most rewarding, due to the sheer volume of interviewees and their stories. While my task was not to find out people's individual experiences during the conflict, inevitably people shared them with me, and I was ill-prepared to deal with accounts of gang rape and massacres. I felt as if I needed trauma counseling. ... I could only imagine what those who were recounting their experiences needed. The hardest part for me personally was dealing with interviewees' expectations, particularly in rural Liberia. Most wanted to know, understandably, what the result of the report would be and how it would directly influence their lives for the better. ... All I could say was that I would be advocating to different stakeholders that their recommendations be implemented once the report is released. ... It was far from satisfactory for the interviewees, as well as me. But under the circumstances, what would the appropriate response have been?"



Katherine Todrys '07, 2009–2010 Bernstein Fellow, spent her fellowship year working with the Health and Human Rights program in Human Rights Watch's London office, researching, writing a report, and conducting advocacy on prisoner health in Zambia.

"The past year has taught me that justice and health are inextricably intertwined. Human rights advocates have an essential role to play in calling for improvements to the health of prisoners and in advocating for criminal justice reforms to address the underlying causes of prison congestion."

Each spring, the Schell Center convenes the Bernstein Symposium, which includes a series of workshops and other events designed to promote thoughtful, creative discourse on international human rights issues. Past and current fellows return to Yale Law School to speak with students and each other about the challenges of human rights advocacy, and leading activists and scholars in the field join in discussions exploring effective approaches to the defense of human rights. The 2011 Robert L. Bernstein International Human Rights Fellowship Symposium will take place on April 7 and 8 and will address the topic of "**Human Rights in 2025.**" Panelists will consider areas that are representative of both the promise of progress in human rights and the obstacles to progress.