Human Trafficking: A Growing International and Domestic Criminal Enterprise

On March 22, the Loyola Public Interest Law Reporter held its annual symposium, and this year’s topic raised important international issues. The symposium looked at sex trafficking in Illinois, but also labor trafficking throughout the United States as a whole. The labor trafficking issue is naturally entwined with issues of immigration, work undertaken by illegal immigrants, and how these workers from foreign nations are afforded little to now legal protection within the U.S. legal system.

A panel of experts on these issues of migrant workers’ rights gathered in the afternoon to speak about in particular about the political minefield of migrant farmworkers, their ingress and egress from the United States, and their legal rights or lack thereof.

The panel was moderated by Shelby French, the Executive Director of the International Organization for Adolescents. In addition to her vast array of work experience around the world, she has also been teaching a course here at Loyola’s School of Social Work about the issues surrounding child trafficking.
She was joined on the panel by Miguel Keberlein Gutierrez, the supervisory attorney to the Illinois Migrant Legal Assistance Project at the Legal Assistance Foundation. His work with the Project calls for him to represent migrant workers in labor disputes.

Darci Jenkins also joined the panelists. She is involved in many trafficking-focused groups, including the Wisconsin Anti-Trafficking Consortium and the Indiana Protection for Abused and Trafficked Humans Task Force.

The final panelist was Loyola’s own Maria Woltjen, who acts as the director of Loyola’s Young Center for Immigrant Children’s Rights, a center that she herself founded in 2003.

The distinguished scholarship that presented itself on this panel made for a fascinating and productive discussion of current trends in national policy that has direct and serious international implications. The Newsletter would like to congratulate the Loyola Public Interest Law Reporters on a successful symposium this year, and give a special thanks to its Symposium Editor, Graham Brown for bringing this timely international matter into the legal discourse here at Loyola.

Can China's Vast Economic Interests and Presence in Africa Improve Human Rights?

On April 14, Loyola’s International Law Colloquium and the International Law Society hosted a debate regarding the relationship between two important regions of the developing world: China and the many nations of Africa in which China now maintains a presence for the purposes of extraction of natural resources to support its ballooning presence on the world stage as a manufacturing superpower.

Professor Timothy Webster of Case Western University School of Law visited Loyola to make a case for the potential of Africa’s presence to effect real change in the landscape Africa’s human rights challenges.

Loyola’s own Professor James Gathii stood on the other side of the aisle and argued that China’s presence in regions throughout Africa has furthered human rights violations through China’s dealings with currently entrenched corrupt political regimes.

Like all good academic debates, the answers to the big questions raised during the event remain unclear, but we extend our gratitude to Professors Webster and Gathii for the enriching exchange of ideas and for a civil and thought-provoking debate. Loyola looks forward to future visits from Professor Webster.

Should the International Criminal Court Try President Kenyatta of Kenya?

On April 24, Loyola hosted another debate, this time regarding the ICC’s indictment if Uhuru Kenyatta who was subsequently elected the fourth president of Kenya. The event announcement quite succinctly summarized the facts surrounding this highly controversial situation: “[Kenyatta] is accused of being among those orchestrating the violence that killed more than 1,000 people after Kenya’s last election. He is the first International Criminal Court (ICC) indictee to be elected as Head of State. The charges against him have already been confirmed and his trial is set to begin this year. If the ICC Prosecutor Fatou Bensouda continues with his trial as she has promised, he will be the first sitting Head of State to simultaneously be in trial at The Hague for crimes against humanity. Uganda’s President, Yoweri Museveni, saluted Kenyans for what he called ‘the rejection of the black-
Congratulations to Loyola Faculty Members

Throughout the Spring semester, Loyola University Chicago School of Law’s faculty have been hard at work, publishing and presenting research here in Chicago and across the globe. The Newsletter would like to congratulate them on their accomplishments.

Professor Michael Zimmer


Professor Barry Sullivan

Readers of the Newsletter may remember from this volume’s first issue that Professor Sullivan was awarded the inaugural appointment as the Arthur Cox Visiting Research Fellow at Trinity College Dublin. Throughout this spring semester, Professor Sullivan has been teaching two classes at Trinity College. Additionally, he has been keeping very busy with special speaking engagements.

He spoke to the Irish Jurisprudence Society in a talk called "FOIA and the First Amendment: Representative Democracy and the People's Elusive Right to Know." He also presented a talk called "Recusals in the Supreme Court of the United States: It Didn't All Start with Scalia" at the Arthur Cox law firm in Dublin. He also gave a presentation to the Trinity Law Faculty on "Questions, Statements, and Interruptions: Oral Argument in the Supreme Court of the United States." Finally, Professor Sullivan chaired a session of the 2013 European Law Student Colloquium, entitled "Rethinking Law on "Law and Terrorism."

Professor Matthew Sag

Professor Sag was busy this spring traveling and speaking on modern issues at the intersection of technology and intellectual property. He gave a lunchtime talk at Notre Dame on Copyright and Digital Humanities Research.

He also recently gave a presentation on Law and Economics Issues in Library Digitization at the University of New South Wales Law School in Kensington, Australia. Speaking again in Australia, Professor Sag visited the University of Technology Sydney’s Engineering and Information Technology Department to discuss the interaction of copyright law and digital technology as part of the geo-political advantages and drawbacks of ICC action, Loyola’s Professor James Gathii moderated a debate between Northwestern University Law School’s Professor Jide Okechuku Nzelibe, who advocated for the suspension of the charges until Kenyatta’s term as Head of State expired in the interest of respecting a newly established democratic election system, and University of Pittsburgh School of Law’s Charles C. Jalloh, who, as a recent visiting professional for the ICC, argued that Head of State immunity should not be granted to Kenyatta.

Each of the speaker’s special knowledge of international criminal law and the political climate in Kenya fostered a stimulating and inspired discussion of the numerous difficulties that will befall the international community no matter what the ICC chose to do, and the debate gave all of us pause and encouraged the sloughing of all our preconceived notions about that region of the world. Many thanks to both the esteemed speakers and to Professor Gathii for his deft moderation of the debate.
their Leadership in Innovation Seminar Series. Congratulations to Professor Sag!

Professor James Gathii

Professor Gathii has been very active this semester. In addition to his participation in the events described above in this issue of the Newsletter, he has accepted offers to publish two articles. The upcoming articles are Mission Creep or a Search for Relevance: The East African Court of Justice’s Human Rights Strategy, 24 DUKE J. COMP. & INT’L L. (2013), and Strength in Intellectual Property Protection and Foreign Direct Investment Flows in Least Developed Countries, 41 GA. J. INT’L & COMP. L. (2012-2013).

Professor Gathii also presented two talks outside Loyola this semester. At the Annual Meeting of the American Society of International Law, he gave a talk regarding the past and future of the African International Law Scholarship. He also presented a paper called Making Technology Transfers a Key Component in Resource Extraction and Construction Contracts in Africa at a conference on Innovation on Governance of Development Finance: Causes, Consequences and the Role of Law, at NYU School of Law.

The excitement doesn’t end there for Brenda, who also received a Fulbright to study Restorative Juvenile Justice and complete an LLM at the University of Otago in Dunedin, New Zealand. Brenda will be evaluating a New Zealand system that impacts racial minorities, contributes towards reducing racial disparities in the youth justice system, and promotes mutual exchange between the United States and New Zealand.

Another student, Jessica Sanchez, also received a Fulbright to Mexico. Jessica will be studying norm diffusion of international human rights norms into Mexico’s domestic legal system under the tutelage of a Justice of the Mexican Supreme Court. She will also be working with human rights scholars and attorneys. She hopes to write a book to memorialize her research.

Finally, the International Summer Fellowship Committee has announced the winners of its annual grants awarded to students who work in unpaid or low-paying positions in the area of international law over the summer.

Five students will receive grants this summer. Adriana Ballines will be an Ella Baker intern at the Center for Constitutional Rights (CCR) in New York. Erin Keeley will be an intern at the Office of Immigration Litigation of the U.S. Department of Justice in Washington, D.C. Amber Puckett will be a legal patent intern with the Global Access to Medicines Program of Public Citizen in Washington, D.C.

Sarah Silins has been selected to participate in the Hague Symposium on Post-Conflict Transitions and International Justice sponsored by the International Peace and Security Institute in The Hague, the Netherlands. Finally, David Yoshimura, will be doing an internship in Tokyo, Japan pending placement by a placement office in Santa Clara.

Congratulations to the Loyola’s International Summer 2013 Fellows!

Professor John Blum

Professor Blum also had the opportunity to travel for the purpose of sharing his expertise. He gave two presentations at the 7th Biannual Conferencia de Derecho de Salud, in San Paolo, Puerto Rico, to an audience of about 250. He opened the conference with his keynote on the ACA Post-National Federation of Independent Business v. Sebelius and later gave a presentation entitled “Promoting Quality of Care Through New Approaches to Reimbursement.” Congratulations, Professor Blum!

C o n g r a t u l a t i o n s  t o  L o y o l a  L a w  S t u d e n t s

The School of Law’s faculty aren’t the only ones who deserve special congratulations! This semester, a few students achieved some very special honors.

First, two students co-authored an article that is slated for publication this year. Brenda McKinney and Lauren Salins authored an article called A Decade of Progress: Promising Models for Children Found in the Turkish Juvenile Justice System. It will be published in the upcoming 12th volume of the UCLA Journal of Islamic and Near Eastern Law (JINEL). This article was written for the final product of Loyola’s annual Comparative Law Seminar last spring, when Brenda and Lauren traveled to Turkey for research into their topic. Congratulations to Brenda and Lauren on their accomplishment.

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The Audre Rapoport Prize; Call for Writings

If you have an interest in international human rights issues, consider applying for the Audre Rapoport Prize for Scholarship on Gender and Human Rights this summer! “[A] $1,000 prize will be awarded to the winner of an interdisciplinary writing competition on international human rights and women. The prize is made possible by a donation from University of Texas linguistics professor Robert King in honor of the work of Audre Rapoport, who has spent many hours dedicated to the advancement of women in the United States and internationally . . .” For information about the scope of acceptable topics and the process of applying for the award, send an inquiry to HumanRights@law.utexas.edu. Good luck!