

The Humboldt Law Clinic Grund- und Menschenrechte

The *Humboldt Law Clinic GMR* constitutes an innovative and practice-oriented course module at the Humboldt University Law Faculty, Berlin. It consists of a one-year cycle that is integrated into the regular curriculum.

Defending constitutional and human rights in court, advancing non-discrimination and inclusion policies in the context of gender, racism, able-ism, and other social inequalities – at the *Humboldt Law Clinic Grund- und Menschenrechte*, students work on practical cases in an interdisciplinary setting. By integrating academic training and practical case work, in close collaboration with practice experts, students have the opportunity to gain in-depth knowledge of a field of law as well as practical skills. They get to know the tasks and workings of specialized advice centers, of lobby organizations and of law offices, expand their theoretical knowledge and gather practical experience, such as writing expert reports or case briefs.

The *Humboldt Law Clinic Grund- und Menschenrechte* is headed by Dr. Sarah Elsuni and taught and supervised by Karina Theurer, Doris Liebscher, Alexander Klose and Jacqui Zalcborg, LL.M.

The *Humboldt Law Clinic* was founded in 2010 as a *Human Rights Clinic* by Prof. Dr. Susanne Baer, Dr. Nora Markard, MA and Jacqui Zalcborg, LL.M. In 2012, the *Consumer Law Clinic* joined the *Humboldt Law Clinic*, an *Internet Law Clinic* will follow in 2012/13. The Clinic is affiliated with the Law and Society Institute (LSI) at Humboldt University Berlin.

How does it work?

The *Humboldt Law Clinic Grund- und Menschenrechte* is a one-year program that starts each fall. It is open to law students from their second year, as well as to

students of Gender Studies. It comprises two courses, two hours per week each, and an internship:

A *foundational course* in the first semester of the cycle (“Fundamental and Human Rights in Theory and Practice”): Using concrete cases that students will pursue throughout the year, this course teaches the theoretical foundations and the basic skills needed to work with human rights and against discrimination. This includes practical questions of client interaction, the tasks and workings of specialized advice centers, strategic litigation, writing model or *amicus curiae* briefs, etc. Students are introduced to the basic legal instruments, train competences for advice and litigation work, and develop a practice-oriented understanding of working with fundamental and human rights in concrete cases. Human rights and anti-discrimination experts are regularly invited for classroom talks and workshops.

The *four-week internship* in the semester break focuses on the cases that the students have been introduced to during the foundational course. Moreover, students get to know the practical work of organizations and lawyers in the field. The internships are provided by the *Humboldt Law Clinic GMR*. We cooperate with NGOs, human rights and anti-discrimination lawyers, as well as official institutions.

The *in-depth seminar* in the second semester of the cycle continues the casework in a colloquium format. Keeping in touch with the NGOs and lawyers, students expand their case-relevant legal knowledge by academic research, while working on a written product. This can be a brief or a report ready for use in a trial procedure, in legal policy debates or in advice work.

Emphasizing the importance of human rights work also from the perspective of legal education, the program is part of the regular curriculum, both in the Law Faculty and in Gender Studies. Students obtain regular credits for most parts of the program. However, participating in the Clinic requires a readiness to engage that goes far beyond most courses – in exchange for skills and insight that also exceed a regular academic course. A *certificate* honors this commitment.

After completing the *Clinic*, students are free to remain involved in their cases or in the *Clinic* project as such (e.g. as part of a study group).

Clinic Partners

As a program that straddles academia and practice, the *Humboldt Law Clinic Grund- und Menschenrechte* depends on cooperation with partners in practice.

Currently, the *Humboldt Law Clinic GMR* cooperates with the following organizations and institutions: Anti-Discrimination Bureau Sachsen (Antidiskriminierungsbüro Sachsen), the Federal Anti-Discrimination Office, Amnesty International, Ban Ying, the Office for the Implementation of Equal Treatment (Büro zur Umsetzung von Gleichbehandlung), Paritätischer Wohlfahrtsverband (an association of social movements), the German Institute for Human Rights (DIMR), the European Center for Constitutional and Human Rights (ECCHR), Open Society Justice Initiative (OSJI), the Association of Intersexed People (Verein Intersexuelle Menschen e.V.), the Berlin Conference of Equal Opportunities Officers (Landeskonferenz der Frauen- und Gleichstellungsbeauftragten), the Lesbian and Gay Federation in Germany (LSVD), the gay counseling center Berlin (Schwulenberatung), TransInterQueer e.V. (TriQ), and Rights of Handicapped People (Rechte behinderter Menschen gGmbH).

Financial support and Sponsoring

The *Humboldt Law Clinic Grund- und Menschenrechte* is based at the Chair of Public Law and Gender Studies at the Humboldt Law Faculty, Berlin. "Quality Pact Teaching" funds were awarded to the *Humboldt Law Clinic* through Humboldt University in 2011 for a total of six years. Freshfields Bruckhaus Deringer also sponsors the *Humboldt Law Clinic GMR*. a few other law firms supported it in its pilot phase.

The *Humboldt Law Clinic Grund- und Menschenrechte* in the past year

Recent projects

In November 2011, the Clinic presented its Parallel Report on the medical treatment of intersexuals to the *UN Committee Against Torture*. In its Concluding Observations on Germany, the Committee highlighted some of the central concerns of our report.

The current cycle, which started in the fall of 2012, produced an *expertise on amicable settlement* in cooperation with the Federal Anti-discrimination Office, as

well as a *draft equal opportunities charter* in collaboration with the Conference of Equal Opportunities Officers of Berlin Universities.

Another team co-produced an *amicus curiae brief* submitted to the U.S. Supreme Court in the Alien Tort Statute case of *Esther Kiobel et al. v. Royal Dutch Petroleum Co. et al.*

Clinical Conference

In February 2012, the Clinic was invited to a *Clinical Legal Education* conference in Brescia, Italy, to present our model and experience so far.

Talks and workshops

The Clinic has been able to enlist numerous experts both from academia and practice for Clinic talks and workshops. In November 2011, human rights lawyer *Wolfgang Kaleck*, founder of the European Center for Constitutional and Human Rights (ECCHR), spoke about issues of *strategic litigation* in a national and international human rights context.

In June 2012, Clinic students had the opportunity to hear about Swiss approaches to anti-discrimination law during a workshop with *Tarek Naguib* (University of Fribourg, Egalité Handicap). Tarek also answered questions about students' Clinic projects and discussed more general issues of anti-discrimination work.

At the interdisciplinary symposium *Discrimination and Difference* at Freie Universität Berlin, students deepened their theoretical knowledge on specific aspects such as experiences with public sector equality duties in Great Britain, or post-categorical approaches in anti-discrimination law.

Training

Support from Freshfields Bruckhaus Deringer enabled Clinic students to enhance their rhetorical abilities with rhetoric coach John Falk in intensive small-group working sessions. This offer was very popular with students, and we hope to be able to integrate it into the program as a regular module.

More information at <http://baer.rewi.hu-berlin.de/humboldt-law-clinic>