

Carla Ferstman LL.B. '93

By Milton Kiang

Bringing Justice to Torture Survivors Around the World

For most of us, a tough day at work might be trying to meet an impossible deadline, or having to sit through countless meetings in one day.

How about trying to seek justice for a Zimbabwean torture victim who had been submerged in a tub of cold water, electrocuted, and beaten repeatedly on his soles? All because he criticized his government.

Or how about trying to help a Congolese war victim who'd been shot numerous times (but miraculously survived) and whose wife and eight children were massacred in their village by government rebels?

For Carla Ferstman (LL.B. '93), this is an average day at the office. Ferstman is director of Redress, a London-based human rights organization that helps torture survivors obtain justice and reparation, and to make torturers accountable.

Since 2001, the 41-year-old Montreal native has been working with a diverse team of legal advisors and project coordinators to represent torture victims before international courts and tribunals. She and her team also carry out high level negotiations with governments, parliamentarians and international courts to ensure they follow international conventions relating to torture.

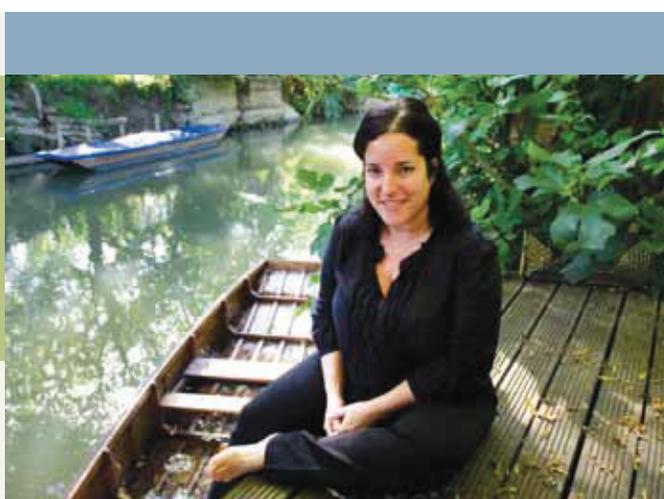
Unfortunately, in recent years, the subject of torture has become commonplace in the news and media. We hear about allegations of torture in places like Abu Ghraib, Guantanamo Bay and Afghanistan. What's unique – and somewhat shocking – about these recent stories is that the torturers are linked to Western governments. That's us, the so-called “good guys.”

“Recent events have made it difficult for us to hold on to the fallacy that torture is perpetrated only by corrupt or ‘bad’ people from far-away regimes very different than our own, carried out on people who have done something wrong in order to somehow ‘deserve’ it,” says Ferstman.

“Torture has always been pervasive,” Ferstman adds. “What's different now is that we're talking more about it. People who have undergone torture have better access to the media and their stories are becoming known, so we're finally starting to realize that it can happen to anyone.”

So how does Ferstman maintain her positive attitude, despite listening to all the countless stories of torture and violence? “I try to have as calm a private life as possible,” says Ferstman. She also attributes her upbeat spirit to having great colleagues and finding ways to decompress.

For Ferstman, dealing with the aftermath of war isn't new. After completing her articles and her first year as an associate at Vancouver criminal law firm Bolton & Muldoon, she wanted



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a chance to use her fluent French and to work overseas. Ferstman had always been drawn to the relationship between the law and poverty or social exclusion. So armed with her Canadian Criminal Code and a bit of naiveté, Ferstman took a position as legal officer with the UN High Commissioner for Human Rights in Rwanda in 1995.

Ferstman hasn't looked back since. While in Rwanda, she reported on the domestic trials for genocide and crimes that took place in that country in 1994, where an estimated 800,000 people were massacred in ethnic clashes between Rwandan Hutus and Tutsis in a space of 100 days. Heart-wrenching work, most would agree.

Ferstman has also spent a short stint as a legal researcher at Amnesty International in London. In 1999, she served as executive legal advisor for the Commission for Real Property Claims for Displaced Persons and Refugees (CRPC) based in Sarajevo.

Managing a team of 20 lawyers and policy analysts at CRPC, Ferstman directed legal policy for mass claims and restoration of property for refugees under the 1995 Dayton Peace Accord. The war in Bosnia and Herzegovina had claimed an estimated 110,000 lives and resulted in two million people being displaced; Ferstman's mandate was to help war victims reclaim their property – and to get on with their shattered lives.

Looking back, Ferstman never thought she'd be away from Canada for so long. Her role in Rwanda was supposed to be a short diversion. Somehow, that experience led to others, and Ferstman never found her way back to Canada.

“It all seems pretty grim, but in fact I think my outlook has managed to stay reasonably okay,” Says Ferstman of her experiences in various conflict zones of the world, “If you manage to connect with real people then somehow you are less stuck in the horror of the conflicts.”

“Congo is one of those places, it is by far the most beautiful place out of anywhere I've ever been; horrible, horrible crimes but amazing, courageous and spirited people always pushing the boundaries despite the odds. Somehow it is one of my favourite places.” ●