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Promoting Judicial Dialogue across the National/International Divide: The Brandeis Approach[1]

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Background

How should international law be applied in domestic courtrooms? Where can national judges learn about sources of international law? What are the different international courts and tribunals in operation today and what is their significance for the work of national judges? What is the "complementarity principle" of the International Criminal Court and what does it imply for national judiciaries?

These are some of the questions that have been discussed at the Brandeis Judicial Colloquia, a series of meetings organized by the International Center for Ethics, Justice, and Public Life of Brandeis University that have brought together domestic judges in various regions of the world with their counterparts serving on the benches of international courts and tribunals. The aim of these colloquia is to provide a forum where domestic judges can familiarize themselves with some of the central precepts of international law as well as the individuals who apply this law through their judicial rulings and decisions. It also allows international judges to learn of the challenges faced by their domestic colleagues as they strive to broaden the scope of their legal thinking through using both foreign and international law, not always with the approval of their peers or even governments.

The idea of the Brandeis Judicial Colloquia arose from another program, the Brandeis Institute for International Judges (BIIJ). Since 2002, the International Center for Ethics, Justice, and Public Life has organized regular institutes for members of the international judiciary. These institutes provide an opportunity for judges serving on a wide spectrum of international courts and tribunals to meet one another in an intimate and informal setting.[2] There they discuss a range of topics, both practical and theoretical, relevant to their unique work, and forge relationships that strengthen their sense of membership in a professional group that has largely emerged in the last fifteen years.[3] The BIIJ has been held in various regions of the world, including Africa, the Caribbean, Europe, and North America. In July 2010, Brandeis held its seventh BIIJ, hosting 16 judges from 13 courts and tribunals, in Salzburg, Austria.[4]

During the early years of the BIIJ, participating international judges repeatedly observed that domestic judges are in a unique position to establish international law across the globe, as it is their decisions that have the most direct impact on local populations. It is thus critical, BIIJ participants noted, that international and domestic judges be in dialogue with one another about how international norms can best be interpreted and applied by national judiciaries.

Since that time, four judicial colloquia have been planned and executed on three continents. The first was held in Dakar, Senegal in 2006, immediately following the fourth BIIJ. Participants included 12 supreme and high court judges from across West Africa, including those from English-, French-, and Portuguese-speaking countries. They had the opportunity to discuss a broad array of issues, around the theme "Connecting International and National Justice," with judges from the International Criminal Court, the International Criminal Tribunal for Rwanda, and the International Criminal Tribunal for the former Yugoslavia.

This meeting was followed, in 2007, by a second West African Judicial Colloquium in Accra, Ghana. It hosted a similar mix of national judges, and included judges from the African Court of Human and Peoples' Rights and the Special Court for Sierra Leone. The second colloquium was a natural follow-up to the first, with sessions organized under the rubric of "Promoting Judicial Independence and Access to Global Jurisprudence."

Brandeis next brought the series home, hosting the North American Judicial Colloquium on its campus in Waltham, Massachusetts in 2008. This meeting brought together United States and Canadian judges from state, provincial, and federal jurisdictions with international judges from the International

1. Thanks to Stéphanie Cartier and David Weinstein for their helpful comments on this article.
2. The following institutions have participated in the BIIJ: African Court of Human and Peoples' Rights, Caribbean Court of Justice, European Court of Human Rights, European Court of Justice, Extraordinary Chambers in the Courts of Cambodia, Inter-American Court of Human Rights, International Court of Justice, International Criminal Court, International Criminal Tribunal for the former Yugoslavia, International Criminal Tribunal for Rwanda, International Tribunal for the Law of the Sea, Special Court for Sierra Leone, Special Tribunal for Lebanon, and the World Trade Organization Appellate Body.
3. See Daniel Terris, Cesare P. R. Romano, and Leigh Swigart, *The International Judge: an Introduction to the Men and Women who Decides the World's Cases*, UPNE 2007.
4. Summaries and full reports of past institutes can be found at http://www.brandeis.edu/ethics/internationaljustice/biij/index.html.

Criminal Court, the Caribbean Court of Justice, and the European Court of Human Rights. The theme, appropriately, was "What can International and Domestic Judges Learn from One Another?"

Finally, the South American Judicial Colloquium was organized in Buenos Aires, Argentina in 2009. It hosted 20 judges from eight countries in the region as well as representatives from the International Criminal Court and other international legal bodies. Held entirely in Spanish, this colloquium adopted the theme *El Valor del Derecho Internacional Respecto de los Sistemas Legales Nacionales* ("The Value of International Law for National Legal Systems").

Summaries and reports of the proceedings of all judicial colloquia are available at the website of the International Center for Ethics, Justice, and Public Life.[5]

Canadian and United States participants at the North American Judicial Colloquium, Brandeis University, 2008

Each of these colloquia has been designed and implemented in collaboration with local partners in order to ensure that the content is relevant and interesting to local judges.[6] Participants are chosen through consultation with these partners and sometimes through direct contact with chief justices or presidents of selected courts as well. Judges represent various types of courts – family, juvenile, civil, commercial, administrative, appeals, and supreme.

The colloquia generally use the same format as the Brandeis Institute for International Judges: short presentations by legal experts on a given topic, followed by an extended question and answer period. This allows participants to interact with both session leaders and fellow participants and to ask for further information that can help them in their respective jurisdictions.

Each colloquium has also received the imprimatur of a leading judge or international figure from the region. Ambassador Ahmedou Ould Abdallah, United Nations Special Envoy to West Africa, delivered the keynote speech for the first West African Judicial Colloquium in Senegal. Justice Modibo Ocran, of the Supreme Court of Ghana, played this role for the second regional colloquium in Ghana. Participants of the North American Judicial Colloquium, as well as the Brandeis University community, were honored to have as their keynote speaker Madame Louise Arbour, former Justice of the Supreme Court of Canada and former United Nations High Commissioner for Human Rights.[7] Vice President of the Argentine Supreme Court of Justice, la Doctora Elena Inés Highton, addressed participants of the South American Judicial Colloquium at their opening session. The support of these eminent individuals, and the expertise they shared through their speeches, reinforced the importance of the judicial colloquia endeavor and raised the profile of these events in the larger legal and academic communities.[8]

Why do judges participate in this kind of dialogue?

When asked why they had taken time out from their very busy schedules to attend a Brandeis Judicial Colloquium, judges had a number of responses. Most are aware of the expanding role of international law in diverse domains of human activity, as evidenced by their governments' ratification of various trade agreements, human rights conventions, and environmental protocols, as well as their governments' submission to the jurisdiction of international judicial bodies such as the International Court of Justice, the International Criminal Court, and regional human rights courts. Judges may be less clear, however, about what such decisions on the part of governments imply for their own work in the courtroom. The following are some of the questions raised by judges over the course of colloquia discussions:

- When parties cite international law before my bench, how do I determine whether or not it is binding on my court?
- Where and how can I find sources of international law? How can I ascertain the content of international law?
- If a treaty is not implemented through legislation or is not self-executing, can I nonetheless consider it?
- What tells me that I have an obligation to apply international customary law?
- Does international law need to be proven?
- Is it appropriate to cite international law when not strictly necessary, with the aim of "educating" the public? Or will it only serve to aggravate colleagues not as open toward external sources of law?
- Can I determine remedies based on international law?
- What does it mean when the Rome Statute of the International Criminal Court asserts that national judiciaries must be seen as "willing" and "able" to prosecute a person alleged to have committed war crimes, crimes against humanity, or genocide?
- What is the potential impact of decisions by regional bodies such as the Inter-American Court of Human Rights and the Court of Justice of the Economic Community of the West African States on the work of national courts in their jurisdictions?

The Brandeis Judicial Colloquia have provided a supportive environment in which judges could ask such questions and hear about the experiences of their peers who have grappled with the same issues.

Another motivation to participate in a Brandeis Judicial Colloquium was the desire to broaden one's approach to the law. The cross-border nature of the Brandeis colloquia allowed participants to learn directly from their colleagues in neighbor-

5. http://www.brandeis.edu/ethics/internationaljustice/judicialcolloquia/index.html

6. Partners include Le Centre de Recherche Ouest Africaine and the University of Ghana Law Faculty for the West African Judicial Colloquia; the National Judicial Institute of Canada and the International Judicial Academy for the North American Judicial Colloquium; and the Argentine branch of the International Judicial Academy and the La Federación Latinoamericana de Magistrados for the South American Judicial Colloquium.

7. Arbour also served as the Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and Rwanda from 1996-99.

8. Details of their speeches may be found in the various colloquia reports. Supra note 4.

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ing countries where there may be more openness toward both international and foreign law. In fact, a number of colloquium participants had already been involved in some kind of overseas training program, legal cooperation project, or judicial institution-building. This initial exposure left them eager to learn more about both international and foreign law. A North American Judicial Colloquium participant, who had worked and traveled extensively in many different countries with diverse legal regimes, said that she had come back "with a reshaped view of the legal and judicial function... It reinforced my conviction that exchanges of ideas and insights with foreign and international judges enrich my legal thought and reasoning."[9]

There are important benefits that come from the judicial network-building that occurs at this kind of meeting as well. While judges in many parts of the world participate regularly in continuing judicial education programs or attend professional conferences, the Brandeis Judicial Colloquia provide a different atmosphere from those venues. There are rarely more than 20 judges in attendance, and the discussions are therefore more informal and conversational. The colloquium setting encourages the forging of new professional relationships that can continue long after the event has ended. Participants have also noted that they are more likely to admit the limits of their own legal knowledge when in a mixed crowd of judges from different courts and countries, away from the scrutiny of their immediate professional cohort.

In the case of the two West African Judicial Colloquia, the network-building component of the meetings was a rare opportunity in a region where judiciaries are underfinanced and travel to meetings is limited. It is also a region where judges may feel real threats to their independence. Some West African participants claimed that by simply attending a Brandeis colloquium, they communicated to their governments that they are part of a regional professional network whose members "keep tabs" on what is happening to their peers in neighboring countries. The West African meetings also allowed for acquaintances to be made across the linguistic divides that are a continuing legacy of the European colonial era. Such relationships are an important building block of regional unity.

What do participating judges talk about?

The program for each colloquium was designed by Brandeis in close consultation with its regional partners. It is clear that judges from disparate parts of the world work under varying conditions and thus have some concerns and needs unique to their situations. Session leaders were chosen primarily from among regional scholars and experts, not only to ensure that most presentations were made in the languages of the judges themselves but also to avoid the not uncommon dynamic whereby organizers from the global north "dispense knowledge" to those from the south.

Notwithstanding regional differences, each colloquium addressed the central question of how and when judges should apply international law in a domestic courtroom. Judges from all regions wondered about the relative primacy of their national constitutions vs. international treaties and customary international law, and whether the "domestication" of international treaties and conventions was a precondition for viewing them as either binding or of persuasive value. Justice Emmanuel Ayoola, Judge of the Special Court for Sierra Leone, told West African participants, "there should be no national constitution inconsistent with human rights norms and it is the role of judges to uphold the norms enshrined there."[10] Professor Jutta Brunnée of the University of Toronto noted at the North American Judicial Colloquium that both Canada and the United States have a common law presumption that states intend to conform to international law; "therefore, domestic courts should strive to interpret national legislation in accordance with that law."[11] In a South American session, Professor Alberto Fernando Garay, of the Universidad Torcuato Di Tella, described cases in which the failure of national judiciaries to uphold the human rights enshrined in international conventions, and sometimes even their own constitutions, resulted in an appeal by plaintiffs to the Inter-American Court of Human Rights.[12]

Session leaders generally encouraged participants to inform themselves about sources of international law and to incorporate them into their legal thinking and judgment writing. Judges were also exhorted to consult the jurisprudence coming out of other countries, both those in their own region, with similar traditions and histories, and those more distant. There are many helpful collections of such sources, many of which are now available on the Internet (see sidebar). As Claire L'Heureux-Dubé, retired Justice of the Supreme Court of Canada, asserted in her session on judicial dialogue at the first West African Judicial Colloquium, "Judges cannot afford to be parochial in this age of globalization. The world is now characterized by 'justice without borders'."[13]

Judicial influence is not a one-way street, however, with national judges passively absorbing international law for its application at home. Dr. Fatsah Ouguergouz, Judge of the African Court of Human and Peoples' Rights, explained to West African participants that it is through the decisions of national judges that basic principles of law have been developed, the same principles that guide the work of international judges.[14] At the North American Judicial Colloquium, Professor Brunnée noted that national judges "participate in the shaping and strengthening of international law by weaving international law into the fabric of domestic law, and by re-weaving and strengthening the fabric of international law itself."[15] The international judges in attendance at the colloquia, many of whom had previously served as judges in their home countries, agreed

Sources of International and Foreign Law

- *International Law: A Handbook for Judges*, Studies in Transnational Legal Policy, No. 35, The American Society of International Law. Foundation Press, 2001.
- *http://ilex.asil.org/*: Legal Research System for International Law in US Courts.
- *www.worldlii.org*: World Legal Information Institute.
- *http://codices.coe.int*: regular reports on the case-law of constitutional courts and courts of equivalent jurisdiction - in Europe but also in other parts of the world - together with case-law of the European Court of Human Rights and the Court of Justice of the European Communities.
- *http://droit.francophonie.org*: international and foreign law in French.
- *http://www.brandeis.edu/ethics/internationaljustice/judicialcolloquia/index.html*: guides to electronic sources of international and foreign jurisprudence and legislation, prepared by the International Center for Ethics, Justice, and Public Life at Brandeis University.

9. See North American Judicial Colloquium report, p.5. Supra note 4.
10. See West African Judicial Colloquia report, p. 16. Supra note 4.
11. See North American Judicial Colloquium report, p. 6. Supra note 4.
12. See South American Judicial Colloquium report, p. 26 (in Spanish only with a summary in English). Supra note 4.
13. See West African Judicial Colloquia report, p. 7. Supra note 4.
14. See West African Judicial Colloquia report, p. 19. Supra note 4.
15. See North American Judicial Colloquium report, p. 7. Supra note 4.

that the relationship between domestic and international judiciaries is complementary and synergistic.

In addition to exploring interconnections between national and international legal regimes, each colloquium addressed issues specific to the group of judges it hosted. At the first West African Judicial Colloquium, many participants emphasized how difficult it was to keep abreast of developments in international and foreign law as they had limited experience with information technology. Their courts also do not have the means to employ enough clerks and assistants to help them with legal research. The second West African Colloquium responded by organizing hands-on demonstrations where participants learned to access legal information online, as well as by preparing guides to international and foreign jurisprudence and legislation (see sidebar, p. X). That colloquium also featured a session on how to establish internship programs in West African courts, following the model used in both United States and international courts, and how to design continuing legal education programs for judges and other court personnel.

Sessions at the West African Judicial Colloquia furthermore addressed a particular feature of African justice: in addition to having both common law and civil law regimes in the region, there also exists Islamic law in some countries and a robust system of African customary law and conflict resolution in almost all. This creates the challenge of integrating these various regimes and traditions into a harmonized justice system that everyone can access. Several participants noted that women in their countries had initiated gender discrimination cases based on their rights as guaranteed in the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). They described the difficulties they faced in deciding such cases when there is a clear conflict between international norms and local customs.[16]

West African participants were interested to hear about perhaps the most discussed interconnection between national and international justice in recent years – the "complementarity principle" established by the Rome Statute of the International Criminal Court (ICC).[17] This principle indicates that national courts will retain jurisdiction to try genocide, crimes against humanity, and war crimes unless they are genuinely "unwilling" or "unable" to investigate or prosecute the crimes in question. A country may be determined to be unwilling if it is clearly shielding someone from responsibility and unable if its legal system has collapsed.[18]

Participants had a number of questions about how complementarity would really work on the ground. They also questioned the amount of money being spent on the ICC. Given the lack of resources in many of the ICC member states, would it not be better, some wondered, to distribute these resources to individual countries so that a culture of crime prevention could be developed locally?[19] Given that most of the current ICC cases and investigations are taking place in Africa, it seems that the efficacy of the complementarity principle will be put to the test.

In addition, judges at the West African Judicial Colloquia expressed frustration that the judgments issued by African courts are little known and infrequently cited outside of their countries of origin. Participants were inspired by the idea that African jurisprudence could be made accessible over the Internet and encouraged one another to cite judgments from African nations rather than judgments from parts of the world with vastly different economic and sociological realities. They noted that Africa needs "landmark cases which are relevant for African purposes and can be used by judges on the continent."[20]

North American judges work under very different conditions than their West African counterparts. They have reliable access to information technology, adequate legal assistance, and ongoing legal education. There is little left in the way of "customary justice" to conflict with the mainstream system. And the United States is not even a party to the Rome Statute of the ICC (in contrast to Canada).

Yet Canadian and United States judges both face issues that make their interpretation and application of international law particularly problematic. Both countries are federal states with complex divisions of powers between the federal level and the provincial/state level. Furthermore, both Canadian and United States legal systems are dualist; that is, they assume that international and domestic law are distinct legal systems and that international law can only be enforced if is incorporated or transformed into national law. What happens, then, if a treaty has been signed by the government but has not yet been "domesticated" into national law? North American participants observed that they needed to be educated about the binding force of international treaties in such situations. They also wondered about the obligation to apply customary international law. Is it binding at the state or provincial level, or just at the federal level? There is some controversy about this, leaving judges uncertain how to act. Participants had a lively discussion about these issues and had the opportunity to seek the advice of two international law experts, Professor Jutta Brunnée of the University of Toronto and Professor Martha Davis of Northeastern University Law School.[21]

These questions were explored in even more depth in a discussion of cases that have shown the reluctance of domestic courts in both the United States and Canada to recognize the binding force or persuasive authority of decisions made by international courts or quasi-judicial bodies against their national governments. In the United States Supreme Court case, *Medellín v. Texas*,[22] the court refused to recognize the *Avena* judgment[23] of the International Court of Justice as binding on individual states. The *Avena* case involved the right of Mexican nationals on death row to access their consulate, as required by the Vienna Convention on Consular Relations to which the United States is a signatory. In the *Ahani v. Canada*[24] case, Canadian courts refused to recognize the persuasive authority of an interim measure request, made by the UN Human Rights Committee, to stay the deportation of a complainant pending the consideration of his complaint against Canada by the Committee.[25]

North American Judicial Colloquium participants also examined the ways in which Canadian, US, and international judges reach

16. For more information about women and justice in Africa, see the report of the 2008 conference on "The Role of the Judiciary in Promoting Gender Justice in Africa":http://www.brandeis.edu/ethics/internationaljustice/judicialcolloquia/westafrica/wajc.html.

17. This statute was adopted at a diplomatic conference in 1998 and entered into force in 2002.

19. See West African Judicial Colloquia report, p. 23. Supra note 4.

20. See West African Judicial Colloquia report, p. 19. Supra note 4.

21. See North American Judicial Colloquium report, p. 6-13. Supra note 4.

22. Medellín v. Texas, 128 S. Ct. 1346.

23. Avena and Other Mexican Nationals (Mexico v. United States of America), Judgments: http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=18&case=128&code=mus&p3=4.

24. Ahani v. Canada (Minister of Citizenship and Immigration), [2002] 1 S.C.R. 72, 2002 SCC 2, on January 11, 2002 (Supreme Court of Canada).

25. See North American Judicial Colloquium report, p. 20-22. Supra note 4.

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their respective positions. Canada, like most countries in the world, follows an appointment procedure when filling judicial slots. In the United States, however, many state judicial positions are filled through elections, sometimes even partisan elections, a system that has come under much critical scrutiny. Similarly, international judges often reach the benches of international courts and tribunals through highly politicized nomination and election procedures that are decried by some in the international community. Colloquium participants had many observations to make concerning the drawbacks of both judicial appointment and election procedures, and the questions of independence and impartiality that can arise from the latter, in particular.[26]

Not surprisingly, the program of the South American Judicial Colloquium differed somewhat from those held in West Africa and North America, having been designed to address conditions particular to the region. In contrast to the United States, most countries of South America are parties to both the ICC and the Inter-American Court of Human Rights (IACHR). This means that their governments have voluntarily submitted to the jurisdiction of these judicial institutions and are bound to comply with their decisions. Although there has not yet been an ICC case involving a country in the region, South American governments have frequently come before the IACHR to answer charges of human rights violations.

The historic involvement of many South American countries in state-sponsored human rights violations – epitomized by the practice of "disappearing" civilians – was a central theme running throughout the SAJC. It was addressed in the keynote speech by Justice Highton, who elaborated on the fundamental human rights that were incorporated into the Argentine Constitution with the 1994 reform, particularly those related to the forced disappearance of persons and torture. It also figured in the session led by Professor Alberto Garay on the effects of IACHR decisions on the continent. He began his session by describing some common trends in Latin American countries, including a lack of respect for the rule of law and for fundamental rights. Prof. Garay explained that it is important to disseminate the content of human rights treaties so that judges may take them into consideration when making their legal decisions. Finally, the theme was very much in the foreground during a fascinating presentation on the application of forensic science techniques, made by representatives of the Equipo Argentino de Antropología Forense (Argentine Forensic Anthropology Team). This organization has become a recognized leader in the exhumation and identification of human remains, carrying out highly technical work while remaining sensitive to the needs of survivors and cooperating with both judicial systems and police forces. It has worked not only in Latin America but also in the Balkans, Rwanda, and other parts of the globe that have experienced genocide, war crimes, and crimes against humanity.

South American judges also had the opportunity to learn directly of the everyday experiences of an international judge during a session led the Bolivian judge at the ICC, René Blattmann. He spoke of the challenges and successes of the early years of his institution as well as its ongoing historic first trial.[27] Judge Blattmann pointed out that even though domestic tribunals have the first responsibility to deal with so-called "international crimes," history has shown that wars and conflicts can lead to the failure of domestic justice systems, leaving the international community to step in. He emphasized that an important element of the Rome Statute is its incorporation into domestic law, which serves to strengthen the legal regimes of member states.[28]

In a final session, South American participants gave a report on the state of human rights in their respective countries. The number of challenges they face – be they threats to judicial independence, budgetary problems, or difficulties in applying the international conventions and treaties that their governments have signed and ratified – underscored the importance of having individuals of integrity and courage in South American judiciaries who are knowledgeable about international law.

Although the judges in attendance at the South American Judicial Colloquium had attended other conferences and workshops, they agreed that the multiplicity of countries represented at this meeting and the intimacy of the discussions made for a productive change of pace.

The foregoing represents just a few highlights from the Brandeis Judicial Colloquia organized since 2006. A more detailed account of each colloquium's presentations and discussions can be found in the online reports at the website of the International Center for Ethics, Justice, and Public Life.[29] The importance of dialogue between national and international judges will only increase as globalization continues to break down boundaries that once allowed us at least the illusion of national autonomy. Brandeis thus hopes to expand its series of colloquia to new regions, as well as to deepen its relationships with judiciaries that have already participated in the series.

For more information about the Brandeis Judicial Colloquia, contact Leigh Swigart at swigart@brandeis.edu.

26. See North American Judicial Colloquium report, p. 23-27. Supra note 4.

27. The trial of Thomas Lubanga Dyalo of the Democratic Republic of the Congo, on charges of enlisting and conscripting child soldiers. See http://www.icc-cpi.int/Menus/ICC/Situations+and+Cases/Situations/Situation+ICC+0104/.

28. See South American Judicial Colloquium report. Supra note 4.

29. http://www.brandeis.edu/ethics/internationaljustice/judicialcolloquia/index.html.

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1. David Adams, Why Do They Kill? (2007), at 171-172. Adams's book is based on in-depth interviews with 31 incarcerated wife murderers, 20 wives who survived attempted homicide and 19 additional women who were victims of potentially life-threatening intimate partner assault.

2. Instructional technology and design was provided by the Rozier E. Sanchez Judicial Education Center of the Institute of Public Law of the University of New Mexico.

3. Evan Stark, Coercive Control 388 (2007).

4. Judge Janice Martin, Battered Women's Justice Project Audio Conference, November 13, 2008.

5. Raquel Kennedy Bergen & Paul Bucovec, *Men and Intimate Partner Rape: Characteristics of Men Who Sexually Abuse their Partners*, 21 J. of Interpersonal Violence 1375 (2006).

6. Judith McFarlane & Anne Malecha, Sexual Assault Aong Intimates: Frequency, Consequences and Treatments, National Institute of Justice, 2005, available at http://www.ncjrs.gov/pdffiles1/nij/grants/211678.pdf.

7. Patricia Tjaden & Nancy Thoennes, Extent, Nature and Consequences of Intimate Partner Violence, National Institute of Justice (2000), available at http://www.ncjrs.gov/pdffiles1/nij/181867.pdf.

8. Jacquelyn C. Campbell, et al, *Risk Factors for Femicide in Abusive Relationships*, 93 J. of American Public Health 1089 (July 2003).

9. U.S. Department of Justice, Bureau of Labor Statistics, *Homicide Trends in the U.S.*, available at www.ojp.usdoj.gov/bjs/homicides/tables/intimatestab.htm.

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