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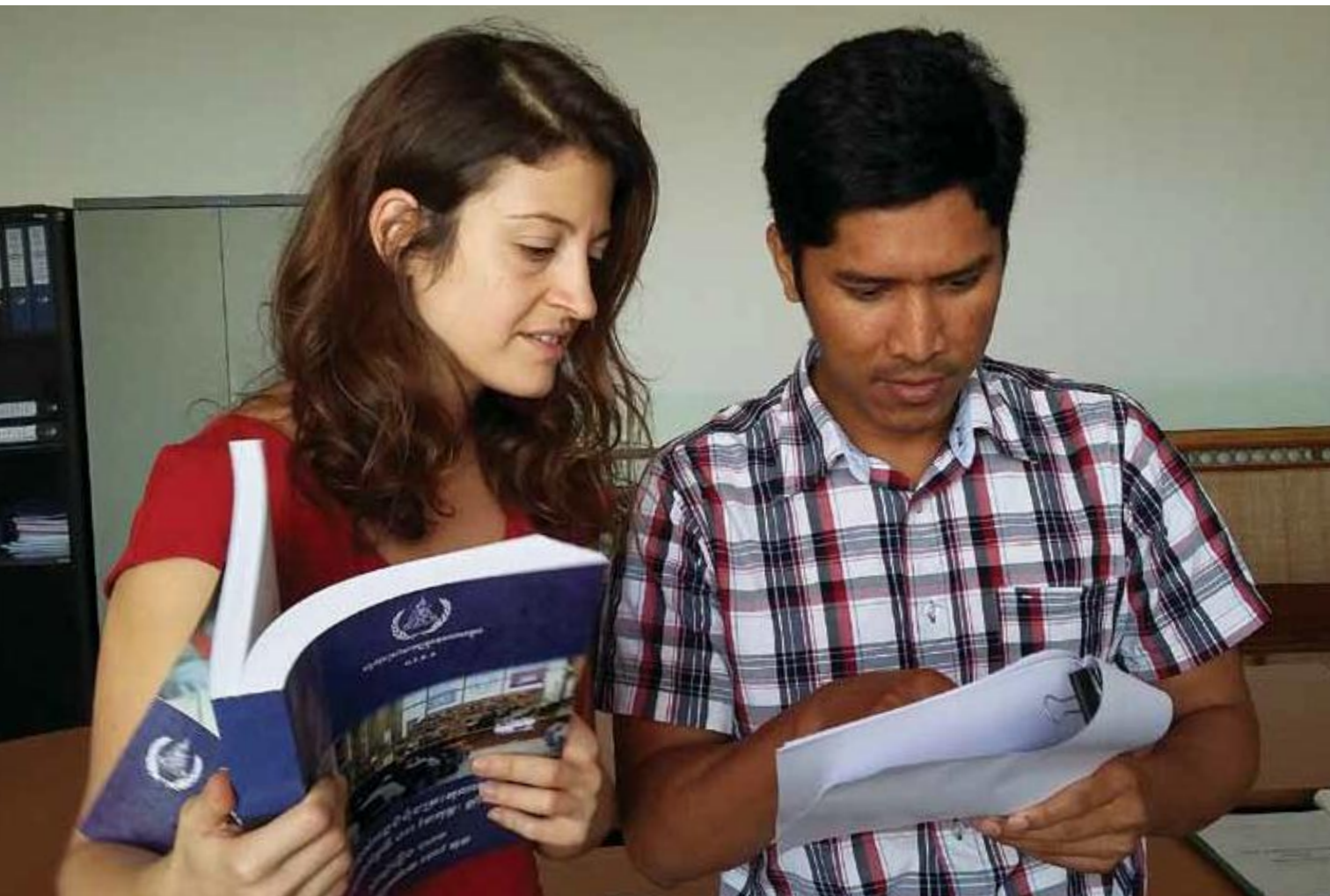
Confronting genocide and crimes against humanity
with human rights lawyer Sheila Paylan

AS A SEVENTEEN-YEAR-OLD girl from Montreal—about to board a plane bound for Armenia for the first time as part of a youth mission to Armenia, Sheila Paylan was completely unaware of the extent to which her destiny was serendipitously about to reveal itself. At the time, the country was experiencing a national gas shortage. After arriving in Yerevan, she went to pay her respects to her ancestors at the Dzidzernagapert Genocide Memorial honoring the victims of the Armenian Genocide, only to discover the eternal flame was not lit. “The experience overwhelmed me,” she recalls. That was the moment Paylan says she knew she wanted to devote the rest of her life fighting for justice for victims of genocide

and crimes against humanity. Upon her return to Montreal, Paylan set her sights on McGill University Law School. She included in her application an account of the Armenian Genocide. There was never any doubt, Paylan insists: “I went to law school to do what I do now. And I have remained extremely focused with the same drive ever since to get to where I am today.”

Now Paylan finds herself in Phnom Penh—a thirty-plus hour plane ride from her family and friends in Canada, working as a legal officer in the Extraordinary Chambers of Cambodia’s Supreme Court. In that capacity she assists the judges, reading the appeals from accused war criminals from the former Khmer Rouge regime. Between

1975 and 1979, the Khmer Rouge ruled Cambodia with a radical Communist doctrine. They forced the population into labor camps and slaughtered and imprisoned intellectuals and their families. Their attempts at building an absolutely self-sufficient agrarian society led to widespread famine and death from treatable diseases, such as malaria. Arbitrary executions and torture were carried out by its cadres against perceived subversive elements, including purges of its own ranks. Up to two million people—almost one quarter of the country’s population—died during this period. Until the fall of Communism more than a decade later, however, there was little impetus or ability to prosecute anyone.





Sheila Paylan with a colleague in Phnom Pehn where she works at the Extraordinary Chambers of Cambodia's Supreme Court.

Paylan joined the Khmer Rouge Tribunal after working on the Rwandan Genocide and former Yugoslavian War Crimes Tribunals in Tanzania and The Hague, respectively. The Khmer Rouge Tribunal became operational in 2006, but trials did not begin until 2009. Five years later, judges sentenced Kaing Guek Eav (also known as Comrade Duch), former head of the notorious prison Tuol Sleng (or S-21) where horrific tortures were carried out, to life in prison after guilty convictions for crimes against humanity, torture and murder were upheld on appeal.

“There’s a certain detachment you need to develop so you don’t get emotional about what you do... [but] you don’t want to go too far because you don’t want to get desensitized either.” At the beginning of her career, Paylan admits she couldn’t sleep some nights after learning about the horrific nature of some of her cases. Listening to witness after witness describe in graphic detail the atrocities they suffered can cause lasting psychological trauma. Paylan recognizes how easy it is to underestimate the toll this line of work can take on a person. “We don’t deal with pretty things—ever,” she says. “Nothing is pretty. Nothing.” Some days can also be relatively more “boring” she says, such as those where she has to deal with procedural or administrative issues—which are just as necessary and provide some welcome interim relief to handling the more disturbing substantive matters of genocide and crimes against humanity.

Like many members of the Armenian diaspora, Paylan has a personal connection to genocide. She is a descendent of Armenian Genocide survivors on both her mother and father’s side of the family. Her paternal great-grandmother Anna’s father was killed, while the rest of her family was driven out of their homes. The few who survived remained in Malatya in Eastern Anatolia until the late 1960s when they moved to Istanbul for seven years, and then took turns immigrating to Canada. Her maternal great-grandfather, Artin, was born in Bitlis, and while studying in Istanbul, was removed from an Armenian boarding school along with other students and forced to walk 100 kilometres to the city of Izmit. Along the road, soldiers would stop and beat them under their feet until they became swollen and blistered—only to be forced to walk on bloodied feet again. Artin eventually survived and was taken to work in a mill, where he met and later married Ar-

sineh, who had been relocated from Balikesir. The couple settled in Konya and had children. That Armenian heritage was very important to Paylan growing up in Canada. Throughout most of her childhood in Montreal, however, she attended French schools where there were very few other Armenians. That all changed when at fourteen, she went to Camp Nubar. “It was so great to finally be around all these Armenians together!” She enjoyed learning Armenian dance, history and language and remembers feeling her sense of her Armenian identity grow stronger.

Perseverance in the face of opposition and the will to overcome temporary setbacks are critical assets for Paylan. She draws inspiration from “anyone who believes in what they do and dedicates their life to it.” Among her heroes and those she admires Paylan lists Martin Luther King, Jr and Shirin Ebadi, the Nobel Peace Prize recipient and Iranian human rights activist. “People who are driven to make the immediate world around them a better place.” At the same time she recognizes the double-edged nature of her chosen career path, noting how Ebadi’s dedication to the pursuit of justice has taken a severe personal toll as she has had to live in exile from her home country since 2009 in the wake of persecution by the Iranian authorities. In her own life, Paylan says she hopes to find a balance where she can still make a difference without “giving everything up.” She admits it’s difficult to be away from her family and friends back home for long stretches of time. Due to the distance, she can currently only visit home once per year. “People take for granted how wonderful life is with your family, near your friends.”

Despite the daunting challenges of a career that delves into the darkest chapters of history, Paylan’s unflinching idealism remains as contagious as the day she began law school. No matter how strong the temptation to despair may be in the face of ongoing atrocities in the world, her worldview—shaped in part by her Armenian heritage—is centered on the pursuit of a greater good. “There’s so much to do!” Paylan urges. “Even in developed countries there is so much this world is suffering from, so much that remains to be done.” As Paylan continues to make her mark on the field of international human rights law, the world awaits the next generation of socially conscious AGBU alumni to step forward and take up the torch.