

## **AAA Committee for Human Rights Annual Report Year 2001**

Prepared by Barbara Rose Johnston (emeritus Chair) and Janet Chernela (CfHR Chair)

### **Members**

Barbara Rose Johnston (outgoing chair, retiring 2001)

Megan Biesle (retiring 2001)

Sheila Dauer

Paul Magnarella

Ellen Gruenbaum (retiring 2001)

Linda Green

Janet Chernela (incoming chair 2001)

Ruben Mendoza

### **CfHR ex-officio members:**

Don Brenneis, AAA President

Louise Lamphere, outgoing AAA President

### **AAA Staff:**

Peggy Overbey (ending July 2001)

Stacy Lathrop (ending July 2001), Richard Thomas (beginning July 2001)

### **Incoming CfHR members (December 2001):**

Leni Silverstein

Kathleen Williamson

## **INTRODUCTION: Committee Background, Mission and Objectives**

The AAA's Committee for Human Rights was established in 1995, after a 3-year planning effort by the preceding Commission for Human Rights. The CfHR is a permanent committee of the AAA that reports to the Executive Board and whose efforts are reviewed by the AOC every five years. The CfHR is composed of 10 members, 8 of which are elected by the AAA membership and serve three-year terms, with another 2 ex-officio members (the AAA President and the AAA President-elect). The committee chair is elected by its members. The committee is staffed by the AAA Director of Government Relations, and when membership does not include a lawyer, receives pro bono counsel from an anthropologist/human rights lawyer. With respect to the American Anthropological Association, the Committee's work falls broadly into internal and external categories. The Committee's internal mission is to stimulate informed involvement in the human rights area among professional anthropologists through publications, panels, and network building. The Committee's external mission is to gather information on selected, anthropologically relevant, cases of human rights abuse and to propose action in the name of the Association to the Association's leadership. At their April 1, 2000 meeting the CfHR further developed their mission statement, noting that it is the mission of the CfHR to promote and

protect human rights through efforts that:

- 1) expand the definition of human rights within an anthropological perspective;
- 2) work internally with the membership of the AAA, to educate anthropologists, and to mobilize their support for human rights;
- 3) work externally with foreign colleagues, the people and groups with whom anthropologists work, and other human rights organizations to develop an anthropological perspective on human rights and consult with them on human rights violations and the appropriate actions to be taken;
- 4) influence and educate the media, policy makers, non-governmental organizations, and decision makers in the private sector;
- 5) encourage research on all aspects of human rights from conceptual to applied.

CfHR efforts to achieve these objectives occur at the biannual meetings of the CfHR, at the annual conference of the AAA, and throughout the year, through committee task force work, and through case-specific requests for urgent action. This report briefly describes those actions and activities taken by the CfHR in its sixth year (November 2000-November 2001) under the following three headings: Organizational Matters, Internal Actions, and External Actions.

## **PART ONE: ORGANIZATIONAL MATTERS**

The CfHR meets twice a year (before and during the AAA annual conference, and in the spring of each year). In July 2001, CfHR Chair Barbara Johnston participated in developing the CfHR budget, including a request for funds to support the biannual meeting structure of the Committee. During the Spring 2001 and Fall 2001 meetings the CfHR discussed communications and case development procedures and agreed that there is a strong need to revise and publicly disseminate case submission and investigation policies that include reference to confidentiality mechanisms and communications protocols. Work continues in developing statements and procedures that reflect the following concerns:

- 1) informants have the right to confidentiality;
- 2) dissemination of allegations must be done in a rights-protective fashion, and this should be specified;
- 3) allegations must be corroborated by at least two independent sources before allegations can be accepted as a case for concern and public AAA discussion of allegations can occur;
- 4) the CfHR holds authorship of briefing papers that accompany documented human rights abuses, unless individual contributors give permission to use their names;
- 5) public disclosure of any issue or action taken by the CfHR occurs with prior permission of the CfHR;
- 6) statements concerning CfHR actions or findings made are made by designated CfHR representatives who are current members of the committee.

## **PART TWO: INTERNAL ACTIONS:**

### **Communications.**

The CfHR list serve, established April 2000, provides the membership with news and updates on CfHR activities as well as postings on cases of human rights abuse, calls for action on various cases, and conference plans. The list is self-moderated; members join the list by sending message SUBSCRIBE to [humanrights-request@lists.aaanet.org](mailto:humanrights-request@lists.aaanet.org).

### **Web-based outreach**

During the November 2001 the CfHR approved changes to its web page, including the creation

of "information updates" that provide news, analysis, and related information on cases in which the CfHR is involved. The first of these updates focused on the human rights concerns of the Yanomami (info updates are advertised on the main AAA page). The CfHR is continuing their efforts to revise web page content and include incorporation of graphic images.

## **TASK FORCES**

### **Task Force on Womens Rights**

Between November 2000 and November 2001 the Task Force on Women's Rights, chaired by Ellen Gruenbaum and Sheila Dauer, prepared a "white paper" on women and human rights. The paper is the first step in the development of a "Handbook" of case studies emerging from scholarly sessions sponsored by the CfHR and the AFA over the past three years. The target audience for the handbook is people who work on WID (Women in Development), human rights community, AAA members, human rights students. The handbook will also consider cultural relativism and universal human rights issues as well as provide tools and materials for understanding and teaching about organizations and declarations on the subject.

**Task Force on Plan Colombia** The Task Force on Plan Colombia, begun November 2000, developed an Invited Session for the annual meetings entitled "The Production of Victimization: Narcotrafficking, Human Rights, and Plan Colombia." Panelists include indigenous leaders, members of NGOs, anthropologists, and other sociopolitical analysts. The purpose of the panel was to assess, analyze, and discuss the impacts of Plan Colombia on indigenous communities. The stated goals of Plan Colombia, signed by US and Colombian presidents in Sept 1999, are to reduce narcotics cultivation and bring about social and economic benefit to the peoples of coca-growing regions in Colombia. The strategy, however, has resulted in increased violence, environmental devastation, forced displacement, and other forms of social and economic upheaval. Local communities face security risks from military cross-fire, health hazards and crop loss from fumigants. The region is inhabited by over 35 distinct indigenous groups, many living in legally-recognized lands. Recently, seven indigenous communities were forcibly displaced along the Ecuadorian border. The Plan Colombia Task Force is developing follow-up materials from this session, including informational statements and outreach materials that will be posted on the CfHR website.

**Task Force on Ethnic Cleansing** At the November 2000 meeting, Task Force chair Jim Peacock presented an "Ethnic Cleansing Statement." The document defines ethnic cleansing, indicates causal factors, and suggests what anthropologists can do. The CfHR refined and accepted the document. In the Fall 2001 meeting, the CfHR agreed to develop the text for use as a public document, and to develop similar materials on Terrorism. These efforts will be part of a broader Task Force on Human Rights and Violent Conflict.

### **New task force on "Human Rights and Violent Conflict"**

In response to the events of September 11, 2001, the CfHR developed a statement and resources guide on "terrorism" that was published on the AAA webpage. Suggestions for revisions and additions were received during the Fall 2001 meeting. At that meeting, the CfHR approved a proposal to develop a new task force on the human rights of violent conflict. Task Force

activities would include developing outreach materials on related topics (ethnic cleansing, genocide, terrorism, civil and political rights). Paul Magnarella agreed to chair this effort.

### **Human Rights events at the 2001 Annual Meeting:**

The CfHR helped organized and/or cosponsored the following events at the AAA annual conference in November 2001:1) Business Meeting #1: Wednesday;2) Invited Session (Committee for Human Rights) Human Rights Public Forum: The Endangered Peoples Project: Struggles to Survive and Thrive in a Globalized World, Thursday. Organizer and chair, Barbara R. Johnston

3) Invited Session (Committee for Human Rights) Human Rights Public Forum: The Production of Victimization: Narcotrafficking, Human Rights, and Plan Colombia. Organizer and chair: Janet Chernela

4) Session emerging from CfHR efforts: "Global Processes/Local Choices: Identity, Ideology, Rights and the Loss/Revitalization of Languages." Organized by CfHR emeritus John Haviland, and Sarah McLendon, and William C. Sturtevant.5) Human Rights Reception6) Committee for Human Rights Open Forum7) Business meeting #2 of the CfHR: Saturday

### **PART THREE: External Human Rights Initiatives-- CfHR Case Involvement**

#### **Proposed Resolution on the Middle East**

The AAA Executive Board, during their February 2001 meeting, discussed the Middle East Resolution proposed to the AAA at the November 2000 business meeting, and requested additional input and advice from the CfHR. The CfHR received this request, conducted additional research, and discussed the resolution at the March 17, 2001 meeting of the AAA Committee for Human Rights. The CfHR moved to recommend that the Executive Board, with assistance of the Middle East Section, revise the resolution. CfHR discussion and recommendations were summarized in an April 26, 2001 report to the Executive Board. Attachments to the report included sample statements of concern from other human rights organizations (Human Rights Watch, Amnesty International).

**Earth Charter** In October 2001 and November 2001 business meeting, the CfHR reviewed a draft resolution to endorse the principles of the Earth Charter. The CfHR agreed to endorse this resolution which came before the membership at the November 2001 conference.

#### **Participation in United Nations Conferences**

The CfHR developed a recommendation to the AAA Executive Board to pursue efforts to gain U.N recognition and participate, where appropriate and possible, in conferences and working groups active in shaping international human rights, indigenous rights, and environmental policy.

#### **Briefing from US Department of State**

Bureau of Democracy, Human Rights and Labor (DRL), "Promoting Human Rights and Development" anthropologist Dr. Deborah Cahalen. Dr. Cahalen briefed the CfHR on her position, and suggested opportunities for networking and case-specific assistance, noting that her portfolio of countries includes Indonesia and the Pacific, and Central Asia, the Stans, and Caucasus.

### **CfHR concerns over social impacts of studying the Yanomami:**

Following the November 2000 meeting, the AAA Executive Board established a committee to review the "Darkness in El Dorado" book with specific reference to the relationship between allegations and AAA human rights and ethics statements. AAA President Louise Lamphere appointed Jim Peacock as committee chair. Three CfHR members were appointed to this committee: Janet Chernela, Linda Green, Ellen Gruenbaum. In April 2001, the Executive Board accepted the recommendations of the Peacock Committee to further investigate allegations, and appointed Jane Hill to chair a commission. CfHR chair-elect Janet Chernela serves as a human rights liaison on the Hill Commission. Individual CfHR members provided additional background information in support of the Peacock and Hill Commission efforts.

In June 2001, AAA President Louise Lamphere established a Task Force on South American Indigenous Peoples, appointing CfHR Chair Barbara Rose Johnston as human rights liaison and interim task force chair. This Task Force considered some of the current issues that affect current quality of life conditions experienced by the Yanomami and other South American indigenous groups. A draft action plan was developed and submitted to the AAA Executive Board during their November 2001 meeting.

### **Indigenous Rights and World Bank Funding: Alleged Abuses reported for the Bio-Bio River, Chile**

The CfHR has taken several steps calling for multilateral lending institutions to abide by guidelines (established by them and present in their own charters) protecting the rights of local communities with regard to project approvals, impacts, and relocation. The CfHR developed a report, "The Pehuenche: Human Rights, the Environment, and Hydrodevelopment on the Biobio River, Chile," That report and associated correspondence were submitted to World Bank President James Wolfensohn on behalf of the AAA and the CfHR. The report and a letter of concern were sent on February 7, 2001, to Meg Taylor, Ombudsman for the International Finance Corporation in support of a request for further attention to the Sotomayor-Raquelme (Pange project) complaint filed by Claudio Goinzalez-Parra. This letter also cites findings from the the World Commission on Dams review of hydroelectric dam development on Chile's BioBio River, which noted a range of unresolved mitigation issues. With this letter, the AAA formally added its name to the 150 nongovernmental organizations from 39 countries who endorse the WCD report and call for the World Bank and other public financial institutions and agencies involved in dam building to adopt WCD guidelines and provide reparations to affected communities. An independent evaluation of impact mitigation, conducted by AAA member Ted Downing at the request of the IFC, found numerous problems, including the presence of indigenous impacts. IFC management and staff withheld Downing's report for over a year— withholding this information from the IFC Board as well as the Chilean public. Ted Downing filed two human rights complaints within the World Bank, the first and only HR complaints ever filed by a Bank consultant or employee.

This settlement of the human rights complaint is the end result of negotiations between the IFC and ENDESA, which in turn, are a direct response to the advocacy of Downing, Claudio Gonzales, and the support provided by the AAA Committee for Human Rights. In this case, rather than following existing World Bank policy by generating an Indigenous Peoples Development Plan, the IFC, project partner ENDESA for a limited share of benefits to flow to area residents through a company controlled foundation. World Bank response to his complaints included threats to file punitive action suits, and a permanent withdrawal of Downing's

name from the consultancy lists.

This case has taught the CfHR a great deal about the opportunities and limitations of professional organizational involvement in advocacy. There are times and places where investigation, generation of a case study report, and letters of concern play important roles in strengthening the ability of local actors to maintain pressure on culpable parties. CfHR efforts to draw attention to the rights abuse issues and prompt some sort of response from the World Bank in 1998, and related efforts within the SfAA and AAAS, played a role in framing the rights abuse issues, signaling wide spread concern, and encouraged further scholarly advocacy efforts (articles, white paper publications). These efforts helped support activist efforts of individuals and organizations. However, it is only through the intensive, time consuming, constant attention of individuals like Claudio Gonzalez (who traveled to the US to give testimony to the CfHR in November 1997 and filed a complaint with the IFC Ombudsmans Office in fall 2000), and AAA member/SfAA Past President Ted Downing (who has placed consistent pressure through letters, phone calls and physical presence on the World Bank since the day he was first brought in as an independent outside evaluator to assess the efficacy of social impact mitigation efforts)-- that some measure of remedy has been achieved.

### **New and emerging cases:**

#### **Alcantara, Brazil**

This case was brought to the CfHR attention in October 2000, shortly after the US signed a treaty with Brazil to provide funding to allow expansion of an existing military base to support commercial launching of satellites. The base has allegedly displaced a number of afro-brazilian villages, known as quilombos, and protected under Brazilian law. The CfHR agreed that additional efforts were needed to corroborate alleged abuses and to identify specific actions the AAA might take. The CfHR discussed strategies to inform advocacy organizations concerned with forced relocation, with the goal of introducing this concern on their advocacy agenda. At the Fall 2001 meeting, the CfHR received a case briefing by Louise Siberling, with additional input from CfHR emeritus Linda Rabben and president of the Brazilian Anthropology Association (ABA), Rubens Oliveira. The CfHR agreed to take followup action on this case in ways that reflect the input and collaborative involvement of the Brazilian anthropological organization. Recent events in Alcantara have called the case into question once more and it will be reviewed.

**Wanniyala-Aetto (Veddahs) in Sri Lanka** The CfHR received a request to consider the case of sexual slave trafficking involving the Wanniyala-Aetto (Veddahs) in Sri Lanka. At the CfHR Spring 2001 meeting the committee discussed materials submitted to date, expressed interest in taking up this case, but also agreed that before formally taking on this case more follow-up is required including verification of the facts by independent corroboration. The Committee agreed not to take action until the case has been further explored; Megan Biesele and Sheila Dauer will research the proposal.

#### **Guatemala Reparations and Human Rights Concerns**

Linda Green provided updates to the CfHR on Guatemala Reparations and Human Rights concerns at the spring and fall 2001 meetings. There has been no response to the CfHR/AAA letter sent by president Louise Lamphere regarding human rights abuses.

### **San Update**

A report by CfHR emeritus Bob Hitchcock was distributed at the fall 2001 meeting. The CfHR reconfirmed its continued interest in human rights issues involving the people of the Kalahari, and requested outgoing CfHR member Megan Biesele to continue to serve, as a CfHR emeritus, to track issues, update the committee, and develop proposals for specific actions as conditions arise. At the spring 2001 meeting Biesele updated the Committee on issues such as coercive conservation, refugee status, and land tenure involving the San. Biesele distributed the Kalahari Peoples Fund Newsletter.

### **Emergency Response to Assassination of Digna Ochoa**

Following the October 19, 2001 murder of Mexican human rights attorney Digna Ochoa, the CfHR expressed concern, and posted on our human rights list serve requests drafted by Global Exchange and the Mexico Solidarity Network to send individual letters of concern. Recently, human rights groups in Mexico protested the lack of cooperation by the government in investigating this assassination. The issue will be placed on the spring agenda for follow-up.

### **AAA, Human Rights and Disability Concerns**

At their November 2001 meeting, the CfHR considered a request from an AAA member emerging from a personal experience with alleged disability rights abuse. The CfHR discussed this case and agreed that the individual issues fell outside the mission and mandate of the CfHR. However, the Committee noted with concern that the AAA passed a resolution on disability rights, but has not developed any implementing mechanisms to insure that departments and individuals regularly respect the rights of the disabled.