





# Human Rights Center

Annual Report 2006







## **MISSION**

The Human Rights Center (HRC) works to promote human rights and international justice worldwide and to train the next generation of human rights researchers and advocates. We believe that sustainable peace and development can only be achieved through efforts to prevent human rights abuses and hold those responsible for such crimes accountable. We use empirical research methods to investigate and expose serious violations of human rights and international humanitarian law. In our studies and reports, we recommend specific policy measures that should be taken by governments and international organizations to protect vulnerable populations in times of war and political and social upheaval.

# **HISTORY**

Established in 1994, through the generosity of The Sandler Family Supporting Foundation, the Human Rights Center has conducted major human rights investigations in over a dozen countries, including the United States, Iraq, Rwanda, Uganda, Burma, and the former Yugoslavia. HRC has used DNA analysis to reunite families divided by war and conducted population-based studies to ensure that the voices of victims are heard by policymakers. Tribunals in Rwanda and the former Yugoslavia have used HRC studies to investigate war crimes and provide better protection measures and services to witnesses.

The Center has provided more than 100 graduate fellowships, and its alumni have taken leadership positions with universities, nongovernmental organizations, and activist groups worldwide.

Over the past year, HRC faculty and staff have collaborated with several organizations, including Human Rights Watch, the International Center for Transitional Justice, and UNICEF, to promote justice and postwar reconstruction in war-torn countries.

The Human Rights Center is housed in the division of International and Area Studies at UC Berkeley and works closely with the International Human Rights Law Clinic at Boalt Hall School of Law, the UCB-UCSF Joint Medical Program, and the UC Berkeley War Crimes Studies Center.



## FROM THE DIRECTORS



Welcome to the first annual report from the Human Rights Center at UC Berkeley. It has been an eventful year, and we are pleased to share news of our activities and their results.



Our major projects this year sought to improve the lives of war-affected children and youth in Northern Uganda, used DNA analysis to reunite families separated by the civil war in El Salvador, and exposed the plight of laborers in post-Katrina New Orleans. We also celebrated the twelfth anniversary of the Human Rights Fellowship program with a stellar roster of graduate students pursuing fieldwork and assisting human rights organizations around the world. Highlights from their projects are found on pages 6-7.

This year saw a few changes in the HRC leadership team. Eric Stover continues to lead the Center with overall supervision of research and training programs. Harvey Weinstein retired as Associate Director in July 2005 but continues an

active affiliation with the Center as an HRC senior research fellow and co-editor of the *International Journal of Transitional Justice*. Meanwhile, Camille Crittenden joined the staff as Executive Director in September 2006 and will manage operations, fundraising, and community outreach.

Over the next few years we will seek to engage a broader general public in the human rights issues we address. We are grateful to the generous organizations, individual supporters, and campus partners who make our work possible. Please keep in touch.

Eric Stover Faculty Director Camille Crittenden Executive Director

Camille Cuttenden

Photo credits, cover (top to bottom): Forensic anthropologist Clyde Snow holding an X-ray showing a bullet wound, Guatemala (©Eric Stover); Iraqi soldier at a mass grave in northern Iraq (©Eric Stover); Girls requesting school aid at United Nations office, Northern Uganda (©Rohan Radhakrishna); Colombian refugee children, Panama (©Heidi Boas); Women queuing for water at an internally displaced persons camp, Northern Uganda (©Eric Stover)

# FORGOTTEN VOICES: PEACE AND JUSTICE IN NORTHERN UGANDA

For nearly two decades, the Lord's Resistance Army (LRA) has waged a war against the people of Northern Uganda. Known for its extreme brutality, LRA fighters have killed and mutilated countless civilians and abducted tens of thousands of children and adults, forcing them to serve as soldiers and sex slaves for its commanders. The group's conflict with government forces has received little international attention, even though as many as 1.6 million civilians have been displaced and now languish in dozens of squalid camps throughout the countryside.

Against this background, the Human Rights Center has led a number of projects aimed at documenting the level of violence witnessed by children and their families, and assessing what kinds of justice mechanisms are mostly likely to bring peace to the area. Working with researchers from the International Center for Transitional Justice and the Payson Center at Tulane University, HRC surveyed the attitudes and opinions of those most affected by the violence—voices that are often overlooked in international negotiations. The results of this investigation will be shared with the International Criminal Court, the body pursuing indictments against the LRA leaders.

Another project in Northern Uganda, conducted by HRC and the Payson Center and sponsored by the MacArthur Foundation, helped reception centers for children returning from the LRA improve their ability to provide services to this vulnerable population. The HRC also advised the MacArthur Foundation and the Canadian government on the establishment of a multimillion dollar trust fund intended to increase the effectiveness of organizations serving children and youth in the region.

HRC remains committed to working in Uganda and other warravaged areas of sub-Saharan Africa to help current and future generations rebuild their countries and provide a better life for their children.



In Northern Uganda:

One-third of all children over 10 years old have lost a parent and 9 percent of children in the camps are orphans.

Only 9 percent of men and 1 percent of women have completed secondary school.

Further information is available online at http://hrcberkeley.org/research/justice.

# DNA REUNIFICATION PROJECT: SCIENCE IN SERVICE OF MENDING EL SALVADOR'S PAS

Hundreds of children were kidnapped by soldiers or otherwise separated from their families during El Salvador's 1980-1992 civil war. Many of the younger ones were adopted by families in the United States and Europe who were led to believe the children had been orphaned by the war or abandoned by their parents. A DNA database developed by the Human Rights Center and scientists at the California Department of Justice holds the key to the past for many of these children and their families.

HRC leads the DNA Reunification Project, a unique collaboration with El Salvador's Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos (Association for the Search for Disappeared Children), volunteers from the State of California Department of Justice Jan Bashinski DNA Laboratory, and Physicians for Human Rights. The Project uses DNA technology to identify young adults who were abducted as children or placed for adoption under duress during the armed conflict.



Among those searching for clues to the past is Angela Fillingim, a UC Davis sociology student adopted by a Berkeley couple from El Salvador in 1985 when she was six months old. This past January she learned the identity of her biological mother and plans to visit El Salvador next year to meet her and other blood relatives. She's nervous about the reunion, but said she feels secure and grounded enough to face her past. "It's not like I'm trying to find a family. I have one," Fillingim said. "I'm trying to find myself in relation to my family. I'm taking baby steps."

In its first phase, launched in 2003, the DNA Reunification Project has developed a database of over 800 DNA samples from family members in El Salvador. The samples were meticulously gathered and couriered to the U.S. by HRC Summer Fellow Elizabeth Barnert, among others. In its next phase, the Project will expand the database of samples from family members. HRC will generate publicity in the U.S. and abroad to attract DNA samples from abducted or adopted children. These new samples will be matched with existing genetic profiles, enabling reunifications among more families.

"It's not like I'm trying to find a family. I have one, I'm trying to find myself in relation to my family. I'm taking baby steps."

Angela Fillingim

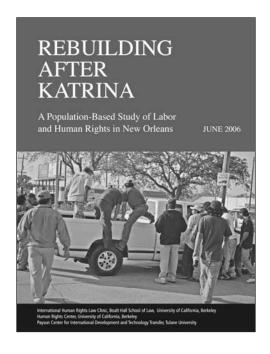
In this unique collaboration among U.S.-based organizations and Pro-Búsqueda, the DNA Reunification Project promotes human rights, contributes to local and national reconciliation, and strengthens opportunities for lasting peace in El Salvador.

For more information, visit http://hrcberkeley.org/specialprojects.

# REBUILDING AFTER KATRINA: LABOR AND HUMAN RIGHTS IN NEW ORLEANS

In Hurricane Katrina's devastating wake, workers from around the region flocked to New Orleans seeking opportunities to assist with the massive clean-up and construction projects. The U.S. government responded to the overwhelming demand for labor by suspending certain regulations for a limited time to allow workers whose documents had washed away to be hired for federally-funded construction projects.

Researchers from the Human Rights Center and Boalt's International Human Rights Law Clinic collaborated with the Payson Center at Tulane University in March 2006 and, through interviews with nearly 400 workers, discovered stark contrasts in workplace safety and compensation, depending on their immigration status. For example, undocumented workers made an average of \$6.50 less per hour than documented workers and had more trouble collecting their wages. They also had less access to safety equipment and medical attention in the case of workplace accidents.



The crux of the issue is the conflict between U.S. immigration laws and national and international labor standards. According to prevailing standards, employers are obligated to provide labor, health, and safety protections, as well as follow federal minimum wage and overtime regulations, regardless of immigration status. The reality is quite different, as this project reveals.

Beyond New Orleans, the survey results have implications for labor policy and practice in any area prone to natural disasters. The report was featured in the *New York Times*, among other news outlets, and was shared with a number of Congressional representatives and officials in the Labor Department.

Read the full report online at http://hrcberkeley.org/download/report\_katrina.pdf.







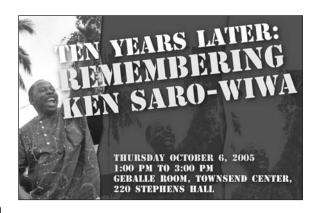


## **EVENTS**

The Human Rights Center sponsors and co-sponsors a range of events that enrich campus and community life.

## Ten Years Later: Remembering Ken Saro-Wiwa October 6, 2005

Ken Saro-Wiwa, best known as the founder of the Movement for the Survival of the Ogoni People, challenged the policies of the Nigerian military dictatorship and the oil giant Royal Dutch/Shell. For three decades the company had extracted oil from the Niger Delta, the homeland of the Ogoni people, leaving them with oil-polluted farm lands, rivers, and fishing creeks. Saro-Wiwa was hanged by the Nigerian government on November 10, 1995, despite international condemnation



of the trial proceedings that led to his criminal conviction. A panel discussion featuring Owens Wiwa (Ken Saro-Wiwa's brother) and others commemorated the tenth anniversary of his execution.

## **Summer Human Rights Fellows Conference**

November 2, 2005

The ten 2005 Summer Fellows presented their research with faculty discussants in three panels: Science and Medicine, Globalization and Dislocation, and Resources for Community Building.

#### Spring Colloquium: The Forgotten War in Northern Uganda

Lost Children (February 8, 2006): HRC presented a screening of this documentary film featuring the stories of six former child soldiers and the hardships they face as they try to re-integrate into their communities and families in Northern Uganda.

Peace and Justice in Northern Uganda (March 2, 2006): A panel of experts discussed the complex relationship between peace and justice in Northern Uganda. Topics included the efforts to hold leaders of the Lord's Resistance Army (LRA) and other perpetrators of human rights atrocities accountable, the various accountability measures under consideration, and the International Criminal Court's first indictments against LRA leaders.

War, Children, and Accountability (April 26, 2006): Tim Allen from the London School of Economics and Political Science discussed the effects of armed conflict in the region, particularly its effects on children.

For further information about these and other events, please visit http://hrcberkeley.org/events.

# SUMMER HUMAN RIGHTS FELLOWSHIP PROGRAM

The future of human rights research, activism, and policymaking rests with today's undergraduates and graduate students. For the past 12 years, HRC has awarded summer fellowships to the most promising UC Berkeley students representing a wide range of disciplines, from political science and law to environmental science and public health. Fellowships enable students to build connections between their academic studies and complex issues in the field, while at the same time expanding the capacity of organizations around the world to address the most pressing local human rights issues.

#### 2006 Fellows

Heidi Boas, Law: Refugee rights, Panama City, Panama

Ju Hui Judy Han, Geography: North Korean migrant women, South Korea

Benjamin Lessing, Political Science: Extra-judicial killings by police, Rio de Janeiro, Brazil

Stacey Murphy, City and Regional Planning: Homeless policies, San Francisco

Edwin Okong'o, Graduate School of Journalism: Rights of the disabled, Kenya

Juan Thomas Ordóñez, UCB-UCSF Joint Medical Anthropology Program: Experiences of asylum seekers, Berkeley

Noer Fauzi Rachman, Environmental Science, Policy and Management: Agrarian land reform, Indonesia

Rohan Radhakrishna, UCB-UCSF Joint Medical Program: War-affected youth, Kitgum, Northern Uganda

Elana Shever, Social-Cultural Anthropology: Health-care activism, Buenos Aires, Argentina

Megan Ybarra, Environmental Science, Policy and Management: Land reform in post-conflict societies, Guatemala



### 2005 Fellows

Elizabeth Barnert, UCB-UCSF Joint Medical Program: Forensic science to discover family relationships and identify missing children, El Salvador

Tanya Clark Jones, Sociology: Attitudes toward HIV and government response, South Africa

Shelley Cavalier, Law: Refugee rights, U.S.

Sapana Doshi, Geography: Urban development and access to water, Mumbai, India

Catalina Garzon, Environmental Science, Policy and Management: Indigenous land rights, Colombia

Rob Harris, Graduate School of Journalism: Corporate accountability and labor rights, Colombia

Tovin Lapan, Graduate School of Journalism: Corporate accountability and labor rights, Colombia

Sylvia Nam, City and Regional Planning: Garment trade liberalization and women's rights, Cambodia

Sunita Puri, UCB-UCSF Joint Medical Program: Domestic abuse against South Asian women, Berkeley

Malini Ranganthan, Energy and Resource Group: Urban development and access to electricity, Dakar, Senegal

Katherine Schlaefer, Public Health: Street youth, Ecuador

My experience as a Human Rights Center Summer Fellow was a defining experience of my graduate school years at Berkeley. The fellowship enabled me to work as an intern with the Witness and Victims Support Section at the International Criminal Tribunal for Rwanda in the Summer of 1999. This internship - conducted in Arusha, Tanzania and in Rwanda – became the anchor of my subsequent doctoral field research on the politics of the contemporary war crimes tribunals. Above all, the fellowship has taught me the importance of placing human rights concerns at the forefront of my work as a researcher and now as a new assistant professor.

Victor Peskin, Ph.D. '05,Political Science

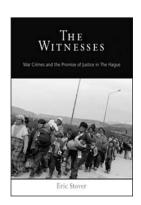
For details about these projects and those of previous Fellows, please visit http://hrcberkeley.org/fellowships.

Photo credits (left to right): Youth participating in a survey on the needs of night commuters in northern Uganda (©Rohan Radhakrishna); A child in a refugee camp in Jaque, a small town in the Darien region of Panama near the Colombian border (©Heidi Boas); A solar PV minigrid provides electricity to a village in Senegal (©Malini Ranganthan); Street children in Guayquil, Equador (©Katherine Schlaefer); Sisters Imelda, Heidi, and Cecilia Marroquin, reunited after being separated as young children when the Salvadoran military killed their parents (©Liz Barnert); UN staff analyze data from a survey evaluating the needs of night commuters (©Rohan Radhakrishna)



## **AWARDS**

Eric Stover's recent book, *The Witnesses: War Crimes and the Promise of Justice in The Hague* (University of Pennsylvania Press, 2005), was named the Best Book in Human Rights by the American Political Science Association. The citation committee commended the study as an important contribution to the growing literature on international justice and accountability: "Written by a scholar with considerable field experience, *The Witnesses* examines a relatively neglected area of the international judicial process: the role of victims and witnesses. ... This is a timely and provocative book, a prime example of how analytically informed human rights scholarship can capture the humanity of its subjects."



# RESEARCH FELLOWS AND VISITING SCHOLARS

Research fellows and visiting scholars expand HRC's ability to serve a broad audience with meaningful research and tools for understanding the impact of world events on human rights.

#### **Senior Research Fellows**

Harvey Weinstein, M.D., MPH, "Education for Reconciliation: Building a History Curriculum after Genocide," project with the National University of Rwanda (with Sarah W. Freedman, UC Berkeley, School of Education, and Timothy Longman, Vassar College)

Phuong Pham, Ph.D., Tulane University, "Rebuilding After Katrina"

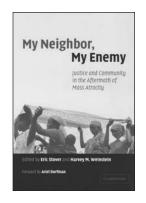
#### **Visiting Scholars**

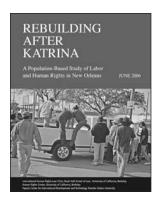
Theoneste Rutagengwa (December 2004 to December 2005): Contributor to My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity

Karl Schoenberger (January 2005 to January 2007): "Human Rights and High Technology"

Jeannie Annan (February 2006 to February 2007): "Survey of War-Affected Youth in Northern Uganda"







## **PUBLICATIONS**

Scholars and fellows affiliated with the Human Rights Center regularly nourish the human rights field by contributing to professional journals and publications. The following list represents a selection of articles published or submitted between January 2005 and June 2006.

Eric Stover, Hanny Megally, and Hania Mufti, "Bremer's Gordian Knot: Transitional Justice and the U.S. Occupation of Iraq," *Human Rights Quarterly*, Vol. 27, No. 3, August 2005.

Eric Stover and Marieke Wierda, "Peace v. Justice... Which Should Prevail?" *International Herald Tribune*, October 14, 2005.



Laurel E. Fletcher, Eric Stover, and Harvey M. Weinstein, "After the Tsunami: Human Rights of Vulnerable Populations," Human Rights Center and East-West Center, October 2005 (authorship is alphabetical).

Harvey M. Weinstein, Laurel E. Fletcher, and Eric Stover, "Human Rights and Mass Disaster: Lessons From The 2004 Tsunami," *Asia-Pacific Journal of Public Health* (forthcoming).

Harvey M. Weinstein, Sarah W. Freedman, and Holly Hughson, "School Voices: Education Systems After Identity-based Conflicts," *Education, Citizenship and Social Justice* (forthcoming).

# CLASSES, ADVISING, AND WORKING GROUPS

With the support of the Human Rights Center, training in the concepts and contexts of human rights is available to undergraduates as well as graduate students. HRC staff members teach an undergraduate survey course, advise graduate and professional students across the university, and participate regularly in classroom seminars.

International Human Rights in Theory & Practice (PACS 126) is an undergraduate upper-division survey course on international human rights that introduces students to the fundamental building blocks of human rights and addresses current issues, including international courts and tribunals, truth commissions, and international crimes, such as genocide and crimes against humanity.

The Uganda working group provides an opportunity for undergraduates and graduate students from a variety of disciples who are conducting fieldwork and research in Uganda to discuss their work and exchange information and ideas.

# SUPPORT THE HUMAN RIGHTS CENTER

The Human Rights Center accomplishes its mission with the assistance of funding from UC Berkeley, foundations, and individuals who share the goal of promoting and protecting human rights worldwide. We welcome contributions to support investigations into human rights abuses, train the next generation of human rights leaders and advocates, and invigorate public dialogue about human rights issues and policies.

### **Giving Opportunities**

- Summer Human Rights Fellowship Program: The Summer Fellowship Program recognizes
  graduate students who work with nongovernmental organizations around the world. Fellows
  participate in an orientation session before they undertake their fellowship and present their
  research at a one-day conference when they return. Funds support Fellows' stipends and operating costs of the program.
- Research Missions: HRC conducts missions to investigate war crimes and violations of human rights worldwide. In recent years, research teams have traveled to Iraq, Burma, Northern Uganda, Rwanda, and Bosnia. These missions often take place on short notice and require funding for airfare and other travel expenses. HRC has presented its research findings to the U.S. Congress, the International Criminal Court, and the International Criminal Tribunal for the former Yugoslavia.
- Visiting Research Fellows: HRC hosts visiting scholars, activists, journalists, and human rights leaders each year who benefit from the resources at UC Berkeley and connections to the human rights community.
- Conferences, Workshops, and Policy Seminars: HRC regularly sponsors a wide range of events that draw on the expertise of the Berkeley faculty, visiting professors and research fellows, and international leaders in the fields of human rights, international humanitarian law, and international security. Funds cover event expenses, including honoraria and travel, logistics, and resulting publications or webcasts.
- Opportunity Fund: Frequently opportunities arise to enrich the human rights program on campus, such as the chance to feature a visiting dignitary at a public lecture or offer a research stipend to a promising student. These funds allow us to respond promptly to such opportunities.

Gifts may be designated for current projects or to endow these programs, ensuring their availability for future generations of human rights researchers and advocates.

For more information please contact Executive Director Camille Crittenden at ccrittenden@berkeley.edu or (510) 643-5962. Or make a gift online at hrcberkeley.org/support.

## **FUNDERS AND PARTNERS**

The Human Rights Center recognizes with gratitude the following individuals and organizations that have supported the Center between January 2005 and June 2006:

## **Individuals and Organizations**

Applera Corporation
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## **UC Berkeley Partners**

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International and Area Studies
Boalt Hall School of Law
International Human Rights Law Clinic, Boalt Hall
School of Public Health
UCB-UCSF Joint Medical Program
War Crimes Studies Center



### Visit our website at hrcberkeley.org

#### **Partner Organizations**

HRC collaborates with human rights organizations and educational institutions in the U.S. and around the world. We recognize and thank the following partners:

California Department of Justice Jan Bashinski DNA Laboratory
Facing History and Ourselves
Human Rights Watch
International Center for Transitional Justice
National University of Rwanda
Payson Center for International Development and Technology Transfer, Tulane University
Physicians for Human Rights

Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos de El Salvador

## **HUMAN RIGHTS CENTER IN THE NEWS**

National and international news outlets frequently draw on research from the Human Rights Center to provide background and context for emerging news stories. Journalists have turned to previous studies on forced labor and human trafficking and the rights of refugees following the tsunami in South Asia, as well as more recent research on labor conditions in New Orleans post-Katrina and civilian attitudes toward the peace process in Northern Uganda. Over the past 18 months, media outlets that have interviewed staff or cited research from HRC include:

Africa News

Agence France Presse

Associated Press

Belfast Telegraph

California Report

Contra Costa Times

Deutsche Presse

Frontline News

The Independent (London)

Inter Press Service

International Herald Tribune

Los Angeles Times

National Public Radio

New York Times

Sacramento Bee

San Francisco Chronicle

San Jose Mercury News

Scientific American

Voice of America News

Washington Post

As many as 45 per cent of the civilians in war-ravaged northern Uganda have lost relatives in the 19-year conflict and 23 per cent have been mutilated by the Lord's Resistance Army

(LRA) rebels, a study launched in Kampala Monday reported. A survey of 2,585 people carried out in April and May by researchers from the Human Rights Center at the University of California, Berkeley and the New York-based International Center for Transitional Justice also found that 66 per cent of the respondents were in favour of punishing the rebel leaders.

—Deutsche Presse (July 25, 2005)

**A recent report by the Human Rights Center at the University of California, Berkeley cited 57 cases of forced labor in California** between 1998 and 2003, with over 500 victims. The report, *Freedom Denied*, notes most of the victims in California were from Thailand, Mexico, and Russia.

-Sacramento Bee (March 24, 2006)

The answers for [Angela] Fillingim and others searching for lost relatives may lie in a new **DNA database** developed by the California Justice Department and the University of California, Berkeley, Human Rights Center to reunite the shattered families of El Salvador.

-Associated Press (June 15, 2006)

At least 50,000 Iraqis have died violently since the 2003 U.S.-led invasion. ... Eric Stover, Director of UC Berkeley's Human Rights Center and an expert on medical and social consequences of war, said that the high death toll makes rebuilding society increasingly difficult. "The way to look at the effects of deaths on that scale is also in the context of how people are living," said Stover, who has also done human rights work in Iraq and identified mass graves in Bosnia-Herzegovina. "It's not just the immediate deaths that people are dealing with, but fractured lives."

—Los Angeles Times (June 25, 2006)

## **FUTURE DIRECTIONS**

## **Expanding Capacity for Human Rights Research:**

## The Accountability Research Project

In recent years, empirical research methods have played a major role in uncovering human rights crimes and providing evidence-based data on which to develop transitional justice mechanisms. The Accountability Research Project will enhance the effectiveness of human rights organizations and international and national criminal courts by providing training in methods and techniques of data collection and analysis. The project will focus on Uganda, Sudan, and the Democratic Republic of the Congo, where it will have immediate and significant policy implications. Ultimately, victims in these war-torn countries will benefit from the sharper analytical tools developed to assess their situation and suggest the most effective means of redress.

## The Gathering Storm:

## Responding to HIV/AIDS, TB, and Malaria in Burma

The current health and humanitarian crisis in Burma threatens the future of the Burmese people, as well as the health of neighboring states. The increasingly restrictive environment imposed by the government on international organizations has all but prevented adequate response to concerns over health, human rights, and security. Along with representatives from the Johns Hopkins Bloomberg School of Public Health, HRC researchers have embarked on an in-depth examination of the ways in which the Burmese government's disregard for human rights have contributed to the spread of infectious diseases in Burma and throughout the border region. Areas of investigation include forced labor, suppression of information, and infringements on the rights to health care, privacy and informed consent, equality and nondiscrimination. Results of fieldwork undertaken in summer 2006 will be published in early 2007.

### **HRC Launches a New Journal**

The *International Journal of Transitional Justice* will address the rapidly evolving field of transitional justice—the study of strategies employed by states and international organizations to deal with a legacy of human rights abuses and facilitate social reconstruction in the wake of such violence. Topics covered by the journal include truth commissions, universal jurisdiction, and post-conflict societal repair. The journal will also address victim and perpetrator studies, international and domestic prosecutions, and institutional transformation, as well as vetting, memorialization, and reparations. Co-sponsored by HRC and the Centre for the Study of Violence and Reconciliation in South Africa, the journal will be published three times a year and target a diverse international readership, from scholars to national and international policy makers to civil society practitioners. The journal will be published by Oxford University Press and is scheduled to launch in March 2007.





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