

**HUMAN  
RIGHTS  
CENTER**  
UNIVERSITY  
OF  
CALIFORNIA  
BERKELEY

# ANNUAL REPORT 2010

INVESTIGATING WAR CRIMES  
PURSUING JUSTICE  
PREPARING TOMORROW'S ADVOCATES



**IN THIS REPORT:**

Survey on Accountability and Social Reconstruction  
in the Central African Republic

Human Rights Fellowship Program  
Human Rights, Technology, and New Media Initiative

## 2010 ANNUAL REPORT

### MISSION

The Human Rights Center at the University of California, Berkeley is an independent research center housed in the Law School that applies scientific methods and innovative technologies to promote human rights and international humanitarian law. We use our research to develop and recommend policy measures to protect vulnerable populations. We provide students and advocates with the skills and tools to document violations of human rights and to turn this information into effective action.

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## FROM THE DIRECTORS

This past year our faculty and staff at the Human Rights Center—not to mention our intrepid student fellows—covered tens of thousands of miles on justice and human rights projects that took them to over 40 countries.

Highlights of the Human Rights Center’s research include the publication of *The Guantánamo Effect*, an unprecedented study of U.S. interrogation and detention practices, based on interviews with 62 former detainees and numerous key informants who have worked at the site. The book was published by the University of California Press and written in collaboration with the International Human Rights Law Clinic.

Meanwhile, our Initiative for Vulnerable Populations completed two population-based surveys, one in northern Uganda and another in the Central African Republic. Both projects advanced the digital data-collection techniques pioneered by the Kobo Project, which aims to assist researchers collect, secure, and analyze data in challenging environments.

In Kampala, Uganda, we partnered with the Open Society Justice Initiative to organize a panel on innovative approaches to court outreach at the first Review Conference of the International Criminal Court.

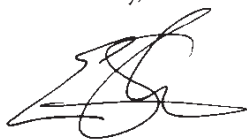
In El Salvador, we continued to work with the Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos (The Organization for Disappeared Children) and the Alliance of Forensic Scientists for Human Rights and Humanitarian Investigations. Now in its tenth year the project uses DNA analysis to reunite families divided during that country’s civil war.

On campus, we marked a key institutional milestone by moving the Human Rights Center to the Law School. The move was commemorated in April with a symposium featuring a keynote address by Boalt alumnus Michael Posner, Assistant Secretary of State for Democracy, Human Rights, and Labor.

Finally, in January, we launched the Sexual Violence and Accountability Project. This new initiative aims to improve the capacity of prosecutors, law enforcement, forensic scientists, and health professionals to collect evidence of sexual violence, protect victims and witnesses, and ensure that survivors receive medical and psychosocial services in times of war and political violence.

None of this would have been possible without the generous support of our project partners and supporters. We thank all of you!

Sincerely,



ERIC STOVER  
Faculty Director



CAMILLE CRITTENDEN  
Executive Director



# BUILDING PEACE, SEEKING JUSTICE: UNDERSTANDING WAR-AFFECTED COMMUNITIES IN THE CENTRAL AFRICAN REPUBLIC

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Thousands of  
civilians are affected by  
poverty, displacement,  
and violence in the  
Central African Republic



For decades, the Central African Republic (CAR) has experienced violence, economic stagnation, and institutional failure. The latest wave of violence erupted in 2001 and continues to this day in some areas. Yet despite this, little attention has been paid to the conflict and even less research has documented and quantified the conflict's human cost.

In the fall of 2009, Human Rights Center researchers Phuong Pham and Patrick Vinck assembled a research team in the Central African Republic to study the scope and magnitude of violence committed against citizens during armed conflict and capture a snapshot of what the citizens of CAR believe is the best way to restore peace. Funded by the John D. and Catherine T. MacArthur Foundation and Humanity United, researchers employed PDAs to collect data digitally with Kobo, a suite of programs developed at the Human Rights Center for conducting surveys (see update on the Human Rights and Technology Initiative).

The resulting report, *Building Peace, Seeking Justice: A Population-Based Survey on Attitudes about Accountability and Social Reconstruction in the Central African Republic*, sheds light on the scale of a situa-

tion largely unknown to the international community. The data gathered from the study presents a stark picture of life in the Central African Republic. More than three-quarters of respondents said they had either witnessed or personally experienced traumatic events during the wave of violence that began in 2001, and more than half met criteria for depression or anxiety. The monthly death rate was five per 1,000 individuals (in the United States it is 0.7; the average for sub-Saharan Africa is 1.3). In other words, 6 percent of the country's population is dying every year.

*Building Peace, Seeking Justice* includes a number of specific recommendations for the CAR government, armed groups, civil society, the international community, and the International Criminal Court. The report's suggestions include the effective disarmament, demobilization, and reintegration of combatants back into society; holding free and fair presidential elections; reforming the security sector; and bringing those responsible for violations of human rights and international humanitarian law to justice. [Download the report at \*http://hrc.berkeley.edu/car.html\*.](http://hrc.berkeley.edu/car.html)

## KEY FINDINGS

Widespread exposure to violence and human rights abuses:

- Four out of five respondents (81%) have had to flee their home at some point during the various conflicts since 2002.
- Twenty percent of respondents have reported being beaten or physically attacked, and 11 percent have been abducted.
- 67 percent said they had been threatened with death.
- 11 percent reported having been abducted.
- 16 percent said they had been coerced to work with armed groups and sometimes forced to commit violence.
- Respondents identified murder (91%), theft and destruction of property (66%), and sexual violence (52%) as the principle crimes committed by combatants.

Pessimism about whether peace can be achieved:

- Only about half of respondents believe it is possible to live in peace in CAR (54%) and with neighboring countries (50%).

Justice mechanisms:

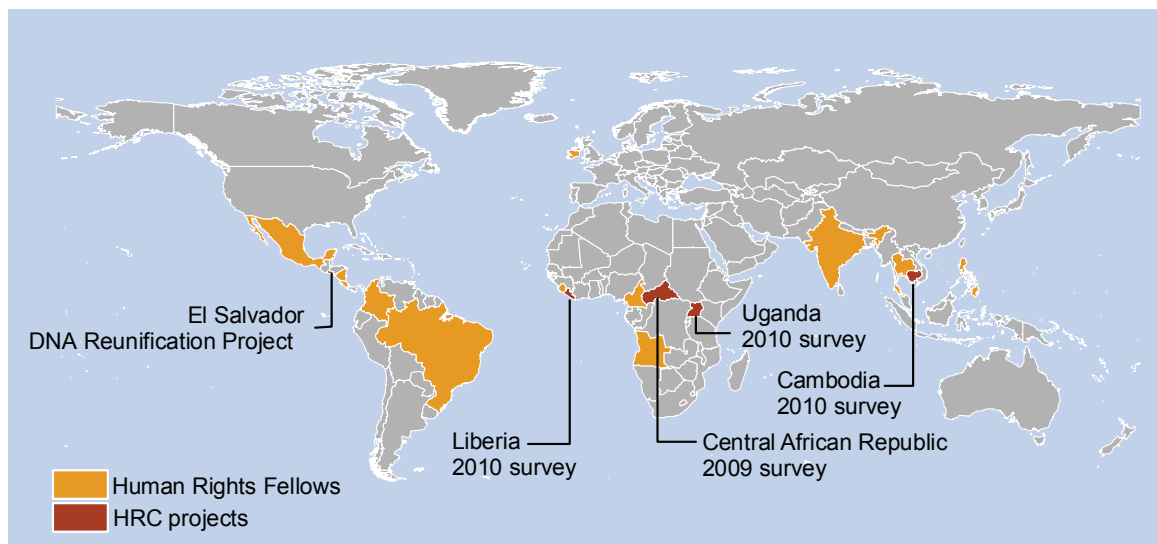
- Respondents prefer trials conducted in CAR. Over half of respondents (52%) said they should be tried in national courts, while 27% said they should be tried in CAR by an international court. Fourteen percent preferred international trials outside the country.

## DNA REUNIFICATION PROJECT

Social media has proved to be an effective tool for Human Rights Center investigators working on the DNA Reunification Project to find young people adopted from El Salvador during that country's armed conflict (1980–92). This past year, HRC staff have located six new adoptees whose biological family members in El Salvador have been searching for them for many years. After exhausting all avenues and outlets to find them, project staff turned to

Facebook as a potentially powerful resource, considering the social networking site has more than 500 million active users. As a result, three adoptees were located—one is in contact with her biological family, and the other two are currently in the reunification process. In addition to its utility as a search tool for staff, Facebook has also given adoptees an opportunity to respond to our inquiries and stay connected with their families.

## PROGRAM AREAS 2009–2010



## THE HUMAN RIGHTS, TECHNOLOGY, AND NEW MEDIA INITIATIVE

### UPDATES FROM THE MOBILE CHALLENGE

As part of last year's conference, "The Soul of the New Machine: Human Rights, Technology, and New Media," the Human Rights Center partnered with TechSoup Global to host the Human Rights Center Mobile Challenge. The Mobile Challenge invited submissions from nonprofits and advocacy organizations to develop mobile tools that combine data, imagery, mapping and social networking to advance human rights, and ultimately received 50 project submissions from 23 countries. Ten final-

ists were selected by online community vote, and award winners, selected by a panel of judges, were announced at the conference. We checked in with the three award winners on their accomplishments in the past year since the Challenge.

#### *First Place: The Guardian Project: Secure, private mobile communications*

The Guardian Project is an open-source application suite that enables secure, private mobile communications. In the last year, the Guardian Project



has managed to make a number of breakthroughs toward building an open-source, secure smart phone, for human rights advocates, journalists and everyday people concerned with privacy around the world. Guardian adapted the popular Tor anonymity tool for mobile devices, released a privacy-enhanced web browser, improved the security of mobile chat, and partnered with other projects to deliver encrypted SMS, Voice-Over-IP and a public-key based email solution. Currently the Guardian Project is planning to collaborate with other projects including Ushahidi and OpenDataKit, to enable security-enhanced versions of their software for the Android platform.

**Second Place: Freedom Fone: Mobile phone marries interactive audio programming**

Freedom Fone is a free, open-source information and communication tool, which brings together the mobile phone with Interactive Voice Response (IVR). Developed by the Kubatana Trust, Freedom Fone empowers non-technical organizations to build automated dial-up information services that are available to the public 24/7. In March 2010, the first user-friendly version of Freedom Fone was publicly released, and in July Kubatana issued a second release (v1.6) that improved the user interface and simplified some of the components. Several information services have been created, including an arts and culture line during the Harare International Festival of the Arts, a constitution-related information service, and a mini audio drama that focuses on sexual harassment in the workplace.

**Third Place: Handheld Human Rights: Making human rights data accessible and actionable**

Handheld Human Rights (HHR) uses mobile phones, digital pens and, and open-source platforms to create secure communication and mapping. The program helps human rights groups communicate internally as well as promote their work internationally to lawyers, advocates, and community organizations. In late 2009, HHR held trainings and technological capacity evaluations with numerous human rights organizations along the Thai-Burma border and mapped human rights abuses in Burma with data from Martus, news organizations, and grassroots human rights groups based in Southeast Asia. This summer they added an election layer to visualize information being gathered by the Burma Partnership through their 2010 Election Watch initiative. In addition to

long-distance support to help local groups begin updating the system in real-time, HHR is planning another trip to the Thai-Burma border this fall to conduct trainings with users, focusing on security and strategy, in advance of the November elections.

**THE KOBO PROJECT**

*Mobile technology for secure data collection*

Kobo is a project of the Human Rights Center that aims to make digital data-gathering tools available to the research community at no cost. The Human Rights Center's mobile technologist Neil Hendrick has worked closely with Phuong Pham in programming a suite of software that allows individuals to gather survey data using a handheld mobile device and aggregate the information to one centralized place. The HRC research team has successfully used its Android-based software to collect data in Uganda and the Central African Republic, and has partnered with several international NGOs. The Kobo team is currently developing a forms builder that would allow non-technical users to build their own surveys and plans to release the software later to the public.



## HUMAN RIGHTS FELLOWSHIP PROGRAM

The Human Rights Fellowship Program provides opportunities for students to work with human rights organizations worldwide. Now in its 17th year, the program offers fellowships to students from six University of California campuses. We are pleased to recognize the 2010 Fellows:

**SANDRA ALVAREZ, SANTA CRUZ** *Asociación de Autoridades Tradicionales y Cabildos U'wa (Colombia)*; Intercultural Human Rights Dialogues and Documentation

**MADELEINE BAIR, BERKELEY** *Jamaicans for Justice (Jamaica)*; From Victim to Victor: The Women Speak

**TEO BALLVÉ, BERKELEY** *Verdad Abierta (Colombia)*; Narco, Inc.: The Drug Economy's Violent Spaces of Fortune

**LARA CUSHING, BERKELEY** *Inter-American Association for Environmental Defense (Mexico)*; Protecting Vulnerable Communities in a Warming World

**CHERYL DEUTSCH, IRVINE** *National Hawkers' Federation (India)*; Planning for Livelihoods: Street Vendors and Sustainable Transport in India

**KATIE DINGEMAN, IRVINE** *Central American Resource Center (Los Angeles, CA)*; Coerced Transnationality: Deportation and the Forced Separation of Salvadoran Families

**MICHELLE DIZON, BERKELEY** *Focus on the Global South (Philippines)*; Perpetual Peace

**UGO FELICIA EDU, BERKELEY** *A Cor da Bahia (Brazil)*; Perspectives on Reproductive Choice: Women's Stories of Tubal Ligation and Other Contraceptives

**PATIENCE FIELDING, BERKELEY** *International Federation of Women Lawyers (Cameroon)*; Rights to Literacy: An Examination of Child Workers in a Developing Country

**LEXA GRAYNER, HASTINGS** *Bridges Across Borders Southeast Asia (Thailand)*; Empowering Migrant Communities in Thailand through Justice Education

**CANDLER HALLMAN, SAN DIEGO** *Families Acting for Innocent Relatives (Northern Ireland)*; Granting the Victims Voice: A Case Study on the Effects of the Hillsborough Castle Agreement on Victims' Rights Discourses

**KONY KIM, BERKELEY** *Bronx Defenders (New York, NY)*; Holistic Defense Advocacy: Restorative Justice in an Urban Community

**ANDREW LIM, BERKELEY** *Global Health Access Program (Thailand)*; Health Programs in Eastern Burma

**DANIEL MARSH, DAVIS** *Timap for Justice (Sierra Leone)*; Equal Access: Providing Free Justice Services to Individuals in Sierra Leone

**STEPHEN MEYERS, SAN DIEGO** *Handicap International (Nicaragua)*; Local and Global Meanings of the Right to Inclusive Education

**KERAMET REITER, BERKELEY** *National Council on Crime & Delinquency (Oakland, CA)*; Parole, Snitch or Die: How Former Supermax Prisoners Experience Parole in California

**HENRY STEINBERG, HASTINGS** *Inter-American Association for Environmental Defense (Costa Rica)*; The Right to a Healthy Environment: Marine Biodiversity and Freshwater Protection

**ROCHELLE TERMAN, BERKELEY** *Women Living Under Muslim Laws (London, UK & Multiple Focal Countries)*; Challenging Violence against Women in the Name of Culture, Religion, and Tradition

**KATE E. TRUMBULL, SANTA CRUZ** *Center for Bridging Communities (San Diego, CA)*; Somali Refugee Women, Poetry and the Border

**ELICA VAFIAE, DAVIS** *Center for Constitutional Rights (New York, NY)*; International Human Rights & Guantánamo Project

**ANONYMOUS** *SOS Habitat (Angola)*; The Crude Urban Revolution: Oil, Evictions and the Right to the City in Luanda, Angola

Learn more about the Fellows' projects at [http://hrc.berkeley.edu/current\\_fellows.html](http://hrc.berkeley.edu/current_fellows.html). The Fellowship Program is supported by grants from the UC Office of the President, the Tang Opportunity Fund, and Thomas J. White. Please contact Executive Director Camille Crittenden at [ccrittenden@berkeley.edu](mailto:ccrittenden@berkeley.edu) for more information or to make a contribution.



# PUBLICATIONS

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Research and expert commentary from the Human Rights Center have been cited in numerous publications over the past year. The selective list below offers highlights of articles and media channels where work by Human Rights Center staff and affiliated researchers has appeared between August 2009 and August 2010.

## NEWS MEDIA

Lehrer NewsHour, New York Times, Associated Press, Reuters, Washington Post, National Public Radio, Christian Science Monitor, SperoNews Cambodia, Globalpost, Phnom Penh Post, Time, Guardian, New American Media, Contra Costa Times, California Chronicle, San Francisco Chronicle, Los Angeles Times, O Estado de S. Paulo, Huffington Post, and Voice of America.

## ARTICLES, REPORTS, OP-EDS

Patrick Vinck and Phuong Pham, “The fastest to die: A study reveals how deeply the wounds of conflict have cut the Central African Republic—and not quite where you would expect,” *Foreign Policy*, August 3, 2010, [http://www.foreignpolicy.com/articles/2010/08/03/the\\_fastest\\_to\\_die](http://www.foreignpolicy.com/articles/2010/08/03/the_fastest_to_die).

Vinck P, Pham PN. “Association of Exposure to Violence and Potential Traumatic Events with Self-reported Physical and Mental Health Status in the Central African Republic.” *Journal of the American Medical Association* 304/5 (2010): 544–552.

Pham PN, Vinck P, Kinkodi DK, Weinstein H. “Sense of Cohesion and its Association with Exposure to Traumatic Events: Post-Traumatic Stress Disorder, and Depression in Eastern Democratic Republic of the Congo.” *Journal of Traumatic Stress* 23/3 (2010): 313–321.

Victor Peskin and Eric Stover. “A hopeful future for Kenya,” *Los Angeles Times*, June 7, 2010.

Eric Stover, Camille Crittenden, Alexa Koenig, Victor Peskin, and Tracey Gurd, *The Impact of the Rome Statute System on Victims and Affected Communities*, Review Conference of the Rome Statute, International Criminal Court, May 30, 2010.

Pham PN, Vinck P, Weinstein, H. “Human rights, transitional justice, public health and social reconstruction.” *Social Science and Medicine* 70:1 (2010).

Stover, E, Fletcher, L, Koenig, A. “The Cumulative Effect: A medico-legal approach to United States torture law and policy.” *Essex Human Rights Review*, 2009.

Vinck P, Pham PN, Fletcher LE, Stover E. “Inequalities and Prospects: Ethnicity and Legal Status in the Construction Labor after Hurricane Katrina.” *Organization and Environment Journal* 22(4) (2009): 470–478.

## BOOK CHAPTERS

Weinstein HM, Fletcher LE, Vinck P, Pham PN. “Stay the Hand of Justice: Whose Priorities Take Priority?” In Rosalind Shaw and Lars Waldorf with Pierre Hazan (eds), *Localizing Transitional Justice* (Stanford: Stanford University Press, 2010).

## BOOK

Fletcher LE, Stover E. *The Guantanamo Effect: Exposing the Consequences of U.S. Detention and Interrogation Practices* (Berkeley: University of California Press, 2009).

## JOURNAL

The Human Rights Center and the Center for the Study of Violence and Reconciliation in South Africa are institutional sponsors of the *International Journal of Transitional Justice*, published by Oxford University Press and co-edited by HRC Senior Research Fellow Harvey Weinstein.

## EVENTS

The Human Rights Center sponsors or co-sponsors public events to bring leading experts to the UC Berkeley campus and community. We are grateful to our many partners who help make these events possible. The following list is a sample of these programs.

### HIGHLIGHTED EVENTS:

#### ICC REVIEW CONFERENCE

In early June the Human Rights Center participated in the International Criminal Court's (ICC) Review Conference of the Rome Statute, hosted in Kampala, Uganda. Faculty Director Eric Stover chaired the Stocktaking Plenary on the "Impact of the Rome Statute on Victims and Affected Communities."

In addition, the Center co-hosted a side panel with the Open Society Justice Initiative on innovative approaches to outreach, moderated by David Tolbert of the International Center for Transitional Justice, and featured the Human Rights Center's Patrick Vinck, Binta Mansaray of the Special Court for Sierra Leone, Claudia Perdomo of the ICC Outreach Program, and representatives of innovative civil society programs

#### OUTREACH AND INTERNATIONAL WAR CRIMES TRIBUNALS

In August, the Human Rights Center hosted a three-day workshop with outreach officials from the ICC and other international criminal tribunals as well as representatives of non-governmental organizations. Participants discussed the challenges outreach practitioners face as they try to communicate the work of international tribunals to war-affected communities. The event provided an opportunity for international criminal justice outreach practitioners to benefit from each others' experiences and spur new and innovative thinking about outreach strategies. The outcomes from the workshop will be included in a report to be published by the Open Society Justice Initiative in early 2011.

#### CAMPUS AND PUBLIC EVENTS

**The United Nations Experience with the Guatemalan Conflict: Understanding the Past, Preparing for the Future.** Dr. Christian Tomuschat, Former Commissioner, United Nations Commission on Clarification of the Past, Guatemala, August 18, 2009



Participants convene at the Outreach and International War Crimes Tribunals workshop

**Cambodian Democracy and Human Rights Under Siege: One Woman's Fight.** Mu Sochua, Member of the Cambodian Parliament, September 14, 2009

**UCSF School of Medicine and Global Strategies for AIDS Prevention Roundtable.** Roundtable, October 12, 2009

**Human Rights Advocacy: Mobilizing Action in the Visual Age.** Panel Discussion, October 27, 2009

**The New Global Judicial System, hosted by the World Affairs Council of Northern California.** Luis Moreno-Ocampo, Prosecutor, International Criminal Court, December 8, 2009

**Critical Factors Shaping the Future of Sudan: A Roundtable Discussion,** The Hon. Ezekiel Lol Gatuoth and Roger Winter, January 26, 2010

**International Criminal Court Outreach and Interactive Radio for Justice,** Wanda Hall, February 1, 2010

**Helping Rebuild a Post-Conflict State: Opportunities and Challenges in Sierra Leone, hosted by The Miller Institute for Global Challenges and the Law and International Professional Partnerships for Sierra Leone.** Elan Emanuel, Fellow, Miller Institute and International Professional Partnerships for Sierra Leone, April 6, 2010

**Human Rights and International Humanitarian Law at Berkeley Law.** Symposium, April 8, 2010. Key-note address by Michael Posner, Assistant Secretary of State, Bureau of Democracy, Human Rights, and Labor (Boalt '75)

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We recognize with gratitude the individuals and organizations that have supported our work between July 2009 and August 2010.

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## LOOKING AHEAD

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### LIBERIA

With funding from Humanity United, the Human Rights Center will conduct a nationwide, population-based survey in Fall 2010 and publish a report on attitudes about justice, accountability, and social reconstruction in Liberia. The report will be used to open a dialogue between the government, NGOs, and other agencies about issues that are key to the successful transition from war to peace.

### CAMBODIA

In the fall of 2008, the Human Rights Center conducted a national population-based survey about knowledge and attitudes toward social reconstruction and the Extraordinary Chambers in the Courts of Cambodia (ECCC). Later this year the Human Rights Center research team will travel to Cambodia to conduct a follow-up survey, which will serve as a tool to monitor public awareness and knowledge of the work of the ECCC as well as outreach and victim-participation initiatives by the tribunal and local nongovernmental organizations. The survey will reassess attitudes about justice and the desire for reparations for past crimes. It will recommend ways in which the ECCC, civil society, and the international community can continue to engage Cambodians in the work of the court.

### UGANDA

This spring the Human Rights Center team returned to northern Uganda to conduct a third population-based study on peace, justice, and social reconstruction in light of relative peace. The survey captured the needs of northern Ugandans and measured change in overall priorities, exposure to violence, and sense of security during what appears to be a transitional phase of peace and resettlement of internally displaced populations in the North. The report will be released later this fall.

### SEXUAL VIOLENCE AND ACCOUNTABILITY

Sexual violence, especially rape, has added its own brand of shame to recent wars and political upheavals around the world. From conflicts in eastern Congo, Nepal, and Burma to election violence in Kenya and Zimbabwe, military and police personnel and non-state actors have used sexual violence to physically and psychologically devastate victims and rend the social fabric of communities, often with impunity. While the recent combined jurisprudence of international and hybrid courts—including the International Criminal Tribunals for Rwanda and the former Yugoslavia and the Sierra Leone Special Court—has increased pressure on all societies to investigate and adjudicate sex crimes, a number of challenges remain. These include protecting victims and witnesses before and after trial, providing victims with adequate medical and psychosocial treatment, properly evaluating victim testimony, and encouraging prosecutors to attach sufficient priority to the investigation of sexual assault.

The Human Rights Center is proud to launch a three-part initiative to promote accountability and access to justice for sexual violence in armed conflict and political unrest. The Sexual Violence and Accountability Project aims to improve the capacity of prosecutors, law enforcement personnel, judges, and human rights investigators to collect testimonial, documentary, and physical evidence of sexual violence to aid victims and facilitate prosecutions. Over the next three years the initiative will include a series of workshops, case studies, and the development of a practitioner handbook on minimum standards and procedures for investigating sexual violence in armed conflict. Human Rights Center staff are currently planning a multi-stakeholder workshop on sexual violence and accountability to be hosted in Nairobi in the first half of 2011.



Most citizens in northern Uganda have returned home from IDP camps and are now in the process of rebuilding



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**FRONT COVER:** A girl waits in the port town of Turbo, Colombia for a boat departing for the Cacarica River basin. Local Afro-Colombian and indigenous groups say the immensely biodiverse river basin is under grave threat by the planned construction of a transnational highway connecting Panama and Colombia. Photo by Oriol Segon.

**PAGE 2:** CAR photos by Patrick Vinck

**PAGE 6:** Mobile phone photo by Patrick Vinck

**PAGE 11:** Photos by Neil Hendrick

**BACK COVER:** Photo by Patrick Vinck

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