ANNUAL REPORT 2008
INVESTIGATING WAR CRIMES
PURSUING JUSTICE
PREPARING TOMORROW’S ADVOCATES

RESEARCH PROFILES
A Disaster Foretold: Cyclone Nargis and Relief Aid in Burma
When the War Ends: Priorities for Peace and Justice in Northern Uganda

PROGRAMS
DNA Reunification Project
Examining the “War on Terror”
The Human Rights Center promotes human rights and international justice worldwide and trains the next generation of human rights researchers and advocates.

We believe that sustainable peace and development can be achieved only 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.

**HUMAN RIGHTS CENTER STAFF**  
2007–2008

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The Human Rights Center has been privileged to work with a number of inspiring and courageous people over the last year. Following our 2007 study on infectious diseases and human rights in Burma, a Human Rights Center team returned there to monitor the May constitutional referendum. Days after Cyclone Nargis struck, our team traveled to storm-ravaged areas to deliver aid and document the destruction. An article, “Cyclone Nargis and the Politics of Relief and Reconstruction Aid in Burma (Myanmar),” based on their trip, was published in the August 2008 issue of the Journal of the American Medical Association.

We continued our engagement in central and eastern Africa, documenting war crimes and the needs of vulnerable communities in northern Uganda and eastern Congo. Based on the premise that there should be “nothing about us, without us,” our population-based studies bring the voices of those most affected by mass atrocities to policy discussions about peace, social reconstruction, and mechanisms for justice and accountability. Both studies—When the War Ends (on northern Uganda) and Living with Fear (on eastern Democratic Republic of the Congo)—can be downloaded from our website.

The Human Rights Center’s spring colloquium focused on “The ‘War on Terror’ and Human Rights.” We were honored to have Major General Antonio Taguba present the keynote address. His remarks about the investigation he led into abuses at Abu Ghraib prison were a stirring call to investigate and hold accountable those U.S. officials who have ordered the use of torture and other cruel, degrading, and inhumane treatment on detainees held in American custody.

We are pleased to welcome Barbara Grob to our team as Director of Communications and Outreach and look forward to adding our longtime research partner Phuong Pham to our staff as Research Director in fall 2008.

We remain grateful to the institutions and individuals who make our work possible.

Eric Stover
Faculty Director

Camille Crittenden
Executive Director
A DISASTER FORETOLD:
CYCLONE NARGIS AND RELIEF AID IN BURMA

Undaunted by the devastation of Cyclone Nargis, the military government carried out its deeply flawed constitutional referendum just days after the cyclone struck.
On May 2, 2008, Cyclone Nargis ravaged southern Burma with 120-mile-per-hour winds and a 12-foot tidal surge that reached 25 miles inland. Over 75,000 people died and 50,000 more remain missing, according to government accounts. Human Rights Center (HRC) staff were in the region and documented the aftermath of the cyclone as well as the constitutional referendum on May 10. Working under difficult conditions, HRC staff met with humanitarian aid officials, local community groups, and human rights activists to relay news about the devastating cyclone.

In the weeks following the cyclone, Faculty Director Eric Stover provided commentary for numerous national and international news outlets. In addition to his experience on the ground at the time the storm struck, Stover was all too familiar with the failing public health conditions inside Burma following our 2007 research, “The Gathering Storm: Infectious Diseases and Human Rights in Burma” (with Johns Hopkins Bloomberg School of Public Health).

On May 10, 2008, seven days after the cyclone, the Burmese government held the constitutional referendum, as planned, in areas not severely affected by the storm. Two weeks later residents in the delta region were also expected to vote, despite the ongoing humanitarian crisis. The government announced overwhelming support for the constitutional referendum, claiming over 99% participation and a 92% “yes” vote.

HRC staff trained a group of local monitors who observed the referendum in key areas around the country.

The referendum was neither free nor fair. In the days and weeks leading up to the referendum, the Burmese government conducted a widespread media campaign encouraging citizens to cast their votes in favor of the draft constitution. At the same time, the government barred public announcements against the constitution and arrested demonstrators, who could be sentenced to up to 20 years in prison. Some voters and government employees were forced to cast early ballots against their will. The advance voting process did not respect the secrecy requirement established by the government’s own guidelines and many violations occurred on the voting days. Some residents were intimidated by officials into voting “yes,” while soldiers frequently filmed individuals at the polling stations.

Over the coming year HRC will continue its work to support the development of civil society in Burma.

HRC HOSTS VISITING ACTIVIST: BURMESE LEADER DEVELOPS GRASSROOTS TRAINING PROGRAM

In summer 2008, HRC hosted a Burmese human rights activist at UC Berkeley. His extensive contacts in Burma provided vivid updates of the unfolding events, and he compiled weekly email newsletters sent to journalists, donors and activists. With the guidance of HRC Senior Research Fellow Professor Richard Claude, he developed an extensive, culturally appropriate handbook on grassroots human rights education, published in Burmese and English. The handbook will be used to educate Burmese citizens and their allies about human rights agreements, law, and advocacy.

For more information, visit http://hrc.berkeley.edu/burma.html.
Tens of thousands of civilians have been conscripted, many of them children, and forced to maim or kill their victims.

Using the latest handheld devices equipped with integrated Global Positioning Systems, research teams fanned out over northern Uganda last year to document residents’ exposure to violence, attitudes about justice, and priorities for resettlement and reconstruction. The research, funded by the John D. and Catherine T. MacArthur Foundation and Humanity United, offers a critical view into the lives of thousands who have been displaced by more than two decades of war in Uganda.

The Human Rights Center, Payson Center for International Development at Tulane University, and the International Center for Transitional Justice collaborated to prepare the report, When the War Ends: A Population-Based Survey on Attitudes about Peace, Justice, and Social Reconstruction in Northern Uganda, published in December 2007. The largest population survey of its kind in the region included in-depth interviews with 2,875 people in eight districts of northern Uganda. More than 75 percent of those surveyed reported having lost a family member since the war began in 1986.

The Lord’s Resistance Army (LRA) has dominated the war in Uganda and turned the country into a humanitarian catastrophe. Tens of thousands of civilians have been conscripted, many of them children, and forced to maim or kill their victims. The Ugandan People’s Defense Forces have also committed human rights abuses including rape, torture, and arbitrary killings. The Juba peace accord signed in August 2006 and several subsequent agreements remain
unfulfilled, but violence has subsided for now, although LRA leader Joseph Kony, sought for prosecution of war crimes by the International Criminal Court (ICC), and several other key perpetrators remain at large.

When the War Ends includes specific recommendations for the Juba Peace Negotiating Team, the Ugandan government, the International Criminal Court, and the international community. The survey underscores the elements needed for peace, justice, and social reconstruction in northern Uganda, including assistance for the displaced in returning to villages and developing a livelihood. Researchers also recommend promoting national dialogue and truth-seeking exercises at the local level. Officials must take measures to ensure that benefits provided to LRA returnees are balanced with reparations for victims who have suffered human rights violations. Uganda requires a viable criminal justice and civilian police system to maintain peace.

Read the report at http://hrc.berkeley.edu/pdfs/When-the-War-Ends.pdf.

KEY FINDINGS

• Survey respondents prioritized health care (45%), peace (44%), education for children (31%), and livelihood concerns, including food (43%) and agricultural land (37%). Three percent named “justice” as their top priority.

• Displacement is a major issue, with 86 percent of those surveyed reporting that they had been displaced from their homes. Many live in internally displaced persons (IDP) camps and have limited access to health care, education and water. A majority of people in camps said they are worse off because they have little access to farming opportunities or food.

• Most people surveyed (86%) believe that peace can be achieved. Three-quarters said the government was committed to peace, while 41 percent believe the LRA was committed to peace.

• Residents of northern Uganda want a historical record of the war, and 89 percent said they would be willing to talk openly about their experiences in a court or public hearing. Ninety five percent of respondents want memorials to be established to remember what happened there.

• Nearly equal numbers of people identified the ICC (29%) and Ugandan national court system (28%) as the appropriate mechanism to deal with rebel groups.

LIVING WITH FEAR:
REPORT ON DEMOCRATIC REPUBLIC OF THE CONGO

Two years after the Democratic Republic of Congo (DRC) held its first elections since independence, the country is at a crossroads. Among the key challenges facing the DRC today is the question of how the country will address the massive human rights atrocities of its recent past to establish a foundation for peace and security, the rule of law, and respect for human rights to prevail in the future. The 2006 elections capped an era of international armed conflict and massive violence in the DRC that began with Laurent Desire Kabila’s 1996–1997 campaign to liberate Congo from decades of repressive rule under Mobutu Sese Seko. The advent of an elected government sets the stage for state-building initiatives focusing on governance and critical long-term institutional reform in the security and justice sectors. Yet armed conflict and mass violence continue to plague eastern DRC.

From September to December 2007, researchers from HRC and Tulane University led a study of nearly 3,000 households in the region. Together with colleagues from the International Center for Transitional Justice, we will release a report this fall in the United States, Africa, and The Hague. Among the survey’s key findings: human rights abuses suffered by the population of eastern DRC, including sexual violence, and fear of government soldiers and militias alike are widespread. Despite this, an overwhelming majority believes that peace and justice can be achieved. A strong majority also wants to see war criminals held accountable and believes the truth should be established about what happened during the years of conflict.

Visit our website at http://hrc.berkeley.edu to download the report.
American practices in pursuing the “war on terror” have compelled some military officers to speak out in defense of Constitutional protections and international law. They have raised objections to abusive interrogations and unfair court proceedings of detainees at Guantánamo Bay, Abu Ghraib, and other U.S. military installations.

Major General (Ret.) Antonio M. Taguba gave the keynote address to open the Spring 2008 Colloquium. General Taguba led an inquiry into conditions at Abu Ghraib prison in Iraq and is the author of a highly critical report that detailed the abusive treatment of detainees at the facility. As a result of his efforts to expose these practices, he was encouraged to retire, which he did in January 2007 after 34 years of active duty. Taguba noted, “The Abu Ghraib scandal has affected the moral and ethical conscience of our nation, and will continue to resonate throughout the world for many years to come.”

In another event, “Does TV Persuade Us That Torture’s OK?” a panel discussion included Richard Walter, UCLA School of Film; Spc. (Ret.) Tony Lagouranis, former U.S. Army Interrogator; Margaret Stock, Department of Law, U.S. Military Academy (West Point); and David Danzig, Primetime Torture Project, Human Rights First. With soldiers reportedly employing brutal interrogation techniques specifically imitating what they have seen on episodes of “24” and similar shows, panelists considered how popular culture since 9/11 has affected wartime military practice. Despite Professor Walter’s skepticism, the current and former military officers on the panel confirmed that students and soldiers in the
field had too readily accepted “the ticking time bomb” premise of fictional TV shows and falsely believed “enhanced interrogation techniques” were effective in obtaining intelligence from detainees.

American practices in pursuing the “war on terror” have compelled some military officers to speak out in defense of Constitutional protections and international law. They have raised objections to abusive interrogations and unfair court proceedings of detainees at Guantánamo Bay, Abu Ghraib, and other U.S. military installations. The panel “A Question of Conscience: Military Perspectives on the ‘War on Terror’” featured Col. (Ret.) Lawrence B. Wilkerson, U.S. Army; Lt. Col. V. Stuart Couch, U.S. Marine Corps; and Lt. Col. (Ret.) Stephen E. Abraham, U.S. Army Reserve. The panelists offered a scathing assessment of Bush Administration policies and called for the indictment of senior officials they believe are accountable for the abuse of prisoners.

For more information and to download the podcast of the last event, visit http://hrc.berkeley.edu/events.html.

GUANTÁNAMO AND ITS AFTERMATH

The Human Rights Center, International Human Rights Law Clinic at the School of Law, and the Center for Constitutional Rights have conducted an extensive study of conditions at the U.S. detention facility at Guantánamo Bay prison. Over the past two years, researchers have interviewed 62 former detainees in nine countries about their detention, treatment in prison, interrogations, release, and life after Guantánamo. Interviews with 50 other key informants form a complex portrait of detention and interrogation procedures in the U.S.-led “war on terror.” A report based on the study will be released in November 2008.

Contributors to the research project include graduate students Sarah Staveteig (Demography), Nobuko Mizoguchi (Demography), Stephen Smith (Sociology), Alexa Koenig (Jurisprudence and Social Policy), Zulaikha Aziz (Law), Neelam Ihsanullah (Law), Alexis Kelly (Law), Emily Ray (Law), and Reem Salahi (Law). HRC’s Rachel Shigekane and Andrew Moss, HRC senior research fellow and emeritus professor of epidemiology at the University of California, San Francisco, also helped with the research.
DNA REUNIFICATION PROJECT
IN EL SALVADOR

Blanca Rodriguez Campos had, as a 24-year-old sweatshop worker in a country torn by civil war, given up her first child for adoption to an American family. At midday Saturday they were reunited, the daughter smiling and her mother weeping.

- San Francisco Chronicle

The Human Rights Center and the Alliance of Forensic Scientists for Human Rights and Humanitarian Investigations continue to work in partnership with Pro Búsqueda, an organization in El Salvador. Using DNA technology, the project aims to reunite families torn apart by war and hold the government of El Salvador accountable for the disappearance of hundreds of children.

The project has taken the lead in training Pro Búsqueda’s geneticist who will eventually be charged with administering the DNA database comprising DNA samples from more than 800 family members seeking their disappeared children. Training sessions have taken place in California, El Salvador, and Guatemala.

In spring 2008 Chromosomal Laboratories in Phoenix, Arizona agreed to provide DNA sample analysis on a pro bono basis. The Lab is taking over the task from the California State Department of Justice Jan Bashinski DNA Lab, which for several years graciously allowed the project to use its state-of-the-art equipment.

HRC has assisted Pro Búsqueda with investigating cases of Salvadoran children who have been adopted and are living in the United States. Records at the U.S. Department of State reveal that approximately 2,300 visas were issued to Salvadoran children from 1980 to 1992, during the years of the Salvadoran civil war. In addition, the project has made headway in developing contact with organizations in Europe, where many Salvadoran children were also adopted.

PHOTO AUCTION
TO BENEFIT BURMA PROGRAMS

On April 3, 2008, HRC Advisory Board member Deborah Goldblatt and her husband Stephen hosted a photo auction in New York City to benefit HRC’s Burma human rights training and fellowship programs. An award-winning cinematographer and photographer, Stephen Goldblatt contributed 25 large-scale prints, a few of the thousands of photos he had taken during a trip to Burma in early 2007. “We are pleased to assist the work of the Human Rights Center and the courageous activists they support,” said Deborah and Stephen. The event raised over $15,000, and similar events are being planned for Los Angeles and the Bay Area in 2009.
PUBLICATIONS

The following list represents contributions to professional journals and other publications between August 2007 and July 2008 by Human Rights Center staff and affiliated researchers.

ARTICLES


REPORTS


Pham PN, Vinck P, Stover E, Moss A, Weirda M, Bailey R. When the War Ends: A Population-Based Survey on Attitudes about Peace, Justice, and Social Reconstruction in Northern Uganda. Human Rights Center, University of California, Berkeley; Payson Center, Tulane University; International Center for Transitional Justice (December 2007).


BOOK CHAPTERS


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.

What Comes First, Peace or Justice? The Role of the International Criminal Court in War-Torn Africa, Rachel Shigekane, HRC Program Director, October 13, 2007

The Gathering Storm: Infectious Diseases and Human Rights in Burma, Panel discussion, October 25, 2007

The “War on Terror” and Human Rights, Spring Colloquium 2008

Human Rights Watch International Film Festival, February 2008

Living with Fear: Unresolved Conflicts in Eastern Congo, Patrick Vinck, Director, Berkeley-Tulane Initiative on Vulnerable Populations, March 12, 2008

Realizing the Potential: Global Corporations and Human Rights, 2008 Riesenfeld Symposium, Professor David Weissbrodt, keynote, March 14, 2008

The Khmer Rouge Tribunal: Cambodia’s Best Hope for Justice, Heather Ryan, Court Monitor, Open Society Justice Initiative, March 18, 2008

Private Military Companies and New Wars: Risk, Law & Ethics, Professor Kateri Carmola, Middlebury College, April 1, 2008

The First Lawyer Inside Guantánamo, Gitanjali Gutierrez, Staff Attorney, Center for Constitutional Rights, April 10, 2008

It’s the Law, Even in War, Professor Allen Weiner, Stanford University, April 14, 2008

The Human Rights Center was honored to host journalist Peter Maass as a Regents Lecturer in Fall 2007. A contributing writer to the New York Times Magazine, Maass is author of the award-winning Love Thy Neighbor: A Story of War and a forthcoming book about the geopolitics of oil. While in residence at HRC, he gave the following talks:

The Amazon v. Big Oil: In Ecuador, Chevron Faces Judgment Day, October 29

From Saddam to Moqtada: A Writer’s Odyssey Through Wartime Iraq, November 1

In the Shadow of Armies: From Iraq to Bosnia, the Tactics and Perils of Reporting on War Crimes, November 7
“My Human Rights Center fellowship allowed me to get out into the communities I had been studying for so long and interact with real people, survivors of human rights abuses. I learned exactly which issues are most important.”

- Lindsay Harris, HRC Fellow 2007, South Africa

A cornerstone of the Human Rights Center’s activities, the Fellowship Program sponsors graduate and professional students undertaking human rights–related fieldwork with nonprofits and nongovernmental organizations worldwide. This year the program was expanded as part of the UC Initiative in Human Rights through a grant from the University of California’s Office of the President and matching funds from participating UC campuses. We are pleased to recognize the 2008 Fellows:

Gautam Bhan, Berkeley, City and Regional Planning, *urban displacement* (India)

Scott Boehm, San Diego, Literature/Cultural Studies, *mass graves and the disappeared* (Spain)

Blaine Bookey, Hastings College of Law, *corporate accountability and the environment* (Washington, D.C.)

Jack Bouboushian, Berkeley, School of Law, *monitoring war crimes trials* (Sierra Leone)

Caricia E.C. Catalani, Berkeley, School of Public Health, *human rights and health* (New Orleans)

Kathryn L. Day, Berkeley, Graduate School of Education, *literacy* (South Africa)

Philip Anthony Grant, Irvine, Anthropology, *gender discrimination* (Iran)

Cortelyou Kenney, Berkeley, School of Law, *civil liberties and national security* (New York)

Tanya Kerssen, Berkeley, Latin American Studies, *food sovereignty and poverty* (Bolivia)

Mike Levien, Berkeley, Sociology, *displacement and special economic zones* (India)

Nobuko Mizoguchi, Berkeley, Demography, *human rights and health* (Thai-Burma border)

Elissa Moon, Santa Cruz, Social Documentation Program, *disability rights* (San Francisco)

Krista Osmundson, Berkeley, School of Law, *access to medicine* (India)

Miranda Ritterman, Berkeley, School of Public Health, *reproductive health care for war-affected girls* (Angola)

Carmen Rojas, Berkeley, City and Regional Planning, *urban displacement* (Venezuela)

Layda Negrete Sansores and Roberto Hernandez Ruiz, Berkeley, Goldman School of Public Policy, *due process* (Mexico City)

Ruly Tafzil, Hastings College of Law, *human rights investigations* (Indonesia)

Jason Wallach, Santa Cruz, Social Documentation Program, *access to clean water* (El Salvador)

Read the full description of 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 Boalt Hall School of Law, the UC Office of the President, and Thomas J. White and Leslie Scalapino. A gift from the Tang Opportunity Fund, matched by the Chancellor’s Challenge, has seeded a new endowment fund for support of the Fellowship Program. Please contact Executive Director Camille Crittenden at [crittenden@berkeley.edu](mailto:crittenden@berkeley.edu) for more information or to make a contribution.
The Human Rights Center’s operating budget in 2007–08 was nearly $1.5 million, with 86 cents of every dollar going directly to support research and programs. In the coming year, we will launch an endowment campaign to raise a permanent source of funding for our activities. We recognize with gratitude the individuals and organizations listed here that have supported the Human Rights Center between July 2007 and August 2008.
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**HUMAN RIGHTS CENTER IN THE NEWS**

“Seven days after the cyclone you didn’t see UN vehicles, which normally would have been clogging the roads delivering aid. What we did see were children and families begging for food. We were able to unload rice at one monastery. Only 25% of those in need got help... there has to be UN access to the area.”

—Eric Stover, Faculty Director, Human Rights Center interviewed on CNN in Bangkok, May 21, 2008

The Human Rights Center provides data, analysis, and compelling stories to journalists throughout the world. HRC staff and affiliated scholars help develop stories on emerging issues, link reporters to key local contacts, document human rights violations, and assess court proceedings. Major broadcast and print media outlets, many working with shrinking budgets, depend upon HRC research and expertise to track human rights issues and report international news.

Few journalists were able to reach Burma in the aftermath of Cyclone Nargis, for example. HRC staff were on the ground in the Irrawaddy Delta collecting vital information about the humanitarian crisis and corrupt constitutional vote in May 2008. Among the media outlets HRC worked with this year:

- International new services: Associated Press, Reuters
- Broadcast media: CNN, Lehrer NewsHour, National Public Radio, BBC

**LOOKING AHEAD**

**ROTARY PEACE FELLOWS PROGRAM**

HRC is pleased to announce a new relationship with the Rotary Peace Fellows Program at UC Berkeley. Coordinated through International and Area Studies, the Rotary Program brings ten mid-career professionals from around the world to Berkeley for a two-year degree program. Expanding on existing ties, HRC will provide a semester-long seminar on human rights principles and research methods, as well as a lecture series to bring notable authors, academics, and practitioners to campus.

**POPULATION-BASED SURVEY IN CAMBODIA**

In fall 2008 the Human Rights Center will begin conducting population-based surveys in Cambodia to gauge the effect of the upcoming trials of Khmer Rouge leaders. Our studies will document attitudes toward the hybrid tribunal and its role in increasing trust in Cambodia’s judicial system and the rule of law.

**TECHNOLOGY CONFERENCE**

The Human Rights Center is in the planning stages of a major conference, “The Soul of the New Machine: An International Users Conference on Human Rights, High Technology, and New Media,” to be held in spring 2009. Using our position within a leading research university on the edge of Silicon Valley, we will convene human rights researchers and activists, along with computer programmers and software developers, to advance high tech applications for human rights research and advocacy. The conference will include a competition for new ideas using mobile technology.

**HRC TO HOST ELLEN JOHNSON SIRLEAF**

We also look forward to hosting President Ellen Johnson Sirleaf of Liberia on April 9, 2009, as the keynote speaker in *Bearing Witness to Atrocity*, a symposium presented as part of the MacArthur Foundation Lecture Series in International Justice.
AFFILIATED FACULTY, SCHOLARS AND PRACTITIONERS

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Richard Pierre Claude, Emeritus Professor of Political Science, University of Maryland, and Founding Editor of Human Rights Quarterly
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Phuong Pham, Payson Center for International Development, Tulane University
Harvey Weinstein, UC Berkeley, School of Public Health, and Co-Editor of the International Journal of Transitional Justice

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Boys in a destroyed village in the Darfur region of Sudan. With funding from the John D. and Catherine T. MacArthur Foundation and Humanity United, the Human Rights Center is conducting population-based surveys to determine the needs and priorities of war-torn populations in central and eastern Africa.

Page 2: Eric Stover
Page 2, bottom left: anonymous
Page 4: Chris Steele-Perkins, Uganda, 1997/ Magnum Photos
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