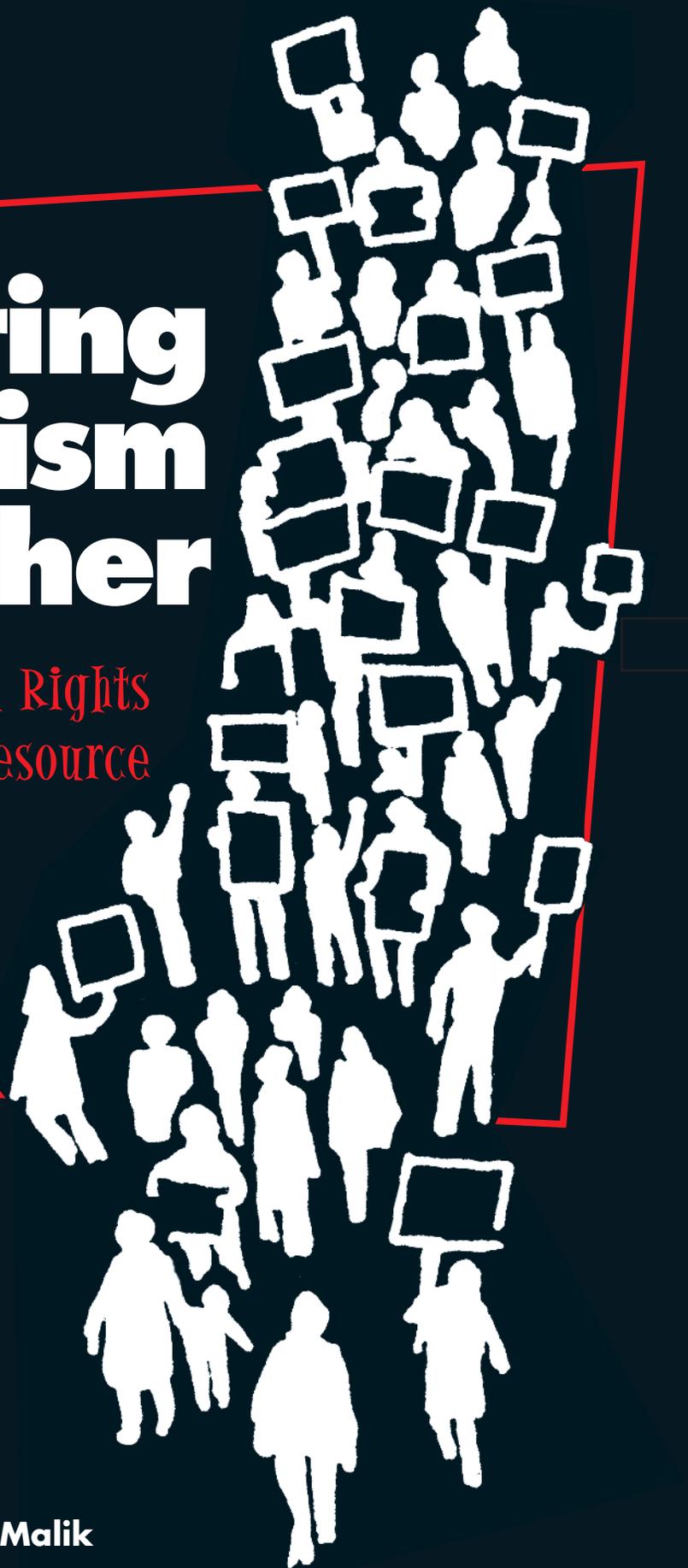


BREAKTHROUGH *presents:*

combating racism together

*A Human Rights
Education Resource*



**Charlotte Lapsansky,
Phoebe McKinney & Farah Malik**

Combating Racism Together

A Human Rights
Education Resource



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BREAKTHROUGH: building human rights culture

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FOREWORD

We at Breakthrough have created *Combating Racism Together – A Human Rights Education Resource* in order to increase awareness of racism as a worldwide human rights issue among U.S. educators and activists. We believe an international human rights approach can not only strengthen activists' efforts to organize against racism, but can also encourage individuals to challenge racism and promote human rights in their families, schools, workplaces and other institutions in their daily lives.

Much of the inspiration for this project came out of the 2001 United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) in Durban, South Africa. The conference brought together thousands of activists from around the world to discuss racism and related intolerance in all its forms, and helped to internationalize the issue of racism by focusing the world's attention on its global proportions. WCAR was the first time that members of the US and international community discussed these issues from a human rights perspective.

As a member of the US NGO Coordinating Committee for WCAR, I was particularly struck by the local/global connections we were able to make with social justice advocates from around the world. Issues like reparations, caste-based discrimination, and the self-determination needs of Roma peoples received global public attention almost for the first time. Unfortunately, the deep divisions created by long-standing Israeli-Palestinian conflict made dialogue about this issue acrimonious and ugly. The lack of US government support for the conference overall and especially its stand against reparations further undermined WCAR. What should have been a watershed event for racial justice globally became instead a missed opportunity. However, the placing of US racial justice issues into the human rights discourse continues to be of critical importance; hence, the creation of this resource.

Why Human Rights is Important

Human rights promote a vision that is based upon the principles of equality and non-discrimination, dignity, respect, tolerance, justice and peace. According to the Universal Declaration of Human Rights (UDHR), all human beings, regardless of differences based on race, ethnicity, gender, class or any other status, are entitled to the basic human dignity afforded by the enjoyment of

human rights. Therefore, no matter whom it targets or where it occurs, racism is a fundamental violation of international human rights law.

In the U.S. we have a long history of racism and discrimination. All of us in the U.S. have both benefited due to and suffered because of racism—sometimes in ways we are not even aware of. Native Americans, immigrants and African Americans are just some of the many communities who have been victims of racism since this country was first colonized. However, it is important for all of us to realize that racism is not just a problem in the U. S. but is a global epidemic that deeply wounds its victims and demeans its perpetrators. In every country in the world, racism knows no borders – it targets myriad ‘minority’ racial and ethnic groups around the world, including migrants, refugees, Indigenous Peoples, and South Asian Dalits ("untouchables"), and it contributes to heinous global practices such as human trafficking. While the specific experiences of oppressed groups may vary from culture to culture and country by country, racism is a common form of oppression perpetrated by powerful governments, institutions, and individuals everywhere.

Yet, despite the global nature of the problem, previous calls by U.S. leaders such as Malcolm X and Martin Luther King for the internationalization of anti-racist struggles were largely ignored. The time has come for anti-racist activists in the U.S. to connect our efforts to those of people in other parts of the world, and to increase our awareness of the global scope of racism.

A human rights approach to racism can be a powerful platform for creating global alliances between all those seeking greater justice in the world. Because they are a common point of reference and belong to all people everywhere, human rights allow us to address specific local issues while at the same time recognizing their links to international struggles.

Human rights enable an holistic approach to the rights and needs of all people, with the potential to foster multi-issue collaboration, and to strengthen our ability to work across race, class, culture, ethnicity, sexual orientation, religion and other identities. This approach can also help us to create important links with anti-racist struggles in other countries, using human rights as a common platform upon which diverse local and global communities can come together to create collaborative anti-racism strategies.

A human rights framework is also a powerful legal instrument that can help us hold our governments accountable for their obligation under international law to end racism. Re-framing racism as a human rights violation – instead of

as a moral imperative - can help foster a sense of 'entitlement' that will inspire people to organize and act to claim and defend their human rights.

Anti-racism activists can address civil and political rights (such as the right to vote and to equal protection before the law) while at the same time demanding recognition of our human rights in other areas of life, including our human right to non-discrimination in employment, housing, education, and health-care. Finally, and perhaps most importantly, human rights values can guide our lives and actions as individuals and help us to make a difference at the level of our own families, neighborhoods and communities.

The WCAR conference in Durban provided a seminal opportunity for activists everywhere to begin to build common ground and international solidarity in the global struggle to eradicate racism. Today, the post- September 11th world poses new challenges to the eradication of racism, even as increasing globalization makes us all the more interdependent on communities around the world. These new realities mean that now more than ever racism cannot be effectively abolished if each community addresses the issue in isolation. Enormous effort will be required by current and future generations of activists and everyday people working together at the local, national and international level.

As the poet Mary Oliver puts it, "...there exist a thousand unbreakable links between each of us and everything else...our dignity and our chances are one...We are at risk together, or we are on our way to a sustainable world together." Combating Racism Together is our way of continuing to forge and strengthen the links among us all as we work to create a just and sustainable world.



Our hope is that the readings in *Combating Racism Together: A Human Rights Education Resource Book*, along with the short companion video narrated by Alice Walker, will spark discussions among U.S. educators and activists and encourage the creation of new links between individuals and communities around the world and at home. While we face enormous challenges, we can also draw inspiration from the knowledge that because of our efforts and the efforts of those to come, the simple but fundamental idea that every human being has the right to live in dignity can finally be realized by millions of people around the world.

At Breakthrough, we believe that we all have the ability and the responsibility to promote and protect human rights. We invite you to help us create a worldwide culture of human rights based on dignity, equality and respect for all people by joining the movement that is working to end racism and promote the human rights of all people everywhere.

—MALLIKA DUTT
Executive Director



About BREAKTHROUGH: building human rights culture

Who We Are

BREAKTHROUGH: Building Human Rights Culture, is an international non-profit organization with offices in the U.S. and India. We use education and popular culture to promote values of dignity, equality and justice, and to encourage public awareness and dialogue about human rights. BREAKTHROUGH works across a spectrum of human rights issues, including racial and ethnic justice, immigrant rights, women's rights, sexual and reproductive health, caste equality, and religion and peace.

BREAKTHROUGH uses four strategies to educate and engage the public in building a culture of human rights:

1. Public education in partnership with the creative world through radio, music, art, television, theater and other communications.
2. Our interactive website, www.breakthrough.tv, which is an educational and entertaining forum packed with ideas for action.
3. Discussions, public forums and workshops that involve communities around the world.
4. Multi-media educational materials for schools, colleges, neighborhood groups and other relevant institutions.

Highlights of Our Achievements

- Wrote and published *Strength in Action: An Educators' Guide to Preventing Domestic Violence*, a comprehensive learning resource that introduces basic human rights principles; describe factors that contribute to violence in the home and its consequences; and explores prevention strategies.
- Collaborated on *Waking the American Dream*, a play by Sarah Jones about immigrant rights designed to facilitate dialogue about race, ethnicity and immigrant rights in five cities across the U.S.
- Produced *Juno for Peace*, a DVD, based on a concert for peace placing progressive Muslim voices into the American mainstream in the aftermath of 9/11. An excerpt of the DVD was shown on VH1.
- Created the first-ever Annual *South Asian Human Rights Film Festival* in the

U.S. (with the Asia Society and Syracuse University), featuring innovative and provocative documentaries and feature films about human rights in South Asia.

- Produced *Mann ke Manjeeré* (Rhythm of the Mind) An Album of Women's Dreams, a CD and three music videos released through Virgin Music addressing violence against women and human rights. *Mann ke Manjeeré* is the exuberant journey of a woman who leaves an abusive marriage and becomes a truck driver. Winner of the Screen Awards 2001 in India and nominated for the MTV Awards for best Indipop music video category.
- Produced the album, *Haman Hain Ishq* (And Love is All There Is — Sony Music) as an effort to uplift cultural voices for peace. The album and accompanying music video on religious discrimination and violence were accompanied by an art exhibition at a major museum. (with CMAC)
- Launched the *Speak Up! Act Up! For a New America* initiative to engage immigrant youth in the civic process with a focus on immigration policy and reproductive rights. Using the 2004 elections as a context to promote civic engagement, the initiative included public forums across the U.S to educate and engage youth around human rights issues of particular concern to immigrant communities as well as a national communications campaign to infuse these concerns into public dialogue and to create space for young voices in national media.
- Launched a National HIV/AIDS multimedia campaign in India, "*What Kind of Man are You?*" to focus attention on married women's vulnerabilities to the infection. The seven-language campaign consists of a music video, four PSAs, and four print ads, and was featured on TV, radio, print advertisements, movie theatres and the Internet.



COMBATING RACISM TOGETHER: Some Underlying Assumptions³

The readings, discussion and learning activities in *Combating Racism Together* are informed by several key assumptions, and it is important for educator/facilitators to be aware of what they are:

1. Human rights is a work in progress. Human rights is an evolving and dynamic discourse and human rights treaties, declarations, standards and laws are not in a completely finalized form. The participation and perspectives of women and members of racial and ethnic groups have been less than perfect, and the human rights needs and concerns of some groups, including women and indigenous peoples, have not traditionally been addressed. However, all these groups do have a fundamental right to participate in this dialogue and more of them have been asserting this right in recent global history.

2. Hierarchies of oppression are neither useful nor productive.

Although it is important to identify ways in which specific forms of discrimination and oppression are similar or different, little is gained from ranking them, debating which forms of oppression are more damaging, or which is the root from which all others grow. Just as human rights are indivisible — with each specific human right essential to the whole — violations of the human rights of different groups of people should not be evaluated according to a scale of suffering. Each form of discrimination diminishes human dignity and the human spirit, and even if one form is eliminated, others will continue to affect us all.

3. All forms of discrimination and oppression are interconnected.

Each person is a collage of many different social identities. Each person's race, class, religion, sexual orientation, ability, and gender all affect how they experience specific forms of racism and related intolerance and oppression, both as potential victims of discrimination and as potential perpetrators. Encouraging participants to explore the intersections of their different social identities and to understand similarities among the dynamics of different forms of oppression will foster inclusion, and help validate the experiences and perspectives of all participants.

4. Confronting discrimination and oppression benefits everyone.

When people are subjected to racism and related forms of discrimination and oppression based on their social group membership, their human dignity is assaulted and their talents and potential achievements are lost to all. Even if individual people are not members of a specific targeted social group, everyone has friends, co-workers or family members who are targeted by some form of discrimination. Members of dominant groups that benefit from discrimination also live with the burden of shame and helplessness, and are themselves diminished by being cut off from the perspectives and experiences of the majority of people in the world. People who are not currently members of targeted social groups may become so in the future if their physical, economic, religious or social circumstances change.

5. Assigning blame helps no one. Taking responsibility helps everyone.

There is little to be gained from being born into a social system characterized by inequality and injustice. However, everyone can take responsibility for working to end racism and related intolerance and oppression, and for confronting all forms of injustice in our everyday lives. This means that we not only take responsibility for our own actions, but also hold other people accountable for theirs. Holding someone accountable (as opposed to assigning blame) while recognizing your own role is ultimately a respectful act because you are giving that person/group the empowerment and the agency to take responsibility for their actions.

6. Confronting racism and related intolerance is both painful and joyful.

Most people do not want to believe that they have unfair prejudices and beliefs about other people. Confronting these prejudices in themselves and in others can be difficult and painful, particularly when faced with the complex realities of oppressed social groups. Confronting discrimination requires opening up to the discomfort and uncertainty of questioning what is familiar, comfortable and unquestioned. At the same time, deepening understandings of racism and related intolerance and oppression, and taking action against it in our own lives can be a joyful, liberating and rights-affirming experience.

How to Use COMBATING RACISM TOGETHER

Purpose and Objectives

Combating Racism Together: A Human Rights Education Resource, is designed as an entry point for learning and discussion about the international dimensions of racism within a human rights framework. *Combating Racism Together* aims to foster an increased understanding of racism as a global issue, increase awareness of human rights, and inspire educators and activists to use human rights to strengthen and unite local and global efforts to promote dignity, respect, equality, and justice.

Combating Racism Together:

- Encourages personal reflection on experiences of racism and related discrimination, and helps participants connect their experiences to global realities;
- Increases awareness of racism as a global issue and encourages exploration of the links between racism in the U.S. and in the rest of the world;
- Increases understanding of international human rights as a powerful tool to prevent and stop racism and other forms of discrimination;
- Promotes dialogue, ideas and strategies for action.

Who Can Use Combating Racism Together

Combating Racism Together is designed for a wide variety of individuals and groups, including:

- non-profit organizations and community-based groups;
- government organizations that hold trainings on specific issues pertaining to racism and related intolerance;
- youth leadership organizations and training workshops;
- university or high school students;
- university or high school teachers;
- social activist discussion groups;
- groups of friends or volunteers who meet regularly to discuss the issues;
- individuals who want to learn more about human rights and the links between human rights and racism and other forms of discrimination.

Some people may read all of *Combating Racism Together* on their own, while others may read portions of it and participate in discussions as part of a facilitated workshop, class or group. *Combating Racism Together* can be read and used in its entirety, or one or two specific issues can be selected to explore. However, because each of the seven issues exist in a larger global context we strongly recommend that the Foreword and Introduction to Human Rights are read in conjunction with any issue-specific sections and that readers view the entire video even if they choose to discuss only one issue.

How *Combating Racism Together* is Organized

The Video. The resource book's companion video, *Bringing Durban Home: Combating Racism Together*, is a short and compelling piece narrated by author Alice Walker that highlights each of the seven global issues of racism addressed at the 2001 U.N. World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR). The video explores racism in a global context as it affects different communities and cultures around the world.

The video and resource book are linked via the seven issue sections, each of which is organized in the same order as it is presented in the video. We encourage you to watch or show the video before doing any of the Issue lessons in the resource book. You can also use other videos and films; see the film resource guide.

Introduction. The readings in the introductory section describe BREAK-THROUGH's human rights vision and its efforts to promote this vision. The Foreword contains important information about the international dimensions of racism and human rights, and is a useful foundation for the reading in the resource guide.

PART 1: Human Rights and Racism. This section of *Combating Racism Together* introduces human rights principles and law and the evolution of the human rights approach to racism, including: a general introduction to human rights and human rights principles; a discussion of the need for individual action and the importance of fighting racism as it appears in everyday contexts; an introduction to the U.N. World Conference Against Racism; and background information on the human right to freedom from discrimination.

PART 2: Exploring The Issues. Each of the short readings in this section takes a more in-depth look at one of the seven issues touched on in the video, and highlights connections to human rights. Each reading follows the same basic format: an introduction to the issue or people involved followed by an

exploration of the human rights dimensions of the issue and an examination of how international human rights action and dialogue are being applied to bring about change. The readings also contain:

- > “*Facts with Faces*” boxes that provide statistics, facts and other info;
 - > “*Focusing In On...*” boxes that provide a deeper exploration of a particular topic;
 - > “*Intersection Connection*” passages that examine the intersections of racial discrimination and discrimination based on gender and other identities;
 - > “*What do you think?*” question prompts
- that help connect readers to the text;
 - > “*Real Life Stories*” that link the reading to current events;
 - > “*Close to Home*” boxes that help readers understand the U.S. aspects of an issue;
 - > “*More to Explore*” resource sections that provide website addresses for organizations as well as information sources.

PART 3: Resources for Educators and Facilitators. This section contains a variety of helpful ideas, suggestions and resource information that is all designed to support educators/facilitators who are planning to use *Combating Racism Together* in a workshop, with a class or in any other group. Also included is a video resource guide, with an array of documentary and feature films from around the world that supplement the themes discussed in this guide.

This section also has a Video Viewing and Discussion Guide for Facilitators. This is a quick reference to help focus and enrich the experiences of individuals and groups as they watch and discuss the video regardless of whether they are already familiar with the issues from the resource guide. It gives tips on how to facilitate a discussion on the video as well as questions and activities to encourage reflection and dialogue. The guide is particularly useful when time constraints necessitate a shorter session.

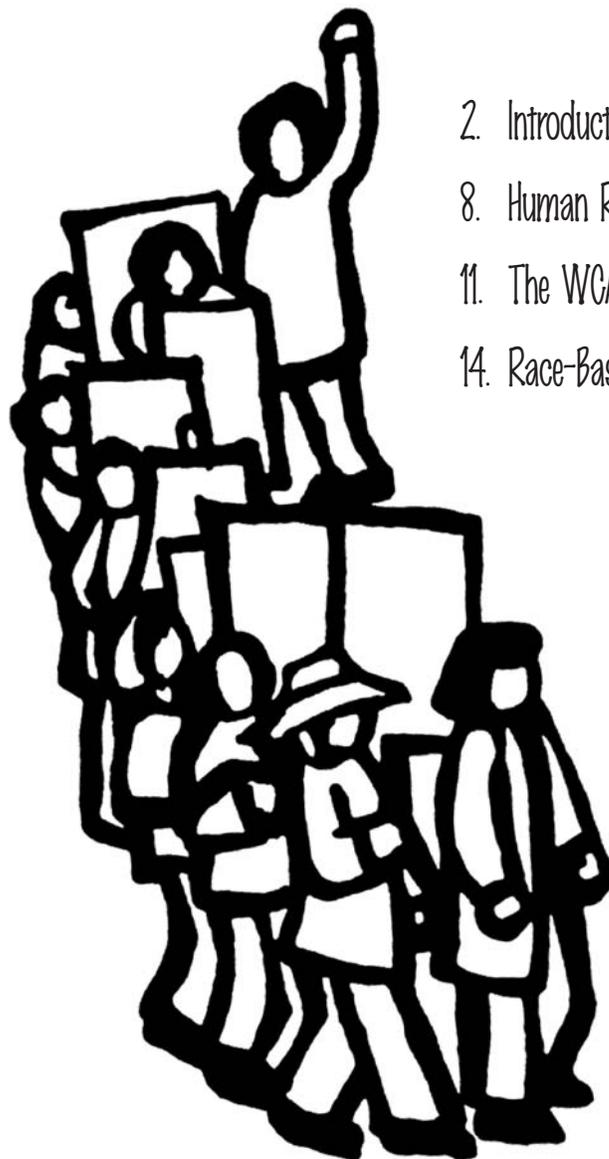
¹ Mary Robinson and Nelson Mandela, “Tolerance and Diversity: A Vision for the 21st Century,” World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, www.un.org/WCAR/e-kit/vision.htm.

² Jeff King. *An Activist’s Manual on the International Covenant on Economic, Social and Cultural Rights* (New York: Draft, Law and Society Trust and the Center for Economic, Social and Cultural Rights, 2004), 123.

³ Adapted from Maurianne Adams, Lee Anne Bell and Pat Griffen, editors, *Teaching for Diversity and Social Justice: A Sourcebook* (New York and London: Routledge, 1997), 65-66, and Julie Mertus, Nancy Flowers and Mallika Dutt, *Learning About the Human Rights of Women and Girls: Local Action, Global Change*. (UNIFEM and the Center for Women’s Global Leadership, 1999), 203-4 and 206.

HUMAN RIGHTS and RACISM

Part 1



- 2. Introduction to Human Rights
- 8. Human Rights in Our Everyday Lives
- 11. The WCAR
- 14. Race-Based Discrimination

Introduction to Human Rights



“All human beings are born free and equal in dignity and rights.”

—Article One, Universal Declaration of Human Rights, 1948

*“Human rights and fundamental freedoms
are the birthright of all human beings.”*

—Vienna Declaration, Second World Conference on Human Rights, 1993

What Are Human Rights?¹ Human rights are the rights we all have simply by virtue of being human. They protect the minimum standards that people need, not merely to survive, but to live a life of basic dignity. Human rights are the birthright of

all people and to advocate for them is to demand that the human dignity of each one of us be respected.

Underlying Principles of Human Rights²

Human rights are based on a number of fundamental underlying principles. These are:

DIGNITY. Respect for the inherent dignity of all human beings is the basis for human rights.

EQUALITY AND NON-DISCRIMINATION. Each person, regardless of race, ethnicity, gender, age, culture, faith, language, sexual orientation, language, disability, social class, or any other distinction deserves respect. Human rights afford all human

beings equal rights and responsibilities.

UNIVERSALITY. Human rights represent certain standards of dignity that are universally applicable to all governments, institutions, communities and individuals. Universality does not mean that these standards are unchanging, or that they are experienced in the same way by all people everywhere. It is important that communities from every nation are involved in a continuous dialogue to ensure that universal standards are fair and equitable for all.

INDIVISIBILITY. All human rights are equally important, and all categories of rights should be addressed in an holistic manner as an ‘indivisible body’.

INTERDEPENDENCY. Human rights form a complementary or interconnected web. The loss of one right detracts from other rights, and the promotion of human rights in one area often strengthens other human rights. The ability to vote or to participate in social change organizations, for example, is a necessary tool to advocate for human rights such as freedom of expression and association, the right to information, the right to an education, and the right to food.

INALIENABILITY. Human rights cannot be taken away, surrendered or transferred under any circumstance. You cannot lose your human rights any more than you can cease being human. Your human rights may be violated, but that does not change the fact that they are your birthright.

RESPONSIBILITY. The Preamble to the Universal Declaration of Human Rights states that, “Every individual and every organ of society, keeping this Declaration constantly in mind, shall strive... to promote respect for these rights and freedoms.” Thus the nature of human rights requires that everyone take responsibility for their active promotion and protection. This includes:

- Governments, which have a responsibility to uphold human rights for all people;
- Individuals, who have a responsibility to respect human rights and challenge institutions and individuals that abuse them;
- Corporations, organizations, schools and other “organs of society” all share responsibility for the promotion and protection of human rights.

Focusing in on . . .

The Roots of Human Rights³



The underlying principles of human rights can be found in contemporary cultures throughout the world, and the roots of human rights can be traced to early traditions and values among many cultures.

Throughout history, most people have acquired rights and responsibilities through their membership in a group such as a family, community, group, class, religion, or country. Most cultures, for example, have traditionally adhered to a version of the ‘Golden Rule’ — “*Do unto others as you would have them do unto you.*” The Hindu Vedas, the Babylonian Code of Hammurabi, the Bible, the Quran (Koran), and the Analects of Confucius are five of the oldest written texts containing principles and values that address people’s duties, rights, and responsibilities. The Inca and Aztec codes of conduct and justice, and the Iroquois Constitution are examples of Native

American principles concerning duties, rights and responsibilities that existed well before the eighteenth century. The Magna Carta (1215), or Great Charter was introduced in England as a way to make the King accountable to his subjects and to stop him from abusing his power. It was the basis for much of modern day Constitutional Law.⁴

The French Declaration on the Rights of Man and Citizen (1789), and the U.S. Constitution and Bill of Rights (1791) are also the precursors to many of today’s human rights documents. Although they excluded women, racial minorities, and members of certain social, ethnic, religious, economic, and political groups, over the years oppressed people around the world have drawn on the principles that these documents promote to demand greater dignity, equality and respect.

The Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is probably the most influential, and widely recognized statements of human rights in the world. Drafted by a body of representatives from all over the world, it was unanimously adopted by the 56 members of the United Nations (U.N.) (including the U.S.) on December 10, 1948. The UDHR was the first international document in history to mention human rights and to set forth a global vision of these rights as the “standard of achievement for all peoples and all nations.” Created in response to the genocidal atrocities of World War II, the UDHR continued a revolution in international law that began with the creation of the U.N.. The way that governments treat their own citizens became a legitimate international concern, and not just a domestic issue of concern only to the country involved.⁵

The UDHR recognizes the “...inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world.”⁶ It prohibits discrimination, stating that each person is entitled to enjoy his or her human rights without distinction as to race, color, gender, language, religion, political or other opinion, national or social origin, property, birth or any other status. Commonly referred to as the International Magna Carta,⁷ the UDHR continues to serve as an important source of inspiration and hope to people everywhere around the world.⁸ Each year, December 10th (the day the UDHR was adopted), is celebrated as International Human Rights Day.

The UDHR contains thirty articles covering a wide range of civil, political, economic, social and cultural rights, including:

- *Civil and Political Rights:*⁹ The rights of citizens to liberty and equality. They include freedom

Focusing in on . . .

The United Nations

The United Nations (U.N.) was created in response to the genocidal atrocities of World War II and founded in San Francisco in October of 1945. People around the world wanted an organization that would promote international cooperation and peace, and that would ensure that no one would ever again be denied life, freedom, nationality, food or shelter. Franklin Deleanor Roosevelt’s 1941 State of the Union Address, which described a world founded on four essential freedoms — freedom of speech and religions, and freedom from want and fear¹⁰ — reflected this call. People also wanted human rights standards that would protect people from abuse and hold governments accountable if it occurred.

The U.N.’s Charter — which China, France, the Soviet Union, the United Kingdom, the United States and a majority of other U.N. member countries ratified — states that:



- All Member States have sovereign equality;
- All Member States must obey the Charter;
- Countries must try to settle their differences by peaceful means;
- Countries must avoid using force or threatening the use of force;
- The U.N. may not interfere with the domestic affairs of any country;
- Countries should try to assist the United Nations.

Today, the U.N. continues to play an important role in ensuring that countries respect human rights. It responds to allegations of human rights violations in specific countries and makes recommendations to countries about how to improve human rights. The U.N. also provides a forum for worldwide public opinion, pressure and condemnation when a country has violated the human rights of its citizens as they are laid out by the UDHR.¹¹

to worship, to think and express one-self freely, to vote, to take part in political life, and to have access to information;

- *Social, Economic and Cultural Rights:* These are rights that ensure social and economic security, including the right to food, shelter, work and healthcare, as well as the right to one's culture.

Human Rights Covenants¹²

The UDHR has achieved the status of customary international law, and its principles have been incorporated into the constitutions of more than one hundred eighty-five countries. Three regions of the world have also used the UDHR as a model to create their own versions of human rights treaties: the European Convention on the Protection of Human Rights (1953), the American Convention on Human Rights (1979), and the African Charter on Human and Peoples' Rights (1986).¹³ However, as a declaration, (a statement of intent and principle) the UDHR is not a legally binding covenant, or treaty, and thus it lacks enforcement provisions.

However, human rights described in the UDHR are legally guaranteed by international human rights law in the form of conventions and treaties, which protect individuals and groups from actions that interfere with fundamental freedoms. It is important to note that these rights were not created or granted by these documents, but are natural birth-right-entitlements that belong to every person as a consequence of being human. Human rights law does, however, codify these rights through internationally agreed upon standards which are enshrined in agreements between countries like conventions, treaties or covenants.

In order to create mechanisms for the legal enforcement of the UDHR, the U.N. Commission on Human Rights created two treaties: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights. The ICCPR addresses issues such as the right to life, freedom of speech and voting, and the ICESCR focuses on issues such as food, education, health and

Focusing in on . . .

Treaty Ratification

Once a country signs and ratifies a human rights treaty, it becomes legally binding — the country is obligated to uphold the rights it contains, which may require modifying its Constitution or laws. In the U.S. the Senate is responsible for ratifying human rights treaties. Once a country has ratified a human rights convention, it must be willing to have its human rights record scrutinized by the international community.

housing. The UDHR, ICCPR and ICESCR all prohibit discrimination. Together with the UDHR, they are commonly known as the International Bill of Human Rights.

Though not as well known as the UDHR, these two treaties are tremendously important. Countries that ratify them are legally obligated to:

- Recognize the right of every human being to life, liberty, security and privacy;
- Protect its people by law against cruel, inhuman or degrading treatment;
- Recognize the freedom of thought, conscience and religion;
- Recognize the right of peaceful assembly and of emigration;
- Acknowledge its responsibility to promote better living conditions for its people;
- Recognize everyone's right to work, to fair wages, to social security, to adequate standards of living and freedom from hunger;
- Uphold the right to health and education;
- Recognize the right of all peoples to self-determination and to enjoy and utilize fully and freely their natural wealth and resources.¹⁴

United Nations member states have endorsed the idea of international responsibility for the universal protection of human rights. This means

that not only are countries obliged to uphold the above standards, but that, if they do fail to live up to these responsibilities it is no longer simply a matter of national policy. The international community can use the rules in behaviors agreed upon across the world to hold countries accountable for their actions.

Additional Human Rights Conventions

Since its founding in 1945, the U.N. has created more than twenty additional treaties further elaborating human rights for all people. Some prohibit specific practices such as torture and genocide, while others protect the human rights of specific groups of people such as women, children, refugees, and members of racial and ethnic groups. They include:

- The International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
- The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
- The Convention on the Prevention and Punishment of the Crime of Genocide;
- The Convention Relating to the Status of Refugees;
- The Convention on the Protection of the Rights of All Migrant Workers and their Families;
- The Convention on the Rights of the Child (CRC);
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- The Convention on the Political Rights of Women;
- The Slavery Convention.

More recently-created human rights documents reflect evolutions in thought, as well as issues and concerns, that were not in the minds of the UDHR's original

authors.¹⁵ They include the Draft Declaration on the Rights of Indigenous Peoples and the Declaration on the Right to Development.

Challenges to the Indivisibility of Human Rights

The human rights contained in the UDHR are indivisible, with all of them important to the 'foundation of freedom, justice and peace in the world.' Genuine economic and social progress, for example, cannot be achieved without the political freedom to participate in the process, including the freedom to dissent. In practice, however, many countries, including the U.S., have promoted civil and political rights such as freedom of speech, but ignored economic and social rights such as housing or healthcare as human rights concerns. Other countries, including the former Soviet Union, have promoted housing and healthcare but have tortured or imprisoned their citizens. Ideological struggles during the Cold War exacerbated this tension, or hierarchy, between the two sets of rights.

With the end of the Cold War, the distinctions between human rights have begun to fade, and the interconnected nature of our world — and of human rights — has become clearer. Several years after the fall of the Berlin Wall, many countries gathered at the 1994 U.N. Conference on Human Rights and proclaimed that "All human rights are universal, indivisible, interdependent and interrelated." This important statement brought nations from around the world closer to the original vision of the UDHR,

and tacitly acknowledged that attaining justice, equality and dignity for all people requires the realization of all human rights in every sphere of life.¹⁷

What do YOU think?

- Use the titles of the Conventions and what you already know about twentieth-century history to determine when you think each of the Conventions was created.
- You can check your dates against actual Convention ratification dates on the Internet or your local library.

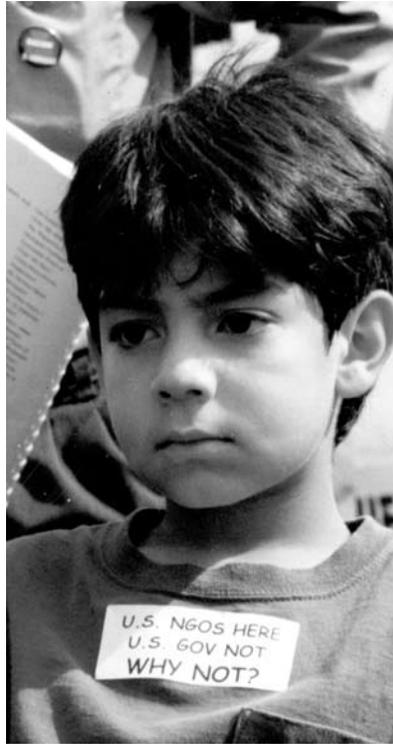
Human Rights Exceptionalism in the U.S.¹⁸

While the U.S. has historically led international calls for human rights, it has also frequently held itself above, or been outright hostile to, international human rights as they apply to the U.S. This is often referred to as U.S. exceptionalism, and many human rights proponents think that U.S. exceptionalism undermines human rights all around the world. This is because countries that violate the human rights of their citizens often justify their practices by pointing out that not even the U.S. — as the beacon of freedom and justice around the world — supports or complies with international human rights law.

U.S. conduct and policies as part of the global ‘war on terror’ are recent examples of increased U.S. hostility to human rights. This includes the arbitrary detention, ill-treatment, abuse and torture of prisoners in Iraq, Afghanistan and Guantanamo Bay, and new racial profiling practices that now target people in the U.S. who appear to be Arab or from other Middle Eastern countries.

Other examples of U.S. exceptionalism include:

- The U.S. has ratified only 5 of the more than 20 principle human rights treaties;
- While the U.S. has ratified the Convention on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial



Young protestor at rally after U.S. walkout at World Conference Against Racism (WCAR).

Discrimination, it has placed so many reservations, or limitations, on their implementation that their usefulness in a U.S. context is severely undermined;

- The U.S. and Iran are the only 2 countries in the world that continue to execute juvenile offenders;

- The U.S. and Saudi Arabia are the only 2 countries in the world that have not ratified the Convention on the Rights of the Child;

- The U.S. is the only industrialized nation in the world that has refused to ratify the Convention on the Elimination of Discrimination against Women;

- The U.S. is one of the only countries in the world that has not ratified the Covenant on Economic, Social and Cultural

Rights. This is in spite of the fact that 33 million people live in poverty, including 1 in 5 children; more than 74 million people have no health insurance; between 1 and 2 million people are homeless; and 36 million people regularly do not have enough to eat.

What do YOU think?

- Why do you think the U.S. has ratified so few human rights Conventions?
- Do you think that the U.S. should ratify more human rights

Human Rights in Our Everyday Lives



“Where, after all, do universal human rights begin? In small places, close to home — so close and so small that they cannot be seen on any map of the world.

Yet they are the world of the individual person: the neighborhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination.

Unless these rights have meaning there, they have little meaning anywhere.”

— Eleanor Roosevelt, 1958

MANY PEOPLE in the U.S. may think that human rights are only abstract laws that concern people ‘over there’ — in distant countries in other parts of the world. The lack of a human rights education in schools, as well as the non-compliance — and sometimes outright hostility — of the U.S. government to applying international human rights standards within its own borders, has contributed to

this perception. However, in reality — and as Eleanor Roosevelt’s words suggest — human rights are an important part of our daily lives at home, at school, at work, and in our organizations and communities. When we join organizations, criticize our government’s laws, or vote in elections, we exercise our human rights. When we worship — or choose not to worship — according to our beliefs, own homes, have enough to eat, and the freedom to travel freely, we exercise our human rights. When we experience racism or related intolerance, are denied work because of who we are, or are

unable to obtain adequate healthcare, we experience violations of our human rights.

Building A Culture of Human Rights

Working within a human rights framework is both practical and inspirational. Human rights uphold a vision of a free, equal, just and peaceful world, and a set of minimum standards for how governments, institutions and individuals everywhere should treat people.¹⁹ Human rights thus reflect our fundamental social values, and how we

choose to live our lives individually and with one another.

Human rights are also an empowering framework for action when these minimum standards are not met. All people have human rights, even if powerful governments, institutions and individuals do not recognize or protect them. We must all be active participants in holding governments and each other accountable for promoting, respecting and protecting human rights. Working to ensure that people everywhere enjoy their right to a life of dignity is important to building a culture of human rights. A culture of human rights can be built by bringing human rights to life on three levels – values, politics, and the law:

VALUES. Human rights come alive when we incorporate them into our lives, organizations and communities. Human rights reflect a value system that promotes a set of visionary principles²⁰ by which each person can live, and that promotes the dignity and equality of all human beings.²¹ These values can inform our social and work relationships, our religious beliefs, and how we treat each other. We can use human rights to ask, “Do we respect other people’s right to live with dignity? Do our daily practices in our families, at work, and in our communities promote dignity and equality? Do we treat the people in our lives with respect and compassion? Do we work within our communities and institutions to make sure that everyone is treated with respect?”

Human rights values can also be used to inform our social change work by helping us to remember that how we treat each other as we struggle to promote human dignity and equality is as important as the external changes we seek. At the end of the day, human rights reflect the daily fabric of our lives, and how we live as individuals and members of our communities.

POLITICS. Human rights come alive when we use them as a powerful political tool to promote change. Human rights are an empowering framework for action in the political arena to address injustice in both the U.S. and abroad. Members of marginalized or oppressed communities can use human rights, for example, to demand equality, dignity and justice, to end discriminatory policies and practices that undermine rights, and to insist on participating as equal human beings in decisions affecting their lives.²²

Finally, human rights can be used as a common vision and shared value system around which activists can organize and unite. A human rights approach can help people make connections across issues—for example, between racism and other forms of discrimination, national and global economic policies, welfare reform, transnational trafficking and abuse, inadequate education, refugees and migration. Using human rights can help identify commonalities between issues and struggles, and thus strengthen multi-issue collaboration. These collaborations based on common human rights visions can reduce the tendencies among activists to focus on single issues in isolation from each other and thus amplify the impact of social justice efforts.²³ Human rights can also help connect local and global struggles, strengthening the ongoing efforts of people everywhere to demand recognition of their fundamental and inalienable rights.

LAW. Human rights come alive when they are used to promote rights-affirming laws at the local, national and international level. Human rights law provides a means for people to set limits on government power and to demand accountability when government actions violate human rights. We can also urge state and local governments to be guided by international human rights legal norms in



designing policies that affect our communities.²⁴

The effective use of human rights requires a grounding in local, national and international law. However, people with little legal experience can easily learn about the legal protections provided by international human rights treaties.²⁵ In the U.S., activists can use human rights law to hold governments, institutions and individuals accountable for respecting human rights, and to stop human rights violations, including racism and related intolerance, when they occur. For example, local efforts to fight racial profiling by the police can be strengthened by highlighting the U.S. government's legal obligation to eradicate all forms of racial discrimination, and by demanding that local authorities comply with internationally recognized human rights laws.

Human rights can also be used to hold the U.S. and other governments accountable for social and economic conditions, including those that contribute to or create racism and related intolerance and abuse. For example, some groups

in the U.S. are using human rights principles to strengthen their demand for reform of the U.S. prison industry, which disproportionately targets African American youth. The California-based Books Not Bars (BNB) fights to redirect the state's public resources away from punishment for young people and towards opportunity for them. Their "Alternatives For Youth" Campaign recognized a long-standing human rights crisis in the California Youth Authority and sought to close these notorious youth prisons and replace them with programs and rehabilitation centers that would actually work.²⁶

While each of us may have different dreams and aspirations, and while different people may work on issues in different ways, the bottom line is that diverse struggles for justice and equality all have the human rights value of dignity of human life at their core. No matter what the issue or where the struggle, when we insist on recognition of our fundamental humanity, dignity and equality, we contribute to building a culture of human rights.

more to
explore ...



To learn more about human rights or to get involved in efforts to promote human rights education in the U.S., visit:

- The United Nations High Commission on Human Rights, whose website contains the UDHR and all other human rights conventions, at www.unhcr.cr.html;
- Breakthrough: Building Human Rights Culture at www.Breakthrough.tv;
- United Nations Decade for Human Rights Education at www.unhcr.ch/html/menu6/1/edudec.htm;
- Human Rights Education Associates at www.hrea.org;
- Amnesty International Human Rights Educators Network at www.amnestyusa.org
- University of Minnesota Human Rights Center at www1.umn.edu/humanrts/hrcenter.htm;
- Peoples Movement for Human Rights Education at www.prhre.org.

What was WCAR?



The U.N. World Conference Against Racism, Xenophobia and Related Intolerance (WCAR) was held in Durban, South Africa in late August 2001. This international conference, attended by over 15,000 people, was an important milestone in the global struggle against racism and related discrimination.

Racism is one of the greatest obstacles to true justice in today's global society and will take a large and well-coordinated effort to completely wipe out. Despite real differences among them, vibrant communities have organized to combat myriad forms of injustice, and are becoming a powerful voice for global change. Globalization and technologies that facilitate instantaneous international communication have also created opportunities for collaboration and dialogue among anti-racist and other social justice movements around the world. This has helped to strengthen international solidarity efforts and increased awareness of the connections between local realities and global trends and movements.

Human rights has proven to be a strong framework for fostering global connections across people, cultures and countries. International conferences and gatherings are effective spaces to advance global promotion and recognition of human rights, including freedom from racism and other discrimination. In recent years, United Nations (U.N.) conferences have become important vehicles for non-governmental organizations (NGOs) and communities to voice their concerns and influence national and international governmental dialogues and policies on pressing human rights-related issues. The moral weight of these international conferences, as well as media and activist pressure, frequently cause countries gath-

ered at the conferences to endorse the agreements that come out of them, and put them into effect.²⁷

WCAR was a groundbreaking conference where representatives of the international community gathered together to create a practical, action-oriented international plan to address racial and ethnic discrimination and inequity from a human rights perspective. In addition, the Forum for Non-

was possible because of the unprecedented large-scale mobilization and participation of thousands of victims of racism, who succeeded in promoting global awareness of the diverse racial justice issues faced by their communities and in putting their plight on the international agenda.²⁹ NGOs and other community leaders played an important role in lobbying government representatives to take responsibility for halting racism, xenophobia and intolerance.³⁰ Their presence at WCAR provided a critical voice that reflected the interests of communities around the world,³¹ and allowed government representatives to gain deeper insight and understanding of the negative effects of racism, xenophobia, and other forms of discrimination on peoples' human rights around the world.

WCAR helped focus the attention on and enabled the promotion of issues like refugees, health, the unique ways racism and sexism interact to deny women their human rights, repairing the legacy of slavery and colonialism, and the rights of indigenous peoples.³² It also served as an international forum for community leaders and activists to bring attention to the many diverse challenges they face.³³ Despite tensions over the walkout by the U.S. and Israel, WCAR marked an important step forward in the creation of a global anti-racism agenda — The Durban Declaration and Program of Action, which is a useful organizing tool for eradicating racism and related discrimination, especially where government policies, laws and practices perpetrate abuses.³⁴

***The WCAR Program of Action calls for:*³⁵**

- Far-reaching programs to address intolerance and discrimination against migrants, including public education campaigns and prevention of workplace bias;
- Efforts to combat intolerance against refugees;
- Monitoring and ensuring accountability for police misconduct, and the elimination of racial profiling;
- Funding for anti-racism efforts and public awareness campaigns in schools and the media;

**CLOSE
to HOME**

The U.S. Government Walk-out

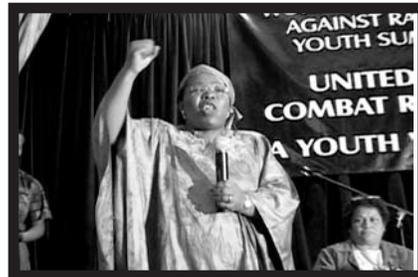
Difficult issues at WCAR threatened to breakdown the global dialogue on eradicating racism and related discrimination. The U.S. and the Israeli governments walked away from the conference over disagreements about the language in the Program of Action concerning the Israel/Palestine conflict, and a small number of individuals and organizations engaged in inappropriate anti-Israeli behavior. Despite these setbacks, the conference was considered a great success with a variety of significant lasting effects.

Government Organizations (NGO's) that ran parallel to the U.N. conference was also the first time that representatives from non-government organizations from around the world were able to take part in such large number in an international conference on racism. The conference opened a critical forum for global discussion and action by governments, activists and community leaders to propose a shared global agenda to halt multiple forms of contemporary racism and discrimination.²⁸

WCAR internationalized racism and built international understanding and collaboration for addressing racism in countries around the world. This



WCAR opened a critical forum for global discussion and action by governments, activists and community leaders. It proposed a shared global agenda to halt multiple forms of contemporary racism and discrimination.



- The collection of data disaggregated by race – an important step in identifying and addressing discrimination in health and the provision of government services.

WCAR and U.S. Anti-Racism Movements

For U.S.-based communities who attended WCAR, three key lessons emerged that have enormous potential to empower an international multiracial justice movement:

- Racism is not a black and white issue. A wide range of racial and ethnic justice issues beyond the black and white divide in the U.S. were recognized and addressed, creating a platform for discussion and international solidarity across diverse experiences of racism. U.S. activists who attended WCAR were able to create new alliances and understand-

ing across racial, ethnic and national lines;

- Racial Justice is a Human Right. Issues of racial and ethnic justice were discussed as they relate to human rights and international law. This helped U.S. activists to reframe racism in the U.S. as part of a serious global problem demanding global attention, and helped them to make connections between racism in the U.S. and around the world;
- Reaching Beyond U.S. Borders. Historically, the U.S. racial justice movement has made little effort to connect with global movements and recognize the connections between international trends and racism in the U.S.. Durban provided the opportunity for thousands of U.S. based groups to strategize about domestic issues in a global context, laying the groundwork for powerful international coalitions.

Race-Based Discrimination



When you expand the civil rights struggle to the level of human rights, you can take the case of the Black man in this country before the U.N.. You can take it before the General Assembly. You can take Uncle Sam before the World Court.

But the only level you can do it on is the level of human rights. Civil rights keep you under his restrictions, under his jurisdiction. Civil rights means you're asking Uncle Sam to treat you right. Human rights are something you were born with. Human rights are your God-given rights. Human rights are the rights recognized by all the nations of this earth.

—Malcolm X, Speech in Cleveland, Ohio, 1964³⁶

What Is Discrimination? Human rights activists around the world are working to combat race-based discrimination using human rights initiatives. The concept of discrimination is used to denote the injustices suffered by groups in all countries of the world.

Discrimination is the “differential allocation of goods, resources, and services, and the limitation of access to full participation in society based on individual membership in a particular social group.”³⁷

Racism is “a belief that race is the primary determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race.”³⁸

Racial Discrimination is “any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the rec-

ognition, enjoyment or exercise, on an equal footing, or human rights and fundamental freedoms in the political, economic, social, cultural and any other field of public life.”³⁹

Racism as a Human Rights Issue

According to the human rights framework, racial discrimination is broadly defined to include discrimination based on ethnicity, national origin, and descent.⁴⁶ (National origin means a person's ancestor's place of birth, not their current legal nationality).⁴⁷ Racism is used to justify and per-

Facts with Faces

Racism & Related Intolerance

1 in 5 people worldwide live in dire poverty; the vast majority are marginalized groups in Asia, Africa and Latin America;⁴⁰



Racism is both a cause and a product of displacement — including refugees and migrants;⁴¹



Immigration policies are often based on prejudice, leading to laws that are biased against refugees and migrants; these attitudes also contribute to violence and xenophobia against these groups;⁴²



Refugees admitted into the U.S. in 1999 included people fleeing racial and ethnic conflict in Bosnia, Somalia, the Sudan, and the Congo;



In Central America, Indigenous Peoples have less access to education and health services, are more likely to die from preventable diseases, suffer higher infant and maternal mortality rates, and experience higher levels of poverty than the non-indigenous population;⁴³



In the U.S., 24% of African-Americans live below the U.S. poverty level. Only 8.2% of whites do;



The U.S. war on drugs primarily targets African-Americans. Although more drug offenders are white than African-American, African-Americans constitute 62.7% of the drug offenders sent to state prison, and African-American men are jailed on drug charges at 13.4 times the rate of white men;⁴⁴



In the U.S. in 1994, 1 in 3 black men between the ages of twenty and twenty-nine were in prison, jail, on probation or on parole.⁴⁵



petuate power imbalances, inequality and human rights abuse in every society and every country in the world. It is a global problem that leads to violence and a range of human rights abuses. Racism negates peoples' humanity,⁴⁸ and it leads to laws and policies that marginalize and disempower certain groups, while reinforcing the privilege and power of others. Racism is also a major cause of social upheaval and conflict around the world.

Racism and related discrimination take place on both institutional and individual levels, in public and in private. Institutional discrimination occurs when a society's prejudices and discriminatory beliefs, attitudes and values seep into its institutions (including government agencies, corporations, schools and the media), and is expressed through discriminatory laws, policies, practices and treatment against people based on their race, caste, ethnicity, nationality, sexual orientation or gender. Institutional racism is "the network of institutional structures, policies and practices that create advantages and benefits for whites, and discrimination, oppression and disadvantage for people from targeted racial groups."⁴⁹ These advantages are often invisible to the communities in power. An example of institutional racism is the widespread practice of racial profiling and disproportionate sentencing and incarceration of African Americans by police and others responsible for the administration of justice.

INDIVIDUAL DISCRIMINATION⁵² is defined as the beliefs, attitudes and actions of private individuals that support or perpetrate discrimination. It can occur at both the unconscious and conscious level, and can be both active and passive. Individual discrimination is often expressed as either verbal or physical harassment or violence. For example, much of the violence that women face every day is individual discrimination, often perpetrated by their intimate partners. In fact, domestic violence is the most pervasive type of violence against women everywhere in the world.

INDIVIDUAL RACISM⁵³ is individual beliefs, attitudes, and actions that support or perpetuate racism. Telling racist jokes, using racial epithets, or

☆ REAL LIFE STORIES ☆

Racism and the U.S. War on Terrorism⁵⁰

A year-long study of racial profiling by Amnesty International USA illustrates why Congress should approve a federal law banning the practice. The problem has grown greater since the Sept.-11 terrorist attacks and too many states afford little, if any, protections for groups routinely targeted by law enforcement officials. The study found that 32 million Americans report that they have been victims of racial profiling. Yet such staggering figures are hardly stirring states to toughen laws to prevent people from being victimized based on their race, ethnicity or religion. Currently 27 states have no law explicitly prohibiting racial profiling and most of the states that have such bans don't have language that provides for effective enforcement.

Not surprisingly, the report found that incidents of racial profiling have increased since the government expanded its war on terrorism, particularly in immigration and airport security areas. Citizens and visitors of Middle Eastern and South Asian descents or members of the Muslim and Sikh faiths have become more frequent subjects of racial profiling during the last three years, according to the study. The Amnesty International report said a comprehensive federal program was the only effective way of ending the practice of racial profiling. Combating terrorism is no excuse for trampling on constitutionally protected liberties and no state should allow race-focused law-enforcement practices. Congress should act swiftly and pass the proposed federal law banning racial profiling. Furthermore, the ACLU (American Civil Liberties Union) reports that in the year after September 11th, there were over 1,300 known migrant detentions in response to 9/11. Some were held for many weeks without charges — or even deported — but none were charged with terrorism.⁵¹ Such ethnicity-based targeting is an ineffective method of law enforcement: it is more racially motivated than based on real security concerns.

believing in the inherent superiority of one race or ethnic group over another are examples of individual racism.

DISCRIMINATORY IDEOLOGIES. Discrimination can take many forms and target many different communities, including racial and ethnic groups, sexual minorities, women, and other social identity groups. While forms of discrimination may vary, they are all linked by their common roots in deep-

ly embedded discriminatory ideologies (beliefs, attitudes and values) about power and control. These ideologies — including racism, sexism, xenophobia, and ethnic and religious intolerance — are prevalent in all societies, and they perpetuate the brutal idea that some people are inferior to others and therefore not entitled to the same basic standards of human dignity. These ideologies are used by dominant groups to justify their continued domination, power and privilege over others, and to reinforce and perpetuate discrimination, inequality, violence and human rights abuse. The effective eradication of racism and related discrimination will require both changing behaviors and practices as well as challenging the role that these deeper root causes play in perpetuating racism and other forms of human rights abuse.

POVERTY. Racism denies peoples' basic human rights — (including the right to healthcare, freedom from arbitrary detentions, freedom of thought and religion, the right to education, and work) and contributes to inequalities in employment, access to land, healthcare, food, education and other social and economic opportunity.⁵⁴ In the globalized economy, those who are poor are also frequently members of racial and ethnic groups that have experienced generations of oppression, exclusion and exploitation by those in power. Economic, social and political exclusion also increases vulnerability to discrimination and violence. For example, groups targeted by racism and other discrimination often:

- have the lowest incomes and thus the least economic power;
- have the least amount of education, the worst health statistics, the least protected jobs and thus the least social power;
- are under-represented in the media and depicted in stereotypical ways, and thus have the least amount of cultural power;
- are denied the right to vote or run for office and thus have the least political power;
- are frequently denied freedom of expression and thus have the least amount of civil power.⁵⁵

These dynamics also indicate the need for a holistic or interdependent approach to human rights. For example, racism causes and exacerbates poverty, as well as social exclusion, disempowerment, and marginalization. On the other hand, people who are poor, socially excluded and otherwise disempowered and marginalized are vulnerable to the effects of racism. In human rights terms, when civil and political rights (freedom from discrimination) are violated, economic, social and cul-

What do YOU think?

- Can you think of some concrete examples of how racism violates economic and social rights?
- Do you think that promoting the human rights to food, work, housing and health-care will help alleviate racism? How?
- Can you think of specific people or groups that would benefit?

INTERSECTION CONNECTION

The Intersection of Race, Gender and Other Identities⁵⁶

In recent years, human rights and other activists have begun to recognize the particular impact that racism has on women, and have been including sex and gender in discussions about racism and related discrimination. This is because there is a growing awareness that gender discrimination is a human rights violation that intersects all other forms of discrimination. The oppression women suffer because of their race, religion, caste, ethnicity, and nationality is aggravated by the discrimination they face because of their gender. As a result, women are subjected to different and more frequent violations of their human rights than men, the result not just of racial discrimination but also of multiple forms of discrimination based on both race and gender.

While the concept of intersectionality arose out of a need to address the gender dynamics of racism, it is also applicable to other aspects of identity. For example, class, sexual orientation, language, physical ability, marital status or age can also determine a person's vulnerability to both racial and gender discrimination and thus influence how each individual experiences discrimination. For example, when women of color who are also lesbians and poor experience discrimination at work, they are likely targeted because they are women, and also because of their sexual identity, race, and class. Similarly, a migrant man who is poor and belongs to an ethnic minority is likely to face greater discrimination than a middle class white European



immigrant because of the intersection of his class and ethnic identity.

Recognizing the intersection of racism and identities such as gender, class, and sexual identity helps to create more effective strategies that address the many different ways in which racism affects the lives of different individuals. Without an intersectional analysis of racism, xenophobia and related intolerance, strategies to promote the human rights of all everywhere will not be successful.⁵⁷

Finally, an intersectional approach also helps to increase understanding of the dynamics of discrimination and oppression, power, and privilege. An older immigrant woman, for example, will likely experience discrimination differently than a young physically challenged white man, and a European-American woman may have different concerns and needs as a woman than a poor woman in India.⁵⁸ These intersecting aspects of our identity mean that all of us have points of both power and vulnerability. A well-educated black woman may feel oppression because of her gender and ethnicity, but will likely have class privilege such as better access to employment and a voice in society. Intersectionality reminds us that we all have the potential to be both victims and oppressors. We all have the responsibility to come to peoples' aid when they face oppression and simultaneously hold them accountable for power they might hold over others.

tural rights are also violated (equal access to food, work, healthcare, etc.). And when economic, social and cultural rights are violated, it exacerbates the effects of violations of civil and political rights such as freedom from discrimination.

Using International Human Rights to Fight Racism

*My goal is that when we reach the end of our deliberations in South Africa next September, we will have agreed on a ringing statement against racism which will reach out to and inspire people everywhere, and that we will have been able to agree on a practical program of action that will truly make a difference in the struggle against racism.*⁵⁹

—Mary Robinson,
Former U.N. High Commissioner on Human Rights
and Secretary-General of the World Conference Against Racism

Human rights are everyone's birthright, regardless of race, or any other distinction. Racism, which limits peoples' access to rights based on their identity, is an attack on the very concept of human rights. The human right to freedom from discrimination is fundamental to each person's ability to live in dignity — and to enjoy all their other human rights. Therefore, a human rights framework demands an end to all discriminatory laws, policies and practices.⁶⁰ Under human rights law, governments are responsible for exercising 'due diligence' in preventing both institutional and individual discrimination wherever it occurs, and no matter who commits it.

All of the major human rights documents prohibit racism and other discrimination. The Universal Declaration on Human Rights defines discrimination as:

...any distinction, exclusion or restriction made on the basis of one or more of a person's identities that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal

*footing, by that person of their human rights and fundamental freedoms in the political, economic, social, cultural, civil or other areas of public life.*⁶¹

In other words, no one should be treated differently, or have any of their rights denied, because of their race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.⁶² 'Other status' refers to a person's status as a member of a 'vulnerable group.'⁶³ This includes, for example, refugees, migrant workers, unmarried couples, parents, people with HIV/AIDS, mental and physical disabilities, sexual minorities, and poor people among others.⁶⁴ Human rights also demand that anyone who suffers any kind of discrimination has the right to seek justice and to equal treatment before the law.⁶⁵

What do YOU think?

- **Look at a copy of the UDHR. What other areas of life are protected by the human right to non-discrimination?**
- **If you were to write the UDHR today, would you include protections against discrimination in other areas of life?**

If so, what would they be?

Other human rights documents that prohibit discrimination and contain explicit provisions to guarantee that the rights they contain apply to everyone include:⁶⁶

- The International Covenant on Civil and Political Rights (ICCPR);
- The International Covenant on Economic, Social and Cultural Rights (ICESCR);
- The Convention on the Rights of the Child (CRC);
- The Convention to Eliminate All Forms of Discrimination Against Women (CEDAW);
- The Convention to Eliminate Racial Discrimination (CERD).

The provisions in these documents ensure that:

- You have the right to live without discrimination of any kind based on race (CERD);
- You have the right to be recognized as a person before the law (UDHR, ICCPR, CEDAW);
- You have the right to be treated by the law in the same way as everyone else, and to be protected by the law without discrimination (UDHR, ICCPR, CEDAW, CERD);
- You have the right to live without discrimination of any kind based on sex (ICCPR, ICESCR, CEDAW);
- You have the right to the same human rights as everyone else. These rights are inherent to being human and inalienable (UDHR).

Focusing in on . . .

CERD⁶⁷

The Convention to Eliminate All Forms of Racial Discrimination is the only human rights treaty that comprehensively addresses the elimination of all forms of racial discrimination and supports positive actions to promote racial justice and equality. Article Two requires governments to use all appropriate means to prohibit and stop racial discrimination by individuals, groups and organizations. Article Four requires governments to condemn propaganda and organizations that are founded on theories of the superiority of one race and which justify or promote racial hatred. CERD also requires that governments take positive steps to promote racial justice and equality.

What do YOU think?

- Did you know that the U.S. had ratified the Convention on the Elimination of All Forms of Racism?
- How do you think it would affect people's daily lives and organizing for racial justice if more people in the U.S. knew about this treaty?

more to explore ...



To learn more about racism and other forms of discrimination or to get involved in human rights efforts to fight discrimination, visit:

- BREAKTHROUGH: building human rights culture at www.breakthrough.tv;
- The United Nations at www.un.org, www.unsystem.org/ and www.un.org/news/;
- The Durban Declaration and Programme of Action at www.unhcr.ch/html/racism/02-documents-cnt.html;
- Amnesty International at www.amnestyusa.org;
- Human Rights Watch at www.hrw.org.

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- ⁶ Preamble, UDHR.
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- ¹² Flowers, *Human Rights Here and Now; A Guide to Understanding Human Rights: Getting Back to the Basics*; and the United Nations High Commission on Human Rights, "Leaflet No 2: Indigenous Peoples," www.unhcr.ch/html/racism/indileaflet2.doc.
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- ¹⁴ Flowers, *Human Rights for All*.
- ¹⁵ United Nations High Commission on Human Rights, "Leaflet No 2: Indigenous Peoples."
- ¹⁶ Richard Reoch, "Editors Viewpoint: Human Rights: The New Consensus in Human Rights," *The New Consensus* (London: Regency Press Ltd., 1994), 13.
- ¹⁷ Reoch, 11.
- ¹⁸ Adapted from Amnesty International, USA, "Holding Human Rights Hostage," www.news.amnesty.org/index/ENGAMR512412032003 and Minnesota Advocates for Human Rights, "US Exceptionalism Regarding Human Rights and Humanitarian Norms," www.mnadvocates.org
- ¹⁹ Flowers, *Human Rights Here and Now*.
- ²⁰ Julie Mertus, Nancy Flowers and Mallika Dutt, *Learning About the Human Rights of Women and Girls: Local Action, Global Change*. (UNIFEM and the Center for Women's Global Leadership, 1999).
- ²¹ *ibid.*
- ²² Mertus, Flowers and Dutt, Forward.
- ²³ Flowers, "Human Rights Here and Now," 3 and Pam Costain, "Moving the Agenda Forward," *Connection to the Americas* 14.8 (October 1997), 27.
- ²⁴ People's Decade for Human Rights Education and the Center for Human Rights Education, *Immigrants' Rights are Human Rights! Welfare Reform that Denies Basic Needs is a Human Rights Violation!* Leaflet.
- ²⁵ Mertus, Flowers and Dutt. 3.
- ²⁶ The Ella Baker Center For Human Rights Education, www.booksnotbars.org/page.php?pageid=20
- ²⁷ UN Cyberschoolbus, www.cyberschoolbus.un.org/unintro/unintro5.htm.
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⁴⁶ United Nations Convention on the Elimination of All Forms of Racial Discrimination, Article 1.

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⁶⁰ Mertus, Flowers and Dutt, *Local Action, Global Change: Learning About the Human Rights of Women and Girls*, Forward, v.

⁶¹ Mertus, Flowers and Dutt, *Local Action, Global Change: Learning About the Human Rights of Women and Girls*, 24.

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EXPLORING the ISSUES

Part 2



- 24. Refugees
- 32. Migration
- 39. Indigenous Peoples
- 48. Caste — Indian Dalits
- 54. Self-Determination
- 61. Trafficking
- 70. Reparations

Refugees



“Refugees fleeing from persecution, armed conflict and political upheavals come from all walks of life...

In countries with internal conflicts, no one is guaranteed safety.

Refugees are farmers, shopkeepers, students, scientists, journalists, businessmen, politicians, mothers, children, doctors, and the elderly.”¹

Who Are Refugees? Refugees are people who have been forced to leave their own nations to find safety and work in other countries. There are approximately twenty million refugees around the world who have been forced to leave their countries and seek refuge in foreign lands to escape persecution based on their race or

ethnicity, religion, nationality, membership in a particular social group, or political opinion.² Palestinians, Bosnian Muslims in the former Yugoslavia, the Roma in the Czech Republic, and the Hutus in Rwanda are examples of persecuted communities with large refugee populations.

Refugees as a Human Rights Issue

“Discrimination against refugees is the new racism in Europe and elsewhere.”⁴

—Rachael Reilly, Human Rights Watch

Refugees face many forms of racism and related discrimination in their own countries as well as in

the countries to which they flee to escape persecution. There is an intrinsic connection around the globe between increasing racism, an increased number of human rights violations and increasing numbers of refugees.⁵ In fact, racism in the form of discriminatory distribution of resources and denial of work or decent living conditions is a major factor in the human exodus around the world.⁶ The human rights violations experienced by refugees begin in their own countries, where members of persecuted groups are threatened, imprisoned, tortured and otherwise mentally and physically abused by their own governments (including the soldiers and the police who are supposed to protect citizens) and by private individuals and groups.

Racism is frequently at the root of war and other conflicts, and also exacerbates war-related suffering such as famine and disease. In addition, 'minority' racial and ethnic groups are frequently persecuted during war. In fact, war is the single greatest cause of human displacement around the world.⁷ Racism and ethnic violence has caused millions of people from Burundi, Myanmar (Burma), Indonesia, Sri Lanka, Turkey and the former Yugoslavia to flee their homes.⁸ In recent years, hundreds of thousands of refugees have also fled ethnic cleansing in Rwanda and Bosnia.

Racial discrimination often leads to or exacerbates poverty, and the resulting inability to meet basic needs forces many people to leave their homes. Although considered 'economic migrants' rather than refugees, many argue that extreme poverty creates as acute a need to flee as persecution alone. Finally, members of opposition and trade union groups who are also members of oppressed racial or ethnic groups and who speak out against government practices are frequently targeted for persecution and forced to flee.

INTERSECTION CONNECTION

Women as Refugees

WOMEN ARE FREQUENTLY persecuted both because they are members of oppressed racial, ethnic or religious groups and because they are female. Women face a double risk for violations of their human rights based on their intersecting identities. For instance, racism and sexism combine to make women vulnerable to being uprooted, and increase their chances of additional discrimination, poverty, disease and violence once they flee.¹ Other cross-cutting factors such as age, disability, sexual orientation or socio-economic status can compound women's vulnerability to discriminatory persecution and abuse. For example, individuals who belong to targeted racial, religious or ethnic groups and who are sexual minorities are at risk for extreme discriminatory violence, especially if they do not conform to social and cultural gender norms.

Facts^{with}Faces

The Global Horizon

In 1951, there were 2.1 million refugees; in 2000, there were 14.5 million. As of January 1st, 2004, the U.N. High Commissioner for Refugees (UNHCR) estimates the number of refugees worldwide to be 17.1 million;



Refugees tend to be concentrated in particular regions of the world that have experienced political upheavals, wars, and humanitarian disasters. This includes the Middle East, former Soviet Union countries, and Africa;



80% of the world's refugees are women and children



3 countries — Sudan, Afghanistan, and Angola — are the source of more than one-fourth of the world's uprooted population;



70% of all refugees come from ten countries/territories;



Half of all refugees are Palestinian, Afghani and Iraqi;



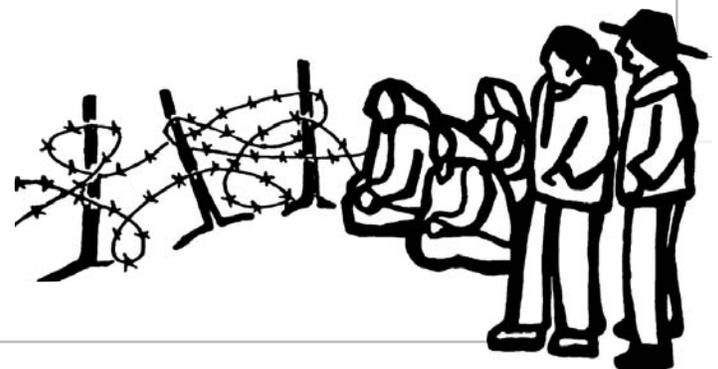
The African continent is frequently the world's most volatile continent, with refugees fleeing regional war, civil war, armed insurgencies, and violent political chaos;



In 1999, over 80,000 refugees were admitted to the U.S. and an additional 41,277 people applied for asylum;



In 1999, the largest number of refugees in the U.S., 22,697, was from Bosnia. The second largest group of refugees was from the former Soviet Union, 16,922. The third largest group to be admitted was from the Kosovo crisis, numbering 14,156. Vietnamese, at 9,863, represented the fourth largest refugee group. Refugees admitted into the U.S. in 1999 included people from the former Soviet Union, Bosnia, Kosovo, Vietnam, Somalia, Liberia, the Sudan, Cuba, Iraq, Congo, and Iran.³



☆ REAL LIFE STORIES ☆

Racism Against Refugees

- U.S. refugee advocates recently decried the denial of parole to a nineteen-year-old Haitian asylum seeker. He has been held in detention in Miami for nearly two years, is among the youngest and longest held Haitian detainee, and his prolonged detention is taking a significant toll on his mental health.²⁰
- In October 2001, Australian Defense Forces violated the rights of 421 asylum seekers, mainly from Iraq, but also Iran, Afghanistan, Palestine, and Algeria, that had been crowded onto an Indonesian fishing vessel. Even though the U.N. had given them refugee status, when the boat sank it took days for the international community to take note. The Australian officials detained most survivors under inhumane conditions, beat several of them with batons, and used unnecessary force against refugee families. After being refused entry to Australia, the asylum seekers were arbitrarily detained and denied access to legal assistance. Others were warehoused in camps in Indonesia.²²
- Moroccan migrant children in Spain are frequently beaten by police and abused by staff and other children in overcrowded, unsanitary residential centers. Spain also expels children as young as eleven to Morocco, where police sometimes beat and abandon them.²¹

What do YOU think?

- Think about what's going on in the world right now — where will most of the refugees seeking asylum next year come from?
- What will cause them to flee?
- Do you think they will be accepted by other countries?
- Why or why not?

Although the 1951 Refugee Convention does not address persecution based on gender, a growing number of countries in recent years have begun granting asylum to women on the grounds that certain violent and discriminatory acts against them, including rape and domestic violence, constitute persecution as defined by the Refugee Convention. Paving the way for this new policy, the U.S. government recently granted asylum to a 19 year old Mexican woman due to persecution by her abusive father.¹ The U.S. High Commission on Human Rights also encour-

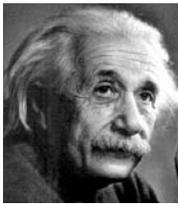
ages countries to ensure that international trafficking victims — including women who have been forced into the sex industry — have the opportunity to seek asylum.

Refugees also face racism in their host countries. A large percentage of the world's refugees are from Africa, the Middle East, Latin America, Asia and the Caribbean. All too often, a refugee who is also a person of color in their new country faces the same discriminatory treatment, low wages, poverty, and unequal access to education and healthcare faced by non-immigrant people of color. As foreigners, or 'outsiders,' refugees also face xenophobia, or hatred toward foreigners.

In recent years, refugees in Western Europe, Great Britain and Australia have increasingly been targets of racist and xenophobic attacks and harassment.¹⁰ Negative and inaccurate portrayals of refugees have contributed to the hostile climate against them, and xenophobic and inflammatory statements by political leaders depicting refugees as a threat to security, economic stability and social peace, have contributed to increased attacks and harassment.¹¹

Focusing in on: Famous Refugees

A short list of famous refugees who have made significant contributions in their adopted countries.¹⁶



ALBERT EINSTEIN
scientist



MADELINE ALBRIGHT
former United States
Secretary of State



MARC CHAGALL
painter



MARLENE DIETRICH
actress



ISABEL ALLENDE
writer



IGOR STRAVINSKY
composer



THE DALAI LAMA
religious leader

Many countries, including the U.S., detain and jail refugees and asylum seekers who arrive without valid documents.¹³ Other countries ‘warehouse’ refugees in camps, where their lives are perpetually on hold for up to decades at a time.¹⁴ Refugees also face discrimination based on their country of origin. For example, the U.S. almost always grants asylum to Cuban refugees, yet has mostly denied asylum to refugees from El Salvador and Guatemala who fled right wing governments supported by the U.S.¹⁵

Although countries that have ratified the relevant treaties are obliged under international law to accept refugees (see “Using International Human Rights to Fight for Refugees” for more on relevant treaties), more and more countries have introduced restrictive policies and practices¹⁶ that retreat from their obligations. Other countries have closed their borders to refugees altogether, forcing them to return home to face more persecution or even death. Thousands of refugees were forcibly returned during 2003 even as hundreds of thousands more were newly uprooted. Refugees continued to languish in exile without hope but, in some cases, significant numbers were able to return home.

Using International Human Rights to Fight for Refugees

Activists are using human rights statutes to stop racism against refugees. Refugees are entitled to the same civil, political, economic, social and

What do YOU think?

- What kinds of prejudice and discrimination do you think these famous refugees faced in their home countries or in the countries where they fled?
- What do you think would have happened to them if they hadn’t been accepted as refugees?
- What would be different today?

cultural rights as everyone else as guaranteed by the Universal Declaration of Human Rights (UDHR) and other international human rights conventions. This includes freedom from discrimination based on race, color, gender, language, religion, nationality, ethnicity, or any other status. The UDHR also affords people the right to “seek and enjoy in other countries asylum from persecution.”²⁶ Other rights in the UDHR that protect refugees include:

- Equal protection of the law, equal access to the courts, and freedom from arbitrary or prolonged detention;
- Freedom of movement, to choose one’s own residence, leave from and return to one’s country;
- Nationality.

Refugees are also protected by the 1954 Refugee Convention, which contains rights that are specifi-

Facts with Faces¹⁸

Refugees and Displaced Persons Around the World

Some major developments affecting refugees and displaced persons in 2003:

Thailand – Authorities deported about 120,000 Myanmarese, delivering about 4,800 directly to Myanmar authorities, including 120 Karen refugees associated with the resistance who held UNHCR identification documents. Those deported informally were not screened and included pro-democracy activists, labor rights organizers, and members of persecuted ethnic minorities.



Colombia – A new government military offensive caused 230,000 people to become newly displaced. Panama forcibly repatriated more than 100 Colombian refugees including some it had earlier granted Temporary Humanitarian Status.



Venezuela – Security forces said they expelled more than 15,000 undocumented Colombians, half of whom may be asylum seekers, because the country lacked an asylum system sufficient to handle the more than 182,000 refugees in the country.



China – Authorities forcibly returned about 7,800 North Korean refugees and denied UNHCR access to more than 100,000. North Korea typically punishes illegal departure with several months forced labor in prison camps. Those who met with Christians or South Koreans while abroad may be executed.



Malaysia – In August, police blocked the entrance to UNHCR's office in Kuala Lumpur and arrested nearly 300 mostly Acehnese asylum seekers from Indonesia, causing UNHCR to close its office. In September, police raided an Acehnese camp near Limau Manis and arrested about 400 more. Authorities forcibly returned about 600 during the year.



Sudan-Chad – Conflict in Sudan's western Darfur region uprooted about 800,000 civilians from their homes, including nearly 100,000 who fled into the deserts of eastern Chad where international assistance was slow to arrive.

Iraq – Iraqi Kurds displaced due to earlier Arabization policies returned to their homes, displacing some 100,000 in the north. More than 11,000 Kurds, including returning refugees and internally displaced persons, sought refuge in public buildings and mud huts in Kirkuk. Baghdad landlords evicted thousands of Palestinian and Syrian refugees. The U.N. evacuated in November following an escalation of violence, leading UNHCR to ask host countries to postpone repatriation of Iraqis.



Afghanistan – Despite continuing insecurity, some 613,000 refugees returned from Iran and Pakistan. In November, gunmen shot and killed a UNHCR worker in Ghazni, injuring her driver.



Angola – From June to November, some 130,000 refugees returned after twenty-seven years of civil war.



United States – The administration expanded its detention of asylum seekers throughout their proceedings using nationality-based criteria, starting with Haitians; in March, the government announced Operation Liberty Shield, imposing blanket detention on asylum seekers also arriving without proper documents from more than 30 unnamed countries.¹⁹



cally linked to their status as refugees.²⁷ The Refugee Convention has been ratified by one hundred and forty countries, including the U.S.²⁸ According to the Refugee Convention, countries must accept people seeking asylum when their governments are either unwilling or unable to protect them. Receiving countries are also prohibited from discriminating against asylum seekers based on their race, religion, ethnicity or national origin. The human rights of refugees to work, to healthcare and to an education must be respected by their host country.²⁹ It is also illegal to force refugees to return to their countries where they risk additional persecution, torture, and even death.³⁰

Despite significant obstacles, international human rights law has been used to protect thousands of asylum seekers each year. The human rights framework is also a powerful tool for creating legal and moral pressures on countries to continue to accept refugees and to re-commit to protecting them within their borders. The United Nations and other national and international advocacy organizations not only provide humanitarian assistance to refugees, but also work hard to protect their human rights.³¹ Refugee advocates urge govern-

**CLOSE
to HOME**

Shutting the Door Post-September 11th

Since the tragic events of September 11th, the U.S. has implemented anti-terrorism legislation that restricts the ability of refugees to leave their country and seek asylum abroad.²³ The government has denied asylum applications from Muslims and people of Arab origin on the grounds that they may be “terrorists” or pose a “security risk.”²⁴

Increased security clearances have also created an enormous backlog of asylum applicants from certain designated countries, particularly in the Middle East. As of September 2002, 31,000 refugees were still waiting to get security clearances although no refugee has yet been found to have links to terrorists.²⁵

INTERSECTION CONNECTION

Sexual Orientation

Some countries have begun to accept sexual orientation as a legitimate basis for asylum. Like persecution based on gender, persecution based on sexual orientation is also not explicitly protected by the 1951 Refugee Convention, but the international community has begun to recognize that people face serious discriminatory violence and persecution from governments and individuals because of their sexual orientation. The United Nations High Commission on Refugees has stated that sexual minorities who are forced to flee their countries, and whose governments failed to protect them, are refugees and should be granted asylum.¹

ments to respect their obligations under international law and campaign for increased funding to ease refugees' access to their human rights to food, healthcare and education. The international community is also working towards a better understanding of the root causes of displacement in order to create long-term solutions that will prevent new flows of refugees. Importantly, there continue to be victories for individual asylum seekers.

Refugee Rights at WCAR

Refugee rights and anti-racism advocates have used international gatherings as opportunities to bring global attention to the human rights of refugees. Advocates at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) called attention to human rights as the key to promoting human dignity of refugees and other marginalized communities.³³ Participants called on governments to stop discriminating against refugees and to reinforce existing protections for them.³⁴ They also urged governments to address the urgent problem of racism and xenophobia, create programs to combat intolerance,

A Human Rights Victory³²

A U.S. federal appeals court has ruled that an Afghani woman who fled to Germany and then to the U.S. seventeen years later when her family was threatened by neo-Nazis, is eligible for political asylum in the U.S. The case is an unusual instance of a U.S. court finding government-sanctioned persecution in a Western European country.

Zakia Mashiri fled the Soviet Invasion of Afghanistan in 1979 and joined her husband Farid in Germany. Both were granted asylum and became German citizens. After the Berlin Wall fell, they began experiencing xenophobic violence. Their apartment was ransacked, their children attacked at schools, and Farid was beaten by passengers in his taxi. "Heil Hitler" was shouted by mobs and included in a death threat left on their car. German authorities provided little help — school officials took no action to pro-

tect the children, and police did not arrest anyone in the attacks. When their fourteen-year-old son was followed home and badly beaten by four neo-Nazis, the police told Zakia that foreigners had to take care of themselves.

At first, a U.S. immigration judge decided to deport the family, arguing that they could have safely relocated to another part of Germany. However, an appeals court ruled that Zakia had been told of anti-foreigner violence all over Germany — accounts backed up by U.S. State Department reports. The appeals court found that Zakia Mashiri offered a "credible account of a death threat, violence against family members, vandalism, economic harm and emotional trauma" amounting to persecution that the German government failed to prevent, and granted them asylum.

and address the underlying causes of human upheaval.³⁵

The conference focused attention on discrimination against refugees and asylum seekers as a contemporary form of racism. It helped promote greater global recognition of the links between racism and its resulting human rights violations

and refugees. The conference also helped U.S.-based and other racial justice movements make connections between their own struggles against racism and the discrimination faced by refugees. Participation of refugee communities at WCAR highlighted that the global fight against racism is incomplete if it does not address xenophobia.³⁶

more to
explore ...



To learn more about refugees or to get involved in efforts to support their human rights, visit:

- The American Refugee Committee at www.archq.org/;
- The International Rescue Committee at www.theirc.org/;
- Refugees International at www.refintl.org/;
- U.S. Committee for Refugees at www.refugees.org/;
- The United Nations High Commission for Refugees at www.unhcr.ch/html.

- ¹ InterAction American Council for Voluntary International Action, www.interaction.org/refugees/fact.html.
- ² Convention Relating to the Status of Refugees, 189 U.N.T.S. 150, entered into force April 22, 1954.
- ³ Human Rights Watch, "World Conference Against Racism Backgrounder," www.findarticles.com/p/articles/mi_mOFQP/is_4577_131/ai_83928220.
- ⁴ Rachael Reilly, "To Help Refugees, Fight the Racism Behind Them," Human Rights Watch, www.hrw.org/campaigns/race/background0727.htm.
- ⁵ United Nations High Commission for Refugees, "Fact Sheet No. 20, Human Rights and Refugees," www.unhcr.ch/html/menu6/2/fs20.htm.
- ⁶ *ibid.*
- ⁷ U.S. Committee on Refugees, "50 Years Later: Refugee Flight on the Rise, International Support Warning," www.refugees.org/world/articles/50years_rr01_5.htm.
- ⁸ Reilly, www.findarticles.com/p/articles/mi_mOFQP/is_4577_131/ai_83938220.
- ⁹ w3.uchastings.edu/cgrs/campaigns/update.htm and www.cwfa.org/articledisplay.asp?id=6209&department=CWA&categoryid=family.
- ¹⁰ Human Rights Watch, "World Conference Against Racism Backgrounder."
- ¹¹ *ibid.*
- ¹² www.pbs.org/itvs/fromswastikatojimcrow/racism1.html.
- ¹³ Human Rights Watch, "World Conference Against Racism Backgrounder."
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- ²⁶ Universal Declaration of Human Rights, Article 14.
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- ³³ Arnolde Garcia, "Racism, Immigrants and their Discontents," National Network of Immigrant and Refugee Rights, Network News (Spring 2001).
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Migration

“There is no continent, no region of the world which has no migrants within its boundaries.

Every country has become a country of origin, transit or destination of migrants.

Many are all three.”¹

Who are Migrants? Migrants are people who move within and across national borders, often in search of better jobs and living conditions than can be found in their home countries. Immigrants, like those in the United States, often make up a significant portion of the low-wage workforce. Migrations — both large-scale population movements and the migration of individuals and families — have defined and

created history for thousands of years. In a sense, the majority of all humans are immigrants or descendants of immigrants.

There are over 150 million immigrants in the world today, that is, 1 out of every 50 people worldwide is an immigrant.² Yet, contrary to popular beliefs, the U.S. receives less than 2% of the world’s migrants on an annual basis³ and the majority of undocumented immigrants don’t enter the U.S. by crossing a border “illegally.” Most enter with temporary visas and become “illegal” when they stay in the U.S. after their visa expires.⁴

There are some cases in which large migrations have had a destructive impact on the countries in

which the migrants settle. European immigration to the Americas wiped out over 90% of the Native American population.¹⁴ In other instances, as is the predominant case today, migration has been a peaceful process, with immigrants posing no threat to their host countries and often making invaluable contributions to the community and economy. For example, in the U.S., immigrants are an increasingly vital part of our work force, performing many essential jobs that American’s are often unwilling to do. They fill necessary vacancies in our workforce. In fact, most of Europe, Japan, South Korea, the Russian Federation, and the U.S. face declining working age populations and need “replacement” migrants to replace those retiring from the work-

force.¹⁵ Thus, as the “baby boomers” reach retirement age, we will become increasingly dependent on immigrant labor to take their place.¹⁶ Immigrants contribute over 10 billion dollars a year to the U.S. economy and pay over 130 billion in taxes, helping to finance the cost of schools, health care, roads and national defense.¹⁷

What do YOU think?

- **Globalization has resulted in even closer connections between the economies and cultures of distant countries. As companies become increasingly multi-national how do you think migration patterns might change?**
- **Where will jobs — and therefore people — move?**

Migration as a Human Rights Issue

Migrants are often in need of human rights protections. Despite the positive contributions of immigrants, migrants can find themselves vulnerable to human rights violations due to their low status. Human rights violations in the migrant’s home country often provided the motivation for migration in the first place. Poverty, environmental degradation, and racial and ethnic discrimination are strong motivating factors for migration. These are violations of one’s rights to equality and freedom from discrimination, right to personal security, rights to work and to adequate living standards.

Labor migration occurs largely from poorer to more prosperous regions and from less developed to developed countries. The process of globalization has increased economic inequalities among countries, compelling people in the developing world to migrate to escape poverty, scarcity of employment and other violations of their economic human rights.¹⁸ Sometimes labor migration is a forced or violent process, as is the case for over 30 million women and children who have been trafficked from

and within Southeast Asia since 1990 to work in the sex industry and in sweatshops.¹⁹ This is a violation of Article 4 of the UDHR, which declares the right to freedom from slavery.

In host countries, immigrants are vulnerable to discrimination by the state, by employers and by individuals. Immigrants often work for the lowest wages in unsafe conditions and face racial discrimination from community members. They

Facts with Faces

The U.S. and Immigration

The ACLU reports that in the year after September 11th there were over 1,300 known migrant detentions. Some were held for many weeks without charges and many were deported. None were charged with terrorism;⁵



Heightened enforcement of the U.S.-Mexico border since 1994 has resulted in close to 3,000 reported border deaths. In 2002, at least 1 migrant died along the border every day;⁶



Immigrants add over 10 billion dollars a year to the U.S. economy;⁷



A typical immigrant family pays an estimated \$80,000 more in taxes than it will receive in government benefits;⁸



Immigrants and citizens live together in families: 85% of immigrant families with children are mixed-status families (families in which at least 1 parent is a non-U.S. citizen and 1 child is a U.S. citizen).⁹



can even be subject to arbitrary arrest and detention at the hands of the Federal government, as in the case of Arab, Muslim and South Asian immigrants in the wake of the September 11th terrorist attacks.

Racism also plays a role in determining which immigrants a country admits. For example, in 1996, the U.S. Border Patrol stopped about 91% of undocumented immigrants from Mexico, but only 28% of undocumented immigrants from Canada.²⁰ Immigrants also face a high degree of racism in their new countries. Immigrants rely disproportionately on low-paying jobs, where they are often forced to work for long hours, in poor working conditions and are paid below the legal minimum wage.

CLOSE
to

Immigrants in the U.S.

Despite the obvious economic benefit immigrants bring to this country, current U.S. immigration policies unrealistically limit the number of immigrants granted legal admission, thus forcing mil-

INTERSECTION CONNECTION

As of 2001, Immigration and Naturalization Service (INS) had detained about 5,385 unaccompanied children who had run away or were smuggled by friends to join family members in the U.S.²⁶ Many of these children may have been victims of racial abuse, torture and persecution, yet the INS often treats them like delinquents. Additionally many orphaned children might face violations of their rights to housing, health and education and their relative lack of power in society makes them even more vulnerable to forced labor.



lions to work here without legal status or the full protection of their rights. Although many people think that immigration to the U.S. has been steadily rising, in reality, the rate of immigration in the 1990s was about a third the rate it was at the beginning of the twentieth century.²¹

While some people may think that immigrants steal the jobs of local workers and bring down wages, in reality, studies show this is not the case.²² Rather, immigrants do the work that local people reject and provide valuable skills to local economies. Others might think that immigrants take advantage of social services including welfare benefits offered by their host countries. In reality, they are typically young, enterprising and hard working; immigrants want to earn as much as possible (often to send money home), and do not want to just get by on welfare. As taxpayers, immigrants make a net contribution to the government budget. In fact, a typical immigrant family pays an estimated \$80,000 more in taxes than it will receive in government benefits.²³

In spite of their enormous contributions, undocumented working immigrants in the U.S. are at

Focusing in on . . .

Four Great Migrations in World History¹⁰

1. The Trans-Atlantic Slave Trade was a massive forced migration and one of the largest migrations of labor in human history;
2. From Europe to the "New World": Between 1840 and 1900, 26 million Europeans left Europe for overseas destinations and another 24 million left before World War I. Of those, 72%, or 37 million, came to North America;¹¹
3. The end of the Second World War witnessed massive population movements within Europe. After the post-War reconstruction was completed, millions of people from the Third World migrated to Europe to meet the increased demand for labor;¹²
4. The largest mass migration in human history occurred during the partition of British India and the formation of Pakistan in 1947. Between 12 and 14 million people are believed to have crossed borders during this process.¹³

great risk of human rights violations. Living in fear of local law enforcement and unable to seek legal recourse for violations they face, they are vulnerable to discrimination, unhealthy working conditions, and other inequalities — all violations of the human rights principals the U.S. was founded upon.

Using International Human Rights to Fight for Migrants

Worldwide, there are local opportunities to provide migrants with the protections of human rights law. Migrants and their families are entitled to the same human rights that all people are entitled to in the Universal Declaration of Human Rights (UDHR) as well as in human rights Conventions such as the:

- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;²⁸
- International Covenant on Economic, Social and Cultural Rights;²⁹
- International Covenant on Civil and Political Rights;³⁰
- Convention on the Elimination of All Forms of Discrimination Against Women;³¹
- Convention on the Rights of the Child.³²

Advocates have used human rights law to remind policy makers that migrant workers have the right to:³³

- Work and receive wages that contribute to an adequate standard of living;

INTERSECTION CONNECTION Migrant Children

Migrant children, especially girls, face multiple forms of discrimination on account of their immigrant status and their vulnerability as minors as well as other factors such as gender, class and race. Migrant girls are particularly susceptible to rape and other forms of sexual violence. These cases of abuse are often not reported due to fears of deportation, racism, sexism, and xenophobia by authorities or retaliation and stigmatization by the community. Even when reported, low-income immigrants do not have the money (or the benefit of social concern) to bring their perpetrators to justice. Children are further susceptible to manipulation and degradation, due to their dependent state both in the eyes of the law and in society at large.

When migrant children are detained and imprisoned, they are doubly at risk. Although international standards say that children should be imprisoned separately from adults



and girl children should have women guards, this has not been the case in many detention centers resulting in conditions that are particularly unsafe for girls. Studies show that children held in adult jails are eight times more likely to commit suicide than those held in juvenile detention centers.²⁴

One former inmate of the Panchito López juvenile detention centre in Paraguay, known for its horrific abuses reported: “for punishments there were beatings on the soles of the feet or on the palms of the hands, or kicks in the stomach. Boys were stripped naked and hung upside down on the patio and beaten with sticks, or else they made you stand on your hands up against the wall. You had to stay like that for as long as they wanted, if you fell down they beat you. They’d hang you from a pillar or from the doorway. They hung me up for three hours, and all the guards that passed by hit me. If someone does something and they don’t discover who, everyone in the block is beaten with sticks.”²⁵

A Sixteen-year-old Asylum Seeker

Excerpt from Amnesty International Report²⁷

EDWIN WAS BORN in Honduras and his mother abandoned him shortly after his father died. He was only four years old at the time and ended up living with a cousin who abused him and forced him to work in the streets and give him the money.

“When I didn’t earn enough money, he punished me, beating me with a noose, car tools, and other objects, leaving scars on my body.” He was afraid to go to the authorities because his cousin threatened to throw him onto the street, and he believed that the police would not protect a child like him. He was also afraid of living on the streets because he had heard that the authorities and gangs kill children living in the streets.

When he was thirteen, he set off for the United States: “I had heard such wonderful things about the U.S. and how children were better treated here.” He walked, begged, and worked for food to get to the U.S. Upon crossing the border he was arrested and detained. He was housed at the San Diego Juvenile Hall for almost six months, and reports he was mistreated

by both guards and juvenile offenders.

“The officers did not know why I, or any of the other children picked up by the INS were there. They treated us the same as the others, as criminals. They were mean and aggressive and used a lot of bad words.(...) Many of the other boys were violent, frequently looking for a fight.” He was transported in full shackles during transfers and trips to court.

After winning his asylum case, he left the jail for the last time, to be taken to a foster family. Again, he was transported in shackles. When he asked the INS officer why he needed shackles, he was told that it was to prevent his escape. He challenged the fact that he might try to escape since he had won his asylum. The officer allegedly responded that asylum is “just a piece of paper we can rip up, put you in jail and send you back to your country.” Edwin was held in detention for eight months before being released.



- Freedom from discrimination in all aspects of work;
 - Freedom from discrimination in access to housing, health care and basic services;
 - Equality before and equal protection by the law — including labor — regardless of legal status;
 - Equal pay for equal work and an adequate standard of living;
 - Freedom from forced labor;
 - Protection against arbitrary firing;
 - Return home if the migrant wishes;
 - Safe working conditions and a clean and safe working environment;
 - Reasonable limitation of working hours, rest and leisure;
 - Freedom of association and to join a trade union;
 - Freedom from sexual harassment in the workplace;
 - Protection for migrant children from economic exploitation and hazardous work;
 - Education.
- Migrant workers’ movements have used human

rights to make great strides over the last decade.³⁴ They have emphasized that the process of globalization has increased economic disparities among countries and, as a consequence, the incidence of labor migration from poorer to more prosperous regions.³⁵ These developments make it all the more imperative that governments and international organizations protect migrant workers and their families from racial discrimination and xenophobia, provide safeguards against their exploitation in the workplace and ensure that migrant workers have access to healthcare, education and other benefits on equal footing with citizens.

In July 2003, migrant rights advocates won a great victory for human rights with the ratification of the International Migrant Rights Convention. This document calls for the protection of the human rights of migrant workers and their families at all stages of migration – including before they leave their home country up to their integration into host countries.

Migrants Rights at WCAR

On the worldwide stage, the plight of migrants has become more and more visible. Before the victory of the ratification of the Migrant Rights Convention, advocates asserted their presence at the 2001 U.N. World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) in Durban, South Africa. This was an unprecedented opportunity for immigrant rights groups in the U.S. and worldwide to come together and discuss these issues at a global level.

Advocates for immigrant rights at the WCAR emphasized:

- the protection of human rights for all immigrants regardless of their legal status;
- the links between racism and xenophobia, and;
- anti-immigrant racism and discrimination in a range of areas: housing, welfare, employment, immigration enforcement and hate violence.

more to
explore ...



For more on migrants, the difficult situations they face, and work being done to protect their human rights, check out:

- The Close Up Foundation at www.closeup.org/immigrat.htm;
- The Rights Working Group at www.rightsworkinggroup.org;
- National Network for Immigrant and Refugee Rights at www.nnirr.org;
- International Organization for Migration at www.iom.int;
- National Immigration Forum at: www.immigrationforum.org/;
- The Center for Migration Studies of New York (CMS) at www.cmsny.org.

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Indigenous Peoples



“Historians and academics agree that the colonization of the New World saw extreme expressions of racism — massacres, forced-march relocations, the ‘Indian Wars,’ death by starvation and disease.

Today, such practices would be called ethnic cleansing and genocide.”¹

—Press kit, WCAR

Who Are Indigenous Peoples? The most widely accepted definition of Indigenous Peoples is that they are descendants of pre-invasion, pre-colonial societies that inhabited and developed the land and consider themselves to be distinct from other societies. However, there is no universal definition of Indigenous Peoples, and many Indigenous Peoples claim the right to define for themselves who

they are as part of their basic right to self-identification.² Most Indigenous Peoples are determined to preserve and pass on their land, ethnic identity, social, cultural and legal practices as the basis of their continued existence as peoples.³

There are between 300 and 500 million⁴ Indigenous Peoples in the world, with over 5,000 different groups living in more than 70 countries.⁵ Indigenous Peoples maintain distinct social, political, and cultural identities, as well as languages, traditions, and legal and political institutions.

Indigenous Peoples have diverse cultures and lifestyles. Some live in rural areas and maintain traditional practices, while others live and work in cities. Some communities work to preserve and pass on traditional practices and knowledge, while others fight to gain greater access to power and decision-making in the institutions of the wider society.

Indigenous Peoples everywhere share in common a strong and enduring spiritual, cultural, social and economic relationship with the land and envi-

Facts with Faces

American Indigenous Peoples

IN THE AMERICAS:

Indigenous Peoples in the Americas have a life expectancy 10-20 years less than the general population;¹⁸

In Canada, 45% of indigenous people over age fifteen who live outside reserves suffer chronic health problems, including arthritis, rheumatism, asthma and high blood pressure, and 48% of people between twenty and twenty-four have not finished high school. Owing to the poor housing conditions in the reserves, combined with the lack of resources and jobs, many aboriginals become homeless city dwellers and are unable to find a place in society;¹⁹

In Central America, Indigenous Peoples have less access to education and health services, are more likely to die from preventable diseases, suffer higher infant and maternal mortality rates, and experience higher levels of poverty than the non-indigenous population.²⁰

IN THE U.S.:

The percentage of Native American families living in poverty is two-and-a-half times greater than the national average;²¹

Nationally, the rate of unemployment on Native American reservations is almost 50%;

Three of the ten poorest counties in the U.S. are Lakota reservations in South Dakota;²²

Native American youth have the highest high school dropout rate in the nation, and fewer than 10% of Native Americans attend college;

Native Americans lack access to adequate healthcare. The ratio of doctors to people on reservations is 96:100,000, compared to 208:100,000 for the non-Native population.²³ On the Pine Ridge Reservation in South Dakota, the infant mortality rate is three times the national average;

Today there are more than 550 Indian tribes in the U.S. that are officially recognized by the federal government and over 100 others that are seeking official recognition;²⁴

There are 4.1 million U.S. residents who identify as having Native American origins.²⁵



ronment.⁶ Indigenous Peoples have not traditionally viewed land in terms of profit, individual ownership, exploitation or plunder, but rather, as that which belongs to and is shared by the entire community.⁷ Their cultural, social and legal practices and customs reflect attachment to the land and responsibility for preserving it for future generations.⁸ In fact, the ability to have continued access to land and resources is critical to the survival of Indigenous Peoples everywhere.

Indigenous Peoples as a Human Rights Issue

“The surest way to kill us is to separate us from the Earth.”

-Haydan Burgess, World Council of Indigenous Peoples²⁶

Human Rights abuses against Indigenous Peoples are a constant in their lives. For centuries, the expansion and settlement of territories and land has severely endangered Indigenous Peoples,²⁷ who have suffered from genocide, colonialism, torture, enslavement, exploitation, abuse, and the wholesale plunder and destruction of their land. More than 75 million people lived in the Americas before Columbus' arrival.²⁸ By 1900, war, massacres, famine, disease, slavery, forced displacement and land theft had reduced the population by 95%.²⁹

Much of the history of the devastation and dispossession of Indigenous Peoples is rooted in racism, including the racism and contempt of European colonizers and settlers who validated forceful seizure of native lands³⁰ with beliefs that Native Americans were an inferior race or not human. Today, racism remains at the root of widespread and extreme abuses of Indigenous Peoples' basic human rights.³¹ Around the world, Indigenous Peoples are among the poorest and most politically and economically marginalized in the world.³² Yet, their resistance to social, economic and political oppression is frequently met with violence. In the U.S., for example, they are discriminated against in access to social services, and experience disproportionately high rates of unemployment, illiter-

acy, and imprisonment. Indigenous Peoples are alienated from state politics and under- or unrepresented by national governments.³³ Indigenous communities are vulnerable to diseases linked to poverty, including diabetes, heart and lung diseases, malnutrition and HIV/AIDS.³⁴ In schools, Indigenous Peoples are often prohibited from studying their own languages and cultures, and forced to assimilate to the dominant society.³⁵ Indigenous Peoples are also subject to derogatory and stereotypical portrayals in popular culture and the media.

Indigenous Peoples are also uniquely vulnerable to the destabilizing forces of economic globalization.³⁶ Their biologically diverse and resource-rich lands present tremendous opportunities for profit. An increasing number of extractive industries are prospecting for oil, minerals or plants on or adjacent to ancestral indigenous lands.³⁷ In addition, development efforts such as dam or road construction projects, as well as poorly planned environmental conservation projects, often uproot Indigenous

What do YOU think?

- What examples of stereotypical portrayals of Native Americans in films, television or popular culture can you think of?
- Do you think that stereotypical media portrayals or the practice of giving athletic teams names such as “the Redskins” or “the Braves” violate Indigenous People’s human rights?
- Why or why not?

Peoples from their homes or banish them altogether from their land.

Because in most cases their sovereignty is not recognized, governments, corporations and development agencies are not required to compensate or even consult with indigenous communities before cutting down their trees, drilling for oil on their lands, mining their mountains or displacing people from their homes.³⁸ These activities are destroying the means of survival for Indigenous Peoples leading to violations of their human rights

Focusing in on . . .

Collective Rights —

Indigenous Peoples or Indigenous People?

THERE IS MORE than just semantics involved in the difference between the term Indigenous Peoples or indigenous people.⁹ Under international law, the rights of Peoples are different from the rights of people, and “Peoples” with an “s” implies collective rights, including the right to self-determination.¹⁰

Self-determination is the right of peoples to freely choose their own forms of political and legal organization and to pursue their own economic, social and cultural development.¹¹ Collective rights refer to people considered to be one group, or a whole.¹²



Self-determination for all “Peoples” is legally recognized in the International Covenant of Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Recognition of Indigenous communities around the world as “Peoples” would imply the recognition and affirmation of their distinct identity,¹³ diversity and plurality,¹⁴ and therefore their right to self-determination.¹⁵

Many governments however, including the U.S. and Canada, oppose the use of “Peoples” because they fear that recognizing the right of Indigenous Peoples to self-determination would also mean the right to independent statehood, or sovereignty.¹⁶ Indigenous Peoples insist on using the term for the exact same reason, and have successfully forced the U.N. and other international organizations to use “Peoples” in draft declarations on Indigenous Peoples rights.¹⁷

☆ REAL LIFE STORIES ☆

Kimy Pernia Domico

INDIGENOUS PEOPLES are often persecuted for their political activism, in spite of the fact that their communities are subject to the greatest injustice and disenfranchisement by political bodies. For example, indigenous leader Kimy Pernia Domico, a member of the Embera-Katio community of Colombia, was kidnapped in June of 2001 by army-backed paramilitaries in response to his campaigning against a dam that would destroy much of his ancestral land. Domico was abducted at gunpoint after numerous death threats and has not been seen since.

Increasingly, Indigenous Peoples are caught up in the conflict between government paramilitary forces and guerrilla forces in Colombia. Domico's people, who live in an indigenous community area along the Sinú and Verde rivers, are campaigning against the Urrá Dam that would devastate their land. Their already grave situation includes an illegal paramilitary checkpoint which cuts off access to their communities. Members of

indigenous communities — and those who work closely with them — are often targeted by both factions of the conflict, although leaders have declared the communities “neutral.” The U.S. continues to support the Colombian government, funneling large contributions of aid and military equipment, in spite of continued human rights abuses against members of popular resistance movements.

Around the world, activists from indigenous communities face the possibility of arrest, kidnapping, execution, and other human rights violations. Silvano Castro from the Pemjon of Venezuela, and Macliing Dulag of the Kalingas people of the Philippines are two more examples of indigenous leaders who have paid a heavy price for their involvement in political struggle. These human rights abuses compound the already extreme situations that Indigenous Peoples face as they work for protection under local and international law.

to land and livelihood and frequently lead to conflict.³⁹ Indigenous leaders who resist the appropriation of their land, speak out against human rights violations, or advocate for self-determination are harassed, imprisoned, ‘disappeared’ or executed.

For Indigenous Peoples, the struggle for the right to self-determination is synonymous with the right to inhabit and control their ancestral land.⁴⁰ Land loss can fundamentally undermine the cultural identity and, ultimately, the survival of Indigenous Peoples because control of land also means power and control over food.⁴¹ The dispossession and forced removal of Indigenous Peoples from traditional lands and sacred sites has dramatically eroded the relationship between Indigenous Peoples, the land and the environment,⁴² and halting land loss is a critical survival issue for Indigenous Peoples around the globe.⁴³

Using International Human Rights to Fight for Indigenous Peoples

It is imperative that people around the world work together for the human rights of Indigenous Peoples wherever they are threatened. Indigenous Peoples are entitled to all the human rights and fundamental freedoms in the Universal Declaration of Human Rights and other human rights conventions. According to the United Nations, discrimination against Indigenous Peoples is a form of racial discrimination, and is prohibited by the Convention to Eliminate All Forms of Racial Discrimination (CERD).⁴⁶

For over five hundred years, Indigenous Peoples have fought against genocide, displacement, colonization and forced assimilation, managing to preserve their identities and cultures as distinct Peoples.⁴⁹ Today, Indigenous Peoples, who occupy some of the few remaining pristine

environments on the planet, are in the frontlines of the struggle against economic globalization, corporate domination, the privatization of natural resources, and for just and sustainable alternatives.⁵⁰

In recent years, Indigenous Peoples have successfully used the international arena to fight the racism and oppression against them, and to push for the recognition of their human rights, including recognition of their right to self-determination and to the collective rights that are central to their survival.

These efforts have included urging the United Nations General Assembly to adopt the Draft

Declaration on the Rights of Indigenous Peoples. Although still in draft form, the declaration is the most comprehensive human rights document to date addressing the human rights of Indigenous Peoples. The Draft Declaration on the Rights of Indigenous Peoples establishes a framework for Indigenous human rights law that many Indigenous rights activists believe is essential to empowering Indigenous Peoples and improving health, education, equality and other essentials.⁵¹ It draws on the rights in the UDHR, including the rights to non-discrimination, equality, religion, language, education, health, and work. Crucially, in addition to recognizing the individual and col-



INTERSECTION CONNECTION

Women's Status in Indigenous Movements⁴⁴

We, the women of the original peoples of the world have struggled actively to defend our rights to self-determination and to our territories that have been invaded and colonized by powerful nations and interests. We have been and are continuing to suffer from multiple oppressions: as Indigenous Peoples, as citizens of colonized and neo-colonized countries, as women and as members of the poorer classes of society.

— Indigenous Women's Beijing Declaration, 1995 United Nations World Conference on Women

Indigenous women working to win respect for their rights must defend both the rights of their peoples and their rights as women within their communities. Indigenous women have been at the forefront of indigenous rights movements, and have emphasized that gender equality and increased political participation of indigenous women are central to Indigenous Peoples' human rights.⁴⁵

Indigenous women experience multiple forms of discrimination based both on their status as indigenous and as women. Pervasive disparities between women and men within communities have been reinforced by colonialism, and some traditional indigenous beliefs in a dualistic, equal and complementary relationship between men and women have been undermined.

Some of the disparities between men and women in indigenous communities include:

- Higher rates of illiteracy and lower levels of

formal education;

- Lower rates of political participation locally, nationally and internationally;
- Greater marginalization from the dominant culture, in part because women are more likely than men to speak only their indigenous language;
- The impact of neo-liberal economic policies, which force men to migrate to cities in search of work, leaving women as the sole heads of their families;
- According to Amnesty International, indigenous women who are active in land and self-determination struggles have also been imprisoned and sexually assaulted by prison officials and soldiers, who use rape as a weapon of war.

Other cross-cutting factors such as age, disability, and sexual orientation can increase the risk of human rights abuse for indigenous women.

lective rights of Indigenous Peoples, it recognizes their human right to self-determination:

Indigenous Peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

—Draft Declaration on The Rights of Indigenous Peoples, Article 3

The declaration also addresses specialized education, indigenous ethnic and cultural identity, and the unique relationship between Indigenous Peoples, the land, and the environment. The Declaration recognizes their need for greater control over the use of their land and resources, as well as increased participation in development decisions affecting them.

Like the UDHR, the Declaration on the Rights of Indigenous Peoples is not legally binding on governments, but if it is adopted by the U.N. it will carry significant moral weight.⁵² However, power-

ful governments, including the U.S. and Canada, strongly object to the inclusion of the right to self-determination in the draft declaration, because they fear that recognizing Indigenous communities will mean that governments would require permission from Indigenous communities before extracting natural resources or pursuing development projects on or adjacent to their land.⁵³

Indigenous Rights at WCAR

Indigenous rights activists also successfully used the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) to discuss strategies for advancing their human rights, and to press for a deeper understanding of discrimination and related intolerance against Indigenous Peoples as constituting a modern form of racism. At WCAR, the Indigenous caucus advocated strongly for the right to self-determination, and also voiced strong support for the self-determination struggles of other marginalized groups, including the Dalits of India

Focusing in on . . .

The International Labor Organization Convention 169

DESPITE THE BASIC human rights protections afforded Indigenous Peoples, to date only one ratified human rights convention — the International Labor Organization Convention 169 — directly addresses the land rights that are so crucial to the continued survival of Indigenous Peoples. Convention 169 states that Indigenous Peoples have the same universal human rights — including the rights to liberty, equality, health and education — as anyone else. It also recognizes Indigenous Peoples' land

rights, and declares that governments have a responsibility to consult Indigenous Peoples when taking actions that will affect them.⁴⁷

However, because Convention 169 does not recognize Indigenous communities as Peoples, it does not recognize their right to self-determination. This lack of legal protection and recognition as Peoples renders Indigenous Peoples even more vulnerable to human rights abuse of all kinds.⁴⁸ Refer to explanation above on People (homogenous) versus Peoples (heterogeneous and diverse indigenous groups of the world).



and the Romas of Europe. In a major victory in the struggle for recognition of their self-determination, the Durban Declaration and Program of

Action – which participating governments signed onto and committed to implementing – used the term “Indigenous Peoples.”⁵⁴

CLOSE
to HOME

Using Human Rights in the U.S.

“It’s disgraceful how the U.S. makes international statements about human rights and then commits this kind of assault in our own backyard. It destroys their credibility and moral authority.”

-Carrie Dann, Western Shoshone Elder, October 16, 2002

IN 1974, the U.S. government sued Mary and Carrie Dann for trespassing. The government accused the two Western Shoshone elders of grazing cattle on U.S. public land without a federal permit. The Dann’s response was that they were grazing cattle on Western Shoshone land as recognized in the Treaty of Ruby Valley. In 1984, the dispute ended up before the U.S. Supreme Court, which ruled that since the U.S. government had placed funds into a trust account in the name of the Western Shoshone, the Dann’s couldn’t use ‘title’ as a defense against the trespassing charge. This is in spite of the fact that Western Shoshones refuse to accept money for land that they argue was never sold, ceded, lost or abandoned.

IN 2002, the U.N. Committee on the Elimination of Racial Discrimination noted the persistence of discrimination and destructive policies by the U.S. against Indigenous Peoples and expressed concern about the situation of the Western Shoshone. In 2003, the Inter-American Commission on Human Rights ruled that the U.S. has violated the human rights of the Western Shoshone, including the right to equality before the law. It is the first time that the U.S. has been formally found to be in violation of international human rights in its treatment of Native-Americans within its border. The U.S. State Department has not yet indicated whether it will comply with the decision.

more to
explore ...



To learn more about the human rights of Indigenous Peoples, or to get involved in efforts to promote the human rights of Indigenous Peoples, visit:

- World Conference Against Racism/U.N. Guide for Indigenous Peoples at www.unhchr.ch/html/racism/00-indigenousguide.html;
- United Nations Office of the High Commission for Human Rights at www.unhchr.ch/indigenous/main.html;
- The Center for the World’s Indigenous Peoples at www.cwis.org;
- Survival International at www.survival-international.org;
- The Indigenous and Tribal Peoples Centre at www.itpcentre.org;
- The International Work Group for Indigenous Affairs at www.iwgia.org;
- Minority Rights Group International (MRG) at www.minorityrights.org;
- The Native American Rights Fund (NARF) at www.narf.org;
- Indian Law Resource Center at www.indianlaw.org/default.htm.

- 1 United Nations, WCAR e-kit, www.un.org/WCAR/e-kit/indigenous.htm
- 2 George Psacharopoulos and Harry Anthony Patrinos, editors, *Indigenous People and Poverty in Latin America. An Empirical Analysis* (Washington, DC: The World Bank, 1994), 206-207.
- 3 www.undp.org/csopp/CSO/NewFiles/ipaboutfaqs.html.
- 4 Lotte Hughes, *No Nonsense Guide to Indigenous Peoples* (Oxford: New Internationalist, 2003), 20.
- 5 United Nations Permanent Forum on Indigenous Issues, "History and Background," www.un.org/esa/socdev/unpfii/index.html.
- 6 United Nations Commission on Human Rights, "Leaflet No. 10: Indigenous Peoples and the Environment."
- 7 Hughes, 46.
- 8 United Nations Commission on Human Rights, "Leaflet No. 10: Indigenous Peoples and the Environment."
- 9 MADRE: An International Women's Human Rights Organization, "Indigenous Peoples: A Backgrounder," www.madre.org/articles/int/indigenous.html.
- 10 *ibid.*
- 11 International Covenant on Civil and Political Rights, Part one, Article one, 1966.
- 12 Merriam-Webster online, www.m-w.com.
- 13 *ibid.*
- 14 Hughes, 11.
- 15 Minnesota Advocates for Human Rights, "The Rights of Indigenous Peoples," www.umn.edu/humanrts.
- 16 Minnesota Advocates for Human Rights, "The Rights of Indigenous Peoples," www.umn.edu/humanrts.
- 17 MADRE: An International Women's Human Rights Organization, "Indigenous Peoples: A Backgrounder," www.madre.org/articles/int/indigenous.html.
- 18 Pan American Health Organization, "The Health of Indigenous Peoples Initiative," and MADRE: An International Women's Human Rights Organization, "Indigenous Peoples: A Backgrounder."
- 19 United Nations Commission on Human Rights, "Racism, Racial Discrimination, Xenophobia and All Forms of Discrimination: Mission to Canada," Report by Mr. Doudou Diène, Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, E/CN.4/2004/18/Add2,1 March 2004, 13.
- 20 Pan American Health Organization, "The Health of Indigenous Peoples Initiative and UNDP Central America Human Development Indicators, 1999," as cited in MADRE: An International Women's Human Rights Organization, "Indigenous Peoples: A Backgrounder."
- 21 Pan American Health Organization, "The Health of Indigenous Peoples Initiative and UNDP Central America Human Development Indicators, 1999," as cited in MADRE: An International Women's Human Rights Organization, "Indigenous Peoples: A Backgrounder."
- 22 Marger, 160.
- 23 Marger, 161.
- 24 U.S. Department of the Interior, Bureau of Indian Affairs, www.doi.gov/bureau-indian-affairs.html.
- 25 U.S. Census Bureau. Census 2000, www.census.gov.
- 26 Hughes, 58.
- 27 United Nations Office of the High Commissioner for Human Rights, "Fact Sheet No.9 (Rev.1), The Rights of Indigenous Peoples."
- 28 Howard Zinn, *A People's History of the United States, 1492-Present*, (New York: Harper Collins, 1999), 18.
- 29 Annette M. Jaimes, editor, "The Demography of Native North America," *The State of Native America: Genocide, Colonization and Resistance* (Boston: South End Press, 1992), 37.
- 30 Hughes, 12.
- 31 The Ford Foundation, "Executive Summary," International Human Rights Training for Indigenous Peoples: A Review, Analysis, and Inventory of Programs.
- 32 MADRE: An International Women's Human Rights Organization, "Indigenous Peoples' Rights and Resources," www.madre.org/articles/iprr.html.
- 33 *ibid.*
- 34 Hughes, 77.
- 35 Hughes, 77.
- 36 MADRE: An International Women's Human Rights Organizations, "Indigenous Peoples: A Backgrounder," www.madre.org/articles/iprr.html.

³⁷ MADRE: An International Women's Human Rights Organizations, "Indigenous Peoples: A Backgrounder," www.madre.org/articles/iprr.html.

³⁸ *ibid.*

³⁹ UN Office of the High Commissioner for Human Rights, "Leaflet No. 10: Indigenous Peoples and the Environment."

⁴⁰ Hughes, 59.

⁴¹ Hughes, 59.

⁴² United Nations Office of the High Commissioner for Human Rights, "Leaflet No. 10: Indigenous Peoples and the Environment."

⁴³ Hughes, 60.

⁴⁴ MADRE: An International Women's Human Rights Organization, "Indigenous Peoples: A Backgrounder" and Julie Mertus, Nancy Flowers and Mallika Dutt, *Local Action: Global Change: Learning About the Human Rights of Women and Girls* (UNIFEM and the Center for Women's Global Leadership, 1999), 26.

⁴⁵ *ibid.*

⁴⁶ United Nations, Universal Declaration of Human Rights, Article 1.

⁴⁷ MADRE: An International Women's Human Rights Organization, "Indigenous Peoples and International Law," www.madre.org/articles/indigenoulaw.html.

⁴⁸ *ibid.*

⁴⁹ *ibid.*

⁵⁰ *ibid.*

⁵¹ *ibid.*

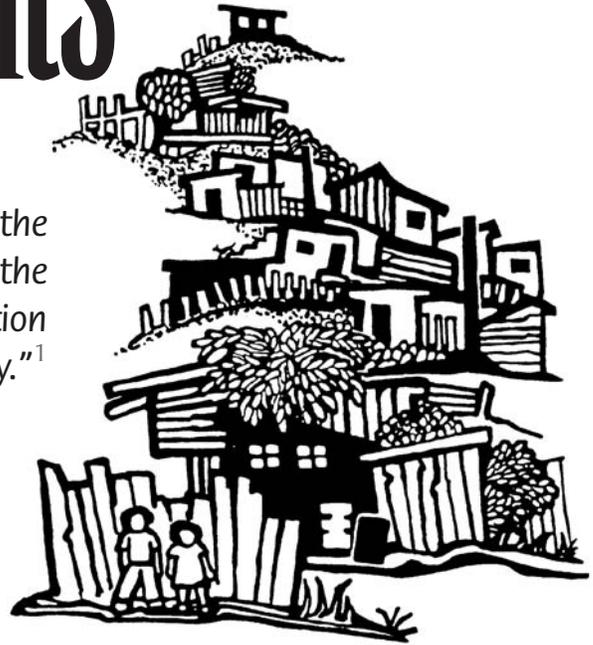
⁵² Minnesota Advocates for Human Rights, "The Rights of Indigenous Peoples."

⁵³ United Nations Commission on Human Rights, "Indigenous Peoples: Human Rights and Indigenous Issues," [www.unhchr.ch/Huridocda/Huridoca.nsf/\(Symbol\)/E.CN.4.2002.97.En?Opendocument](http://www.unhchr.ch/Huridocda/Huridoca.nsf/(Symbol)/E.CN.4.2002.97.En?Opendocument), 14-18 and 24-26.

⁵⁴ Minnesota Advocates for Human Rights, "The Rights of Indigenous Peoples."

Caste / Dalits

“The exploitation of low-caste laborers and the rigid assignment of demeaning occupations on the basis of caste keep lower-caste populations in a position of economic and physical vulnerability.”¹



Who are Dalits? The name Dalit is used to refer to the 260 million “untouchables” in India and other parts of South Asia who live at the bottom of the Hindu caste system. The “Dalits” (which means “broken people”) are the “outcasts” “of the hierarchical caste structure of Hindu society.”² Under the caste system, they are

called “untouchable” because they are considered too “polluted” to touch. The Hindu caste system is practiced in India, Nepal, Sri Lanka, Bangladesh, Pakistan and by communities in the Indian Diaspora like Guyana, the Caribbean and Great Britain among other countries. Caste hierarchies are also practiced by certain communities in Japan, and several African countries.³

Unlike class-based societies, a person’s position in caste-based societies is inherited and permanent; movement between castes is not possible.⁴ The caste system is one of the world’s oldest social hierarchies, and it is based upon the concept of ritual impurity. There are four main categories within the Hindu caste system. They are, in order from highest to lowest: priests and teachers (Brahmins); rulers and soldiers

(Kshatriyas); artisans and merchants (Viasyas); and farmers and peasants (Sudras). At the very bottom of this hierarchy are the Dalits, who are officially without caste at all.

Dalits as a Human Rights Issue

Dalits are in need of human rights protection in many ways. While the caste system has been abolished, discrimination against Dalits persists, and Dalits continue to face separation, exclusion, deprivation and violence.⁸ Known as “India’s Hidden Apartheid,” caste-based discrimination severely undermines the human rights of millions of people.⁹ Just as apartheid subjugated millions of blacks in South Africa, the caste system is a major impediment to the affirmation of human dignity.¹⁰ Like racism, caste discrimination is an

institutionalized form of oppression, and it uses political, social, and economic means to subjugate a distinct group of people into conditions from which they cannot escape.¹¹

Limited access to resources contributes to and perpetuates poverty, illiteracy, unemployment, malnutrition, poor health, and high death rates among Dalit people.¹² Despite a Reservation system that allows a certain percentage of Dalits access to higher education and government jobs, caste discrimination remains rampant in schools, colleges, universities, government offices, and in the private sector.¹³ The majority of Dalits live in extreme poverty; since they are not allowed to own property, Dalits are predominantly landless agricultural laborers.¹⁴ Subjected to a form of modern slavery, Dalits are forced to work the filthiest, most menial, and most degrading jobs such as manual scavenging, street sweeping, disposal of human waste and removal of dead animals, digging burial pits, and cremating dead bodies. Dalits also work as servants for higher caste families, who sprinkle 'holy water' to purify anything Dalits touch as they clean, and who prevent them from preparing food for fear of being polluted.

Dalits are segregated in every way. They experience housing segregation, with even relatively affluent Dalits facing enormous difficulty building houses or renting in non-Dalit neighborhoods.¹⁵ Dalits are prohibited from entering temples, and are chased out or beaten up if they do. Inter-marriage is forbidden, as is dining with non-Dalits. Dalits are prohibited from sitting at bus stops, are the last to board buses, and cannot sit in them, even when there are empty seats. Dalits are denied access to water and common properties — they cannot draw water from the same wells as the higher caste,¹⁶ and they are prohibited from entering into main villages or bicycling through areas where dominant caste groups live. Dalits are also discriminated against in school, where Dalit children are often forced to sit in the back of classrooms.¹⁷

Resistance by Dalits to their social, economic and political oppression is met with violence by non-Dalits.¹⁹ Although there is legislation to protect

Facts Faces

Dalits in India⁵

Each hour, 2 Dalits are assaulted. Each day, 2 Dalits are murdered and 2 Dalit homes burned to the ground;⁶



Two-thirds of the Dalit population is illiterate.⁷ School enrollment for Dalit children is only 16.2% compared to 83.8% for other children;



Over 100,000 violent crimes, including rape, arson and murder, are perpetrated against Indian Dalits each year;



1 million Dalits are forced to clean streets, sewers and public toilets of human waste and dead animals, leaving them vulnerable to injury and disease;



Many of the girls and women in India's urban brothels are Dalits;



The word 'pariah' — which means 'outcaste' — comes from the name for a large population of Dalits living in Tamil Nadu, India.

Dalits, the laws exist only on paper and are rarely enforced.²⁰ The police routinely refuse to register crimes against Dalits, ignore violence against them, or themselves participate in the arbitrary detention, torture, murder, forced eviction and sexual harassment of Dalits.²¹ It is not uncommon to see Dalits beheaded or maimed, their property damaged and looted, or Dalit women molested.

When Dalits protest against their oppression and demand their rights, they are collectively and systematically attacked, socially boycotted, or punished through the denial of employment, access to water, grazing lands, and food rations. Police often detain activists, social workers and lawyers in order to stop meetings or protest rallies, charging them as "terrorists" or "threats to national security."²⁶

Using International Human Rights to Fight for Dalits

The plight of Dalits is now seen by activists as a legitimate sphere for human rights work. Dalits

INTERSECTION CONNECTION

Abuse Against Dalit Women

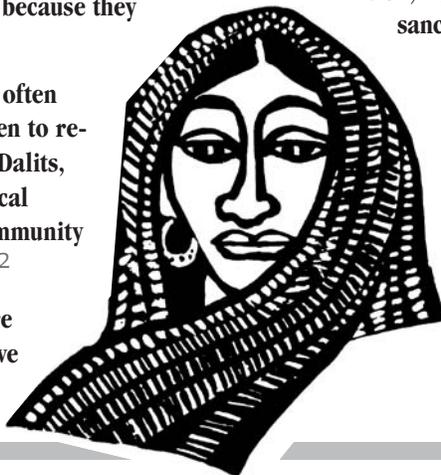
DUE TO THE INTERPLAY of extreme discrimination and the precariousness of their economic, social and political position, Dalit women are extremely vulnerable to human rights abuse. Dalit women are triply oppressed and exploited on the basis of caste, class and gender. Living at the intersection of class, caste and sex discrimination, they are also at risk for discrimination and violence because they are female.

Police, landlords and upper-caste men often physically or sexually abuse Dalit women to reassert their social superiority over all Dalits, or use abuse against women as a political weapon to silence male relatives or community activists working for equal treatment.²²

Each day, at least three Dalit women are raped, but because judges do not believe

that upper caste men would defile themselves by raping a Dalit, perpetrators are not punished.²³

Dalit women are also discriminated against within their own communities. Dalit women are forced by Dalit men to perform the most menial and dehumanizing jobs.²⁴ They are also extremely vulnerable to sexual exploitation, including ritual prostitution with the sanction of the Hindu religion.²⁵



Another common factor that has made many Dalit women doubly vulnerable is that due to caste discrimination they experience a lack of good health care which often results in disability: there is no group of people in India that is worse off than disabled low caste women.

☆ REAL LIFE STORIES ☆

Discrimination against Dalit Tsunami Victims¹⁸

In India, Dalits are discriminated against even during catastrophes such as the devastating tsunami of December 2004. Dalits face discrimination in every relief camp. They have been thrown out of camps, hounded out of schools they have tried to attend, pushed to the rear of food and water lines, given leftovers, and not allowed to use toilets or to drink water provided by a U.N. agency because they will “pollute” it. In one relief camp, Dalits were told “these are not for you” as cartons of glucose biscuits delivered by an agency were grabbed from the Dalit survivor’s hands. At another camp, Dalits were not allowed inside the temple where rice and money were distributed. In yet another relief camp, Dalits were thrown out of the general shelter every night because others did not feel safe sleeping with Dalits around.

☆ REAL LIFE STORIES ☆

Violence and Abuse of Dalit Women

IN APRIL 2003, Muna, a forty-year old Dalit woman from Nepal was beaten and force-fed excrement mixed with chili paste by her upper-caste neighbors. After she fainted, her children rushed to her side, but were too small to defend her. They carried her home and washed her, but she remained unconscious. Although some neighbors came to express their sympathy, they refused to help Muna or her children. Muna attempted to lodge a complaint with the police, but was turned down because she is Dalit. In the end, the couple who had beaten and abused Muna paid her to stop attempting to bring criminal charges against them.

are entitled to the same universal, inalienable and interdependent human rights that all others are entitled to, and that are set forth in the Universal Declaration on Human Rights (UDHR). This includes freedom from discrimination in employment, education, housing, and equality before the law,²⁷ and the full range of civil, political, economic, social and cultural rights protections.

In recent years, caste oppression — discrimination based on descent or inherited status — has come to be recognized as a form of racial discrimination with strong similarities to apartheid. Although Dalits are not racially distinct from higher-caste individuals, they do face persistent abuse and discrimination based on their descent. According to the International Convention to Eliminate All Forms of Racial Discrimination (CERD), racial discrimination includes discrimination based on descent:

Racial discrimination is any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of human life.

—Article 1, CERD

Dalits should also be protected from racial discrimination by other human rights documents such as the International Convention on Civil and Political Rights (ICCPR) and the Convention on the Elimination of Discrimination Against Women (CEDAW).

Despite violent retaliation from upper caste Hindus many Dalits are involved in non-violent domestic and international campaigns to demand recognition of their fundamental human rights.²⁸ Human rights activists from South Asia and around the world and the United Nations have urged the Indian and other South Asian governments to recognize caste discrimination and violence as a form of racial discrimination and a particularly dehumanizing and criminal violation of a wide number of human rights.²⁹ Although the Indian government technically outlawed the practice of “untouchability” in 1950, to date, it has not systematically out-

Focusing in on . . .

Culture, Religion and Human Rights³¹

The caste system is a three-thousand-year-old system deeply rooted in cultural and religious value systems, and it could take many years to abolish completely.³² Many have called for the elimination of the cultural and religious practices and beliefs that perpetuate the caste system and Dalit oppression. Human rights do not impose a single cultural standard, but rather, provides legal and moral protections for human dignity, and can thus be used both to promote the right of peoples to maintain their cultures, and also to challenge those aspects of culture that mask justifications for the oppression of one group by another.

Properly understood, human rights respects cultural diversity and integrity and at the same time ensures that the assertion of the right to religious and cultural practices does not mean the denial of the rights of any individual or community. This is because a key principle of human rights is that no human right can be exercised in a manner that undermines the human rights of others.

What do YOU think?

- Does the caste system remind you of similar practices in the U.S. either in the past or in the present?
- If so, which ones?
- Which community or communities were — or are — targeted?
- Which social and cultural beliefs or traditions have been used to justify these practices?
- What, if anything, caused them to change?

lawed caste based discrimination nor has it actively recognized caste-based discrimination as a form of racial discrimination based on descent.³⁰

Dalits at WCAR

Dalit activists have also successfully used international gatherings to promote their human rights and to create links with members of other oppressed groups around the world. For exam-

Dalits in the U.S.³⁴

DALITS have migrated out of India and other South Asian communities to the U.S. and other countries, but in many instances have not — or cannot — join the general South Asian population. Unfortunately, in some instances the practice of “untouchability” continues among South Asian émigré communities in the U.S. According to some, only those born into the most superior caste of Brahmins are allowed to be priests in Hindu temples, and Dalits are not allowed to touch the idol in temples to perform religious rites.

However, many Dalit activists in the U.S. remain strongly connected to the struggle of Dalits overseas. They work hard to publicize atrocities against Dalits, advocate for their human rights, and are working to build bridges to African-American activists and communities. Members of the U.S.-based organization VISION (Volunteers in Service of India’s Oppressed and Neglected), for example, have marched before the U.N. and lobbied Congress to protest human rights violations and other Dalit problems in India to members of the world community.

ple, the 2001 U.N. sponsored World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) in Durban, South Africa helped to create greater international visibility and awareness of the plight of the Dalits.³³ 180 grassroots Dalit activists attended WCAR, and they were visible and vocal in urging the global community to take action against caste-based racism, and to work in support of their inherent human right to life and dignity. They also forged links with other “lower caste” groups from Japan, Sri Lanka and Nigeria, and built bridges to other oppressed groups, including Palestinians, Roma, and African-based groups.

Their efforts drew the ire of the Indian government, which attempted to block international discussion of caste discrimination and other violations of Dalit human rights. The Indian government resisted efforts to characterize caste-based discrimination as a form of racism based on descent. The government stated that caste is not race, arguing that the term ‘descent’ in the Convention to Eliminate All Forms of Racial Discrimination refers only to racial descent, and therefore the caste system cannot be

a form of racism, racial discrimination or related intolerance. In an illustration of the difficulty of the Dalit struggle for recognition of their human rights, the official government-endorsed plan of action failed to mention discrimination against Dalits as a form of racial discrimination prohibited by international human rights law.

Despite governmental resistance, the passion and skillful organization of Indian Dalits at WCAR advanced global awareness and concern about “India’s hidden apartheid.”

- Dalits were able to use the three years leading up to WCAR and the media attention their presence generated at the conference itself to create a high level of constructive national debate in India about the caste system. During the conference, members of the Indian Parliament called for prosecution against government officials who fail to take steps to prevent atrocities against Dalits;
- The returned Durban delegates became heroes in the eyes of the Dalit community. Dalits in India followed WCAR via the media as no other event before. Numerous meetings and debates

more to explore ...



To learn more about Dalits or to get involved in supporting their human rights, visit:

- Human Rights Watch at www.hrw.org/campaigns/caste/;
- The National Campaign on Dalit Human Rights at www.dalits.org/;
- International Dalit Solidarity Network (IDSN) at www.idsn.org/;
- Resources and links at www.Ambedkar.org.

were organized post-Durban, allowing Dalit villagers, students, employees and activists in many states to allow a first-hand glimpse of the world stage and Dalits' new stake on it;

- After WCAR, educated and employed individuals in the Dalit community began talking about the need for them to contribute to the struggle for Dalit human rights, helping to bridge class differences in the Dalit community as a whole.

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 - ² Iniyar Elango. "Letter to the Editor of the Boston Globe," www.cwo.com/~lucumi/letter.html.
 - ³ NGO Forum: UN World Conference Against Racism, "Caste: Asia's Hidden Apartheid," Human Rights for All: Combating Racism Together Press Kit (August 2001).
 - ⁴ Jeremy Seabrook, *The No-Nonsense Guide to Class, Caste and Hierarchies* (New Internationalist Publications Limited: London and Canada, 2002), 119.
 - ⁵ Human Rights Watch, "End Caste Discrimination," www.hrw.org/campaigns/caste/presskit.htm.
 - ⁶ Seabrook, 124.
 - ⁷ National Campaign on Dalit Human Rights, "Broken Promises & Dalits Betrayed, Black Paper on the Status of Dalit Human Rights," uk.geocities.com/internationalsolidarity/asia/blackpapersum.html.
 - ⁸ *ibid.*
 - ⁹ National Campaign on Dalit Human Rights.
 - ¹⁰ Manoraham, 16.
 - ¹¹ *ibid.*
 - ¹² *ibid.*
 - ¹³ *ibid.*
 - ¹⁴ Seabrook, 124.
 - ¹⁵ *ibid.*
 - ¹⁶ Human Rights Watch, "End Caste Discrimination."
 - ¹⁷ National Campaign on Dalit Human Rights.
 - ¹⁸ Udit Raj, "Dalits Fight Tsunami Daily," Indian Express, January 13, 2004, www.countercurrents.org/dalit-uditraj130105.htm, and Janyala Sreenivas, "Tsunami Can't Wash This Away: Hatred for Dalits," Indian Express, www.indianexpress.com/full_story.php?content_id=62212.
 - ¹⁹ Manoraham, 16.
 - ²⁰ *ibid.*
 - ²¹ Human Rights Watch, "Broken People: Caste Violence Against India's 'Untouchables,'" 4, 6.
 - ²² Human Rights Watch, "Broken People: Caste Violence Against India's 'Untouchables,'" 151.
 - ²³ Human Rights Watch, "Broken People: Caste Violence Against India's 'Untouchables,'" 176.
 - ²⁴ Asian Legal Resource Centre (ALRC), "Violence against Dalit Women in India and Nepal" (E/CN.4/2004/NGO/50), distributed on the 2nd April 2004 at the 60th Session of the United Nations Commission on Human Rights in Geneva, www.alrc.net/pr/mainfile.php/2004pr/59.
 - ²⁵ Manoraham, 16.
 - ²⁶ Human Rights Watch, "Broken People: Caste Violence Against India's 'Untouchables,'" 4.
 - ²⁷ International Dalit Solidarity Network, www.idsn.org/un.html.
 - ²⁸ Human Rights Watch, "Broken People: Caste Violence Against India's 'Untouchables,'" 7.
 - ²⁹ National Campaign on Dalit Human Rights.
 - ²⁹ International Dalit Solidarity Network.
 - ³⁰ Asian Legal Resource Centre (ALRC), "Violence against Dalit Women in India and Nepal," www.alrc.net/pr/mainfile.php/2004pr/59.
 - ³¹ Adapted from Julie Mertus, Nancy Flowers and Mallika Dutt, *Local Action: Global Change: Learning About the Human Rights of Women and Girls* (UNIFEM and the Center for Women's Global Leadership, 1999), 38.
 - ³² National Campaign on Dalit Human Rights.
 - ³³ WCAR: National Campaign on Dalit Human Rights, www.dalits.org/dalitatdurban.htm.
 - ³⁴ Annual Association for Asian Studies, Inc., "Session 54: The Issues of the Dalit Diaspora," Abstracts of the 2000 AAS Annual Meeting, www.aasianst.org/absts/2000abst/South/S-54.htm and Iniyar Elango, "Copy of Letter to the Editor of the Boston Globe."



Self-Determination

The international community... has abandoned people who have the claim to the principle of self-determination.

We must insist that the international community address those situations invoking the right to self-determination in the proper, legal way.”

—Karen Parker¹

What is self-determination? Self-determination is the right of a group of people —whether it be a racial, ethnic or religious group — to decide its own future. It guarantees these groups the right to “freely determine political status and [to] freely pursue economic, social and cultural development.”²

The right to self-determination is of particular importance to populations and cultural groups that are a minority in the territory in which they live. Without the enjoyment of self-determination, these groups have no power to protect their way of life against discrimination by majority groups in power. For example, Indigenous Peoples across the world rely on the land for the survival of their culture. However, many of these groups do not have political input into how this land is used by the governments of the countries in which they live and as a result their survival is threatened and their culture disappearing. (For more information on the right to self-determination of indigenous peoples, see Indigenous Peoples).

The demand for self-determination is universal. Across the globe, many people are denied self-determination and are currently in struggles to gain this collective right for their peoples. Native Hawaiians in America, the Abkhazians in Georgia, the Indians in Fiji, the Mongolians in China and the Basques in France and Spain are all struggling for recognition of their right to self-determination.³ The names of dissatisfied minorities seeking self-determination are familiar to anyone who follows the news, such as the Tutsis, Eritreans, Tibetans, Tamils, Kurds, Shiites, Uzbeks, Chechens, and Palestinians.

The concept of self-determination is a recognition that different cultural groups may have different economic, social or cultural needs and desires and that they have the right to determine and act on these autonomously. In short, it allows for a

group to “live well and humanly-and to decide what it means to live humanly.”⁸

Self-determination is a collective right, held by groups of people rather than by individuals or governments. The human right to self-determination allows groups to transmit their culture, and participate fully in the political, social and economic process of the nations in which they live. In some cases, peoples may seek autonomy by pursuing the creation of an independent state, but this is only one of many ways in which a group can enjoy self-determination. Some of the other ways self-determination can be achieved include:

- Independence: The overturning or retreat of colonial or dictatorial powers, granting the people of the occupied area the right to choose their own government;
- Secession: Redefining territories to provide a population group with its own territory and separate national sovereignty;
- Reservations or special assurances: Providing a greater degree of autonomy and political power to ethnic/linguistic groups without creating a separate state;⁹
- Non-territorial claims: The recognition of a distinct peoples claim to political agency even when the people may be spread over numerous geographical regions.

What do YOU think?

- Can you think of one or two examples that illustrate these different means of achieving self-determination, even in our own nation’s history?
- What do you think might have been the reasons for pursuing self-determination through one means over another?
- How would these different methods address different human rights concerns for each community?

Self-Determination as a Human Rights Issue

Denying the right to self-determination is a human rights violation in and of itself. It also makes individuals belonging to the subjugated group increas-

Facts with Faces

Worldwide Struggles for Self-Determination

In 1992, there were active self-determination movements (either for full sovereignty or increased participation within the nation) in over 60 countries;⁴



Minority populations in Burma have been marginalized by both dictatorial powers and the Burmese majority. They are fighting for a democracy in which they enjoy self-determination in the form of equal political power along with the Burmese while remaining in the union;⁵



The Roma people are a nomadic people who most likely originated in India in the eleventh century. Throughout Europe they now face harsh discrimination and inequality. As they have no homeland, they are not seeking self-determination in the form of a sovereign nation, but rather in the form of equal treatment under the law and an end to prejudices against them;⁶



Israeli policies ensure that most of the water of the West Bank percolates underground to Israel and that Israeli settlers are provided with preferential access to water resources. As a consequence, a “man-made” water crisis undermines the living conditions of the Palestinian people.⁷



INTERSECTION CONNECTION

The Jews and the Palestinians in Israel

THE ISRAEL-PALESTINE SITUATION provides a complex case highlighting the issue of self-determination.

The Jewish people have historically faced egregious violations of their collective and individual human rights. In the middle of the last century, hundreds of thousands of Jewish people migrated and advocated the creation of a new country in response to WWII and Nazi genocide- one of the worst large-scale violations of human rights in modern history. The Holocaust claimed the lives of approximately 6 million Jews, including one-and-a-half million children. By the end of World War II, many of the surviving Jews had lost their homes, families, and belongings and were living in displaced persons camps. Many Jewish people from Europe and around the world were attracted to the idea of creating a homeland in Palestine. Israel was created in the early part of the 20th century, and was proclaimed a state in 1948.

Establishing the state of Israel, however, forced the Palestinians to become a stateless people, and the state of Israel is now the site of one of the most trenchant and polarizing conflicts on the planet. An estimated 750,000 people were driven out of Israel during its founding, and to this day Palestinians in Israel are denied human rights. After several wars, a multitude of diplomatic peace initiatives, and two Intifadas, or resistance movements, the conflict has hardened into one of ever-increasing violence as both sides have resorted to techniques such as suicide bombings by the Palestinians and assassination by Israelis.

Both peoples suffer in the

current conflict, though Palestinian casualties, especially when coupled with the denial of their basic rights, are far higher. Between September 2000 and December 2004 alone, nearly three-and-a-half thousand Palestinians were killed, and over 28,000 injured; over 1,000 Israelis died and nearly 7,000 were injured; over 700 children have been killed, including over 600 Palestinians and 100 Israelis.¹⁶

Following the death of Palestinian leader Yasser Arafat in late 2004, the Israeli government, for security reasons, began erecting a wall around occupied territories which cut Palestinians off from their jobs and farmland. The government did not cease construction even after the International Court of Justice ruled the wall illegal. In August 2005 however, in a notable movement toward peace, Prime Minister Ariel Sharon announced Israel's withdrawal from the contested area of the Gaza Strip. While this evacuation process proves painful and traumatic for many Israeli settlers who are losing their homes, the restoration of Palestinian lands could signal hope for the region.

The creation of a homeland for Jews who faced genocide has come at the expense of the rights of Palestinians. This situation demonstrates the complexities of human rights where a group can be vulnerable to violations while at the same time having power that can violate other's rights. When working for global adherence to human rights, it is important for all of us to fight injustice and violations while also being accountable for power and privilege that can make other communities vulnerable.



Focusing in on . . .

A Human Rights Perspective on the Israel/Palestine conflict

THE ORIGINAL SETTLERS in Israel arrived with the desire for national self-determination for the Jewish people who had been living in diaspora for centuries. While both the Jewish people and the Palestinians are entitled to this right of self-determination, no one is entitled to this right at the expense of another community's rights. A human rights based solution to the Palestinian-Israeli conflict would hold both sides accountable for the violence they have perpetuated while protecting the rights of both communities to political participation and determination over their own fate.

ingly vulnerable to violations of their individual human rights. When their community does not have the political means to advocate for its needs, its members can experience a host of violations ranging from unequal access to employment, health care and education to the inability to participate in the politics of the country or the denial of the right to practice one's religion.

In Sri Lanka, for example, the Tamils' lack of self-determination or political clout left them powerless to oppose the passing of the Sinhala Only Act (1956), which outlawed the use of the Tamil language. Many Tamils cannot speak Sinhala (the other commonly spoken language in Sri Lanka), so the Act has a tremendous negative impact on the Tamil's rights, including the right to equal access employment, equal rights in the legal system, and education.¹⁰

Self-determination is necessary for communities to be able to combat racism targeted against them. As we have seen in other sections of this guide, marginalized or colonized people are vulnerable to a host of economic, social and cultural human rights violations. Without the right to control their own development and represent their own needs as a people, they have no effective recourse against either unequal or discriminatory policies.

The struggle for self-determination is made more complicated by the racist misconceptions of dominant groups. Those with greater power in society may not view them as a "people" with a distinct cultural heritage, but rather as a primitive conglomeration of individuals without a history; they can therefore deny a group's claim to the collective right of self-determination.

While self-determination can be a step towards remedying racism, it has also been misused as a justification for racism. For example, schools for Roma children, constructed under the pretense of bolstering self-rule, are actually inferior and segregated. Thus, self-determination alone is not a cure for racism. Self-determination must be coupled with a fight against racism and prejudice.¹¹

In the post World War I era, the concept of self-determination was understood as intricately connected to colonization; it was seen, in effect, as a remedy for the effects of colonialism. Thus, peoples who were resisting colonial forces often found sympathy in the international community as they struggled for self-determination and independence as nations, while the claims of a separate people within a nation or peoples dispersed across nations did not meet with as much support. Now, however, self-determina-

☆ REAL LIFE STORIES ☆

Aboriginal Australians¹⁵

MANY OF THE ABORIGINAL (indigenous) groups of Australia are concerned over their land rights. They strongly oppose a recent Australian policy that replaces their right to self-determination with self-management. Although Australia is a signatory to the major human rights covenants of the U.N., Australian support for the U.N. Draft Declaration on the Rights of Indigenous Peoples has withered. The policy change denies Indigenous Peoples a fundamental human right that should be enjoyed by all peoples.

CLOSE
to HOME

Self-Determination in the U.S:

The People of Guam²²

ONE OF THE BEST-KEPT SECRETS of the U.S. is about the struggle for self-determination by the Chamorro people on an island under colonial rule for over 400 years. Since World War II, the native people of Guam — the Chamorros — have lived under U.S. rule.

The U.S. has barred residents of Guam from challenging their colonial rule before the U.N. Currently, the Chamorros do not have a representative in the Congress, nor are they able to vote for president. The Chamorros were first colonized by Spain, then by the U.S., by Japan during World War-II, and again by the U.S. The Chamorro people's inalienable right to self-determination is embodied within the U.N. Charter, and Guam remains on the U.N.'s list of non-self governing territories that has yet to exercise its right to self-determination.

The present U.S. position on the Chamorro people's right to self-determination is that this issue is no longer an international concern but rather, an internal issue of the U.S. The U.S. has repeatedly challenged the right of the Chamorro people to deliver testimony before the U.N. on the progress of Chamorro self-determination under colonial rule.

tion rights are taken to apply to any situation (internal or external) in which a people are suffering from oppression by subjugation, domination or exploitation.¹² In this way, the right to self-determination is no longer simply viewed as a remedy, but as an entitlement inherent to all peoples.¹³

This broader concept of self-determination allows for marginalized peoples within independent nations to make claims for human rights, thus broadening the protection. But it also muddies the waters in regards to what constitutes a "people." U.N. studies have concluded that people

have a right to self-determination if they have a history of independence or self-rule in a specific territory, a distinct culture, and a will and capability to regain self-government.¹⁴ However, whether or not a people meets this criteria obviously still comes down to a subjective determination or interpretations of history. Countries with a record of ill treatment towards population groups within their boundaries will often argue that these populations are not "people" and therefore have no basis for a claim of self-determination.

Using International Human Rights to Fight for Self-Determination

The human rights framework has been used worldwide to promote peoples' desire for self-determination. The principal of self-determination states that any group of people has the right to govern its own affairs. However, when it comes to self-determination, there is no accepted, universal definition of the word "people,"¹⁷ so it can be unclear what groups have a legal claim to self-determination.

Although self-determination (unlike the majority of other human rights) is a group right, it is also an "essential condition" for protecting individual human rights. If a people is suffering collective oppression, it will be unable to ensure the enjoyment of the human rights of its individual members.¹⁸ Thus self-determination is a right that has a strong tradition in international human rights law. This includes the:

- U.N. Charter (1945), which supports self-determination as a legal principal;
- International Covenant on Civil and Political Rights (ICCPR);
- International Covenant on Economic, Social and Cultural Rights (ICESCR).

The ICCPR and the ICESCR guarantee that all peoples have the right to self-determination. This means that colonized or dominated peoples are free to choose their political status and to pursue

their own economic, social and cultural development. CERD guarantees that we all have the right to be free from all forms of apartheid, racism, colonialism, violence and foreign occupation that can prevent us from enjoying our rights. A number of more recent treaties also codify the fact that every people has the right to freely determine its political status.¹⁹

However, claims to self-determination usually have ramifications for communities other than just the group that is making the claim and it therefore becomes important to remember that the human rights of one group cannot be upheld at the expense of the human rights of another. Thus, the creation of a separate state can not be undertaken lightly as a means for self-determination: the impact on other communities must also be weighed when creating that state to ensure that the human rights of those already in

the region are not violated. Human rights groups understand that statehood is not the only path towards self-determination. There are a variety of other possible solutions, including an increase in political participation and power within the existing state.

In spite of these facts, some governments argue that encouraging self-determination struggles will lead to separate states for every ethnic or identity group. As former U.N. Secretary General Boutros-Ghali noted that: "If every ethnic, religious or linguistic group claimed Statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would become ever more difficult to achieve."²⁰ However, after making this grim prediction, Boutros-Ghali proposed a solution. The solution, he observed, "...lies in commitment to human rights."²¹

more to
explore ...



To learn more about self-determination or to get involved in supporting self-determination struggles around the globe, visit:

- Palestine Center for Human Rights at www.pchrgaza.org;
- European Roma Rights Centre at www.errc.org;
- Seeds of Peace, an organization that is empowering youth from regions of conflict to become leaders in reconciliation and coexistence at www.seedsofpeace.org;
- Just Vision at: www.justvision.org;
- Kashmir Council for Human Rights at: www.ummah.org.uk/kashmir/kchr/index.htm;
- International Campaign for Tibet: www.savetibet.org.

- ¹ Karen Parker, "Understanding Self-Determination: The Basics," Presentation to First International Conference on the Right to Self-Determination, United Nations, Geneva (August 2000), www.webcom.com/hrin/parker/selfdet.html.
- ² ICCPR Article 1, www.webcom.com/hrin/parker/selfdet.html.
- ³ www.selfdetermination.net/why.html.
- ⁴ Halperin, Morton H. and David J. Scheffer with Patricia L. Small, *Self-Determination in the New World Order*. (Washington: Carnegie Endowment for International Peace, 1992), pxi.
- ⁵ Mon Nai Ong, "The Future of Burma," Y.N. Kly and D. Kly, editors, *In Pursuit of the Right to Self-Determination: Collected Papers & Proceedings of the First International Conference on the Right to Self-Determination & the United Nations, Geneva 2000* (Atlanta, GA: Clarity Press Inc., 2001), 183.
- ⁶ Suzette Bronkhorst, "Self-Determination - People, Territory, Nationalism & Human Rights: Thoughts on the Situation of South Moluccans, Roma & Sinti," Kly, and Kly, editors, *In Pursuit of the Right to Self-Determination: Collected Papers & Proceedings of the First International Conference on the Right to Self-Determination & the United Nations, Geneva 2000*, 95.
- ⁷ "The Question of Palestine fact sheet," www.un.org/Depts/dpa/qpalnew/glossarycollapsible.htm.
- ⁸ Erica-Irene A. Daes, "Striving for Self-Determination for Indigenous Peoples," Kly, and Kly, editors, *In Pursuit of the Right to Self-Determination: Collected Papers & Proceedings of the First International Conference on the Right to Self-Determination & the United Nations, Geneva 2000*, 186 and 58.
- ⁹ Adopted from Halperin & Scheffer with Small, *Self-Determination in the New World Order*, pxi.
- ¹⁰ S.V. Kirubakaran, "Human Rights & Self-determination of the Tamil People of the Island of Sri Lanka", Kly and Kly, editors, *In Pursuit of the Right to Self-Determination: Collected Papers & Proceedings of the First International Conference on the Right to Self-Determination & the United Nations, Geneva 2000*, 167.
- ¹¹ Suzette Bronkhorst, "Self-Determination-People, Territory, Nationalism & Human Rights: Thoughts on the Situation of South Moluccans, Roma & Sinti," Kly and Kly, editors, *In Pursuit of the Right to Self-Determination: Collected Papers & Proceedings of the First International Conference on the Right to Self-Determination & the United Nations, Geneva 2000*, 95.
- ¹² Robert McCorquodale, "Human Rights and Self-Determination in The New World Order: Sovereignty, Human Rights and the Self-Determination of Peoples," 16.
- ¹³ Packer, John, "Self-Determination and international Law: Contribution to the PaVp-seminar 'Self-Determination & the United Nations- Options for West Papua,'" Utrecht, November 20, 1999 home.planet.nl/~pavo/Self-Determination.htm.
- ¹⁴ Lotte Hughes, "The No-Nonsense guide to Indigenous Peoples," 132.
- ¹⁵ www.cpa.org.au/guardian/guardian.html.
- ¹⁶ Office for the Coordination of Humanitarian Affairs/Occupied Palestinian territory, "UN Humanitarian Information Fact Sheet," January 2005.
- ¹⁷ Robert McCorquodale, "Sovereignty, Human Rights and the Self-Determination of Peoples," Mortimer Sellers, editor, *Human Rights and Self-Determination in The New World Order: Sovereignty, Human Rights and the Self-Determination of Peoples*. (Washington DC: Berg, 1996), 22.
- ¹⁸ McCorquodale, "Sovereignty, Human Rights and the Self-Determination of Peoples," Sellers, editor, *Human Rights and Self-Determination in The New World Order: Sovereignty, Human Rights and the Self-Determination of Peoples*, 12.
- ¹⁹ Declaration on Principals of International Law Concerning Friendly Relations and Cooperation among States (1970), the Final Act of the Conference on Security and Cooperation in Europe (CSCE) (1975) and the African Charter on Human and Peoples' Rights (1981) and McCorquodale, "Sovereignty, Human Rights and the Self-Determination of Peoples," Sellers, editor, *Human Rights and Self-Determination in The New World Order: Sovereignty, Human Rights and the Self-Determination of Peoples*, 10.
- ²⁰ McCorquodale, "Sovereignty, Human Rights and the Self-Determination of Peoples," Sellers, editor, *Human Rights and Self-Determination in The New World Order: Sovereignty, Human Rights and the Self-Determination of Peoples*, 9.
- ²¹ *ibid.*
- ²² www.dialoguebetweenations.com/Speople/English/englishdetermination.asp.

Trafficking



“Each year, millions of individuals, the majority women and children, are tricked, sold, coerced or otherwise forced into situations of exploitation from which they cannot escape.”¹

What Is Trafficking? Trafficking is the illegal and profitable recruitment, transport or sale of human beings — particularly women and children — for the purpose of exploiting their labor.² The slavery-like practice of human trafficking is a global phenomenon and the trafficking business is booming: it is estimated that it generates

between seven to ten billion dollars a year.³ Due to the illegal nature of trafficking, it is difficult to determine the magnitude of the industry, but the U.N. estimates that around the world 700,000 people are trafficked each year.⁴

Women, men, girls and boys are trafficked or forced to provide services in places such as factories (including sweatshops), farms, homes, and the sex industry.⁵ Women and girls are also forced into marriage.⁶ Although many women, children and even men are trafficked into the sex industry, the majority are trafficked to work in the service industry, agriculture, food processing, domestic labor or the garment industries.

Traffickers use coercive tactics to ensnare people

into trafficking. Women are typically recruited with false promises of good jobs elsewhere; lacking better options, and without legal means of migration, women agree to the terms.¹⁴ Agents and brokers arrange travel and job placements, and arrange for women to be escorted to their destinations.¹⁵ Upon arriving, victims of trafficking learn that they have been lied to about the nature of the job, as well as the financial arrangements and employment conditions.¹⁶ Many are forced to work long hours as prostitutes, sweatshop laborers, domestic servants or street and subway beggars. Those promised legal citizenship as part of the “deal” soon discover that in reality, they are illegal immigrants who face deportation if they are discovered by the authorities.

Facts^{with}Faces

Trafficking Around the World⁷

Trafficking is fastest growing in Central and Eastern Europe and the former Soviet Union;



The vast numbers of trafficked people are from Asia, with over 225,000 each year from Southeast Asia, and over 150,000 from South Asia. According to UNICEF, more than 200,000 West and Central African children are enslaved by cross-border smuggling. Most are “sold” by unsuspecting parents who believe their children are going to learn a trade or be educated. Girls from villages in Nepal and Bangladesh are sold to brothels in India for one thousand dollars each. Approximately 200,000 Nepali women - the majority of whom are under age eighteen - are being exploited to work in Indian cities;



The United Nations lists Mexico as the number one center for the supply of young children to North America. Most are sold to rich, childless couples unwilling to wait for bona fide adoption agencies to provide them with a child. The majority are sent to international pedophile organizations. Many times the children are snatched while on errands for their parents, and often they are drugged and raped. Most of the children over twelve end up as prostitutes;



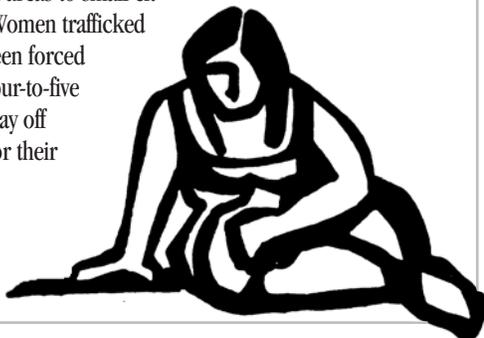
In India there are over 1,000 red-light districts, where caged prostitutes are mostly minors often from Nepal and Bangladesh;⁸



Japan has the largest sex industry market for Asian women. Over 150,000 non-Japanese women are in prostitution; more than half are Filipinas and forty percent are Thai women. The Japanese sex industry accounts for 1% of the Gross National Product and equals the defense budget;⁹



Trafficking in women plagues the U.S. as much as it does underdeveloped nations. Organized prostitution networks have migrated from metropolitan areas to small cities and suburbs. Women trafficked to the U.S. have been forced to have sex with four-to-five hundred men to pay off \$40,000 in debt for their passage.¹⁰



Traffickers continue to use deception and fraud along with intimidation, isolation, and the threat and use of physical force in order to control their victims.¹⁷ In extreme cases, women are held in conditions of forced labor or in debt bondage, sold and re-sold from brothel owner to brothel owner without hope of ever escaping or paying off their “debt.”¹⁸ Many trafficked women also suffer beatings, rape, psychological coercion, and serious health problems from sexually transmitted diseases.¹⁹ The ever-present threat of deportation, cultural and linguistic isolation, and the coercive and abusive situations from which escape is difficult and dangerous,²⁰ all prohibit victims of trafficking from challenging or leaving the appalling conditions in which they live and toil.

“Bosses” and employers use different forms of coercion to ensure that trafficking victims do not flee or turn to the police for help, relying most commonly on debt-bondage, forcing victims to hand over their wages until they repay the cost of being trafficked into the country. Room and board costs are often added to these debts, making it almost impossible to ever pay them off. Other coercive tactics include continual surveillance, isolation, threats of violence towards individuals and their families, and confiscated passports. However, traffickers are rarely apprehended or prosecuted, and penalties for trafficking are light compared to those for smuggling drugs or weapons.²¹

A constant factor in trafficking routes is the economic distinction between countries of origin and countries of destination; in general, the flow of trafficked people is from poorer to richer countries.²² Southeast Asian women, for example, are trafficked into North America – including the U.S. – and to other Southeast Asian countries, and African women are trafficked to Western Europe.²³ The political and economic upheaval that accompanied the break-up of the former Soviet Union led to a dramatic increase in the number of women trafficked from Central and Eastern Europe.²⁴ Trafficking also increases after military and social conflicts. For example, the former Yugoslavia has now become a main

trafficking destination for women from Central and Eastern Europe.

Although trafficking in women is usually thought to be the result of sex discrimination, racism also increases the likelihood that women and girls will be trafficked.²⁵ Similarly, there is a link between racial marginalization and trafficking. Racist attitudes in host countries or even racial “commodification” of women can increase demand for trafficked women from a particular region to work in the sex industry. On the other hand, racial discrimination can be a motivating factor for an individual to migrate by any means available, even if the only option is the service of a trafficker.²⁶ In addition to the other abuses trafficking victims face in host countries, they may have to contend with ill-treatment by bosses or even law enforcement because of their status as racial or ethnic minorities.²⁷

Trafficking As A Human Rights Issue

It is ever more important that trafficking be addressed as a fundamental violation of human rights. Trafficking for forced prostitution and other forms of force is also a multimillion-dollar illegal global industry that yields high profit, but poses little risk to traffickers. For the millions of primarily women and children who are trafficked each year, it is a high-risk undertaking

CLOSE
to HOME

Trafficking In the U.S.

TRAFFICKING affects people in every country and region of the world, including the U.S. Every ten minutes, a woman or child is trafficked into the U.S. for some form of forced labor.¹¹ Many of the fifty thousand women and children trafficked in the U.S. each year are forced to work in the sex industry.¹² Some women are also trafficked as “mail order brides.” While some women who are trafficked for this reason are satisfactorily married, others report being forced to work like slaves or being forced or sold into brothels by their husbands.¹³

that can lead to sexual exploitation, legal prosecution and myriad other human and labor rights violations. Those violated include the rights to:

- * life, liberty, dignity and personal security;
- * freedom from violence and cruel and inhumane treatment;
- * freedom from slavery;
- * non-discrimination;
- * health.

☆ REAL LIFE STORIES ☆

Hnom Penh, Cambodia

According to reporting by the New York Times, the Chai Hour II Hotel in Hnom Penh is a brothel where 250 women and girls are imprisoned as prostitutes and virgin girls are trafficked or sold. Women and girls are ordered by their numbers, and they are then delivered to customers in private rooms. Recently, 83 girls were rescued in a police raid and taken to a shelter. The next day, 30 traffickers raided the shelter, beat up the staff, and took all 83 girls back to the brothel.

According to the Times, while shame, drug addiction and financial desperation meant that many of the girls wanted to return to the brothel, dozens of others wished to stay in the shelter. The hotel subsequently filed a lawsuit against the shelter seeking \$1.7 million in damages, and staff members have received death threats. Cambodia’s top police official also reprimanded the female officer who ordered the raid on the brothel, and she was briefly suspended from her post.

Focusing in on . . .

Migration and Trafficking

TRAFFICKING has been described as “one of the worst forms of abuse that migrant women suffer.”²⁸ Trafficking is affected by migration policy, and increases in trafficking are driven by underlying human rights issues that drive migration patterns and also affect global trends in trafficking. For example, people often migrate to escape human rights abuses including racial or gender discrimination, violence, unpaid labor, and denial of political or legal rights. People also may migrate in search of better access to such human rights as education, shelter, food and employment. But when an individual does not have access to legal means of migration, these same human rights concerns may pressure them to seek illegal paths of migration, leaving

them vulnerable to exploitation by traffickers. Thus, as legal opportunities for migration decrease, the demand for trafficking increases. For example, since the end of the cold war, restrictions on immigration from Eastern Europe to Western Europe have increased. As a result, reports of trafficking have also increased.²⁹

Many governments treat trafficked persons as illegal aliens, criminals, or both, exposing them to further abuse. For example, Thai trafficking victims in Japan are regularly detained as illegal aliens and deported with a five-year ban on reentering the country. By targeting the victims instead of the perpetrators, states allow the abuses to continue.³⁰ Offenses related to being a trafficking victim, including lack of a valid visa, use of false travel documents, and irregular departure from country of origin should not adversely affect a trafficked person's asylum claim, impede access to the asylum determination procedure, or result in any punitive response, including detention.

Sex discrimination plays a large role in trafficking. Women are especially vulnerable to trafficking, due in large measure to the inequalities they face in status and opportunity worldwide.³¹ Around the world, women face persistent discrimination and inequality, both in social status and in access to work and education. This leads both to severely limited economic options and extreme vulnerability to violence. As a result, desperation forces many women to seek work abroad, with traffickers their only option for obtaining it. They may then initially agree to the traffickers terms, unaware of the deceptive practices employed by traffickers and the reality of the conditions they face upon arrival in their new country. This includes sexual violence, including rape, meant to break their physical and mental will, or to condition them to sex work environments.³²

Violence committed against women because they are women is not only an affront to women's inherent dignity, it is also a form of discrimination, and thus a violation of human rights. Discrimina-

tion against women is prohibited by the Universal Declaration on Human Rights (UDHR) and the international Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). CEDAW was the first legally binding international treaty to prohibit discrimination against women and to require governments to take steps to advance the equality of women. The U.S. has not yet ratified CEDAW.

Using International Human Rights to Fight Trafficking

Human rights and women's rights organizations across the world are advocating at the national and international levels for strategies that treat trafficking as an urgent human rights issue instead of as a criminal law enforcement issue. Re-framing trafficking as a human rights issue also underscores governments' human rights obligations to protect its victims and to provide redress. A human rights approach to trafficking places the rights of the victim first. This strategy calls for the promotion of

INTERSECTION CONNECTION

The Trafficking of Dalit Women

living and working conditions in countries of origin that provide women with viable alternatives to migration, thus reducing reliance on traffickers and empowering women by protecting all of their human rights. A human rights framework applied to trafficking also calls for a halt to the prosecution of immigration laws associated with forced migration.

In 2000, over 120 countries, including the U.S., signed the U.N. Convention against Transnational Organized Crime. This international human rights Convention includes the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.³⁷ The Trafficking Protocol recognizes that the human rights of trafficking victims must be protected, and creates the first-ever internationally agreed upon definition of trafficking:



RECENTLY, increasing numbers of young Dalit women from Nepal are being brought to India, where they are forced to work as prostitutes. Many young Dalit women believe they will get jobs as domestic helpers, and willingly follow recruitment agents in the hope of earning money with which to support their families. Both the Nepalese and Indian police support the trafficking trade, helping to open trafficking routes between countries and protecting brothels. Trafficked Dalits end up serving as sex slaves, and many die from sexually transmitted diseases. Those who protest are threatened and even murdered, but the police ignore the crimes. Their status as women and as Dalits intersect to make them doubly vulnerable to trafficking as well as the host of human rights violations associated with it.

[T]he recruitment, transportation, transfer, harboring, receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction,

of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.³⁸

Although many human rights activists feel this Convention does not contain strong enough provisions for protecting the rights of trafficking victims,³⁹ it represents an important step forward, and creates a valuable foundation from which to build future work.

☆ REAL LIFE STORIES ☆

THE FOLLOWING EXCERPT is from the article “The New Illegal Immigrants: Sex Slaves” in Human Events:

The men came to their village promising jobs as housekeepers and waitresses in the USA. The Mexican women, as young as 14 and eager for the chance to help their families, agreed to go. When the women arrived in Florida, “bosses” confiscated their false travel documents and said they would be arrested as illegal immigrants if they ever ran away. They were forced to pay their \$2,000 transportation fees through prostitution, 12 hours a day, six days a week. Guards were posted at the doors. Attempted escapes are punished with severe beatings. The bosses considered rape a training method. Mexican farm workers paid \$20 for a condom and 15 minutes with a woman, though on average the women received \$3 per encounter. It became impossible for the women to pay their debts, since the bosses added charges for room, board and miscellaneous fines to the original transportation fee. Eventually two 15 year-olds successfully fled to the Mexican consulate, and the traffickers were arrested. The women now face deportation to Mexico, where some of the original recruiters are still at large.³³

Importantly, the Trafficking Protocol gives governments a framework for providing human rights protections to victims of trafficking, including medical and psychological care, appropriate shelter, legal assistance, protection and safety, temporary residence, and further safety if they are returned to their home countries.⁴⁰

Trafficking at WCAR

The international human rights of trafficked persons were also a key focus at the 2001 U.N. World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) in Durban, South Africa. Anti-trafficking advocates from around the world succeeded in using this international conference to focus the world's attention on the connections between

trafficking and racial discrimination. Participants pointed out the interaction of gender and racism, highlighting the fact that racist attitudes and ide-

What do YOU think?

- What should be the role of local law enforcement in protecting the human rights of trafficked persons?
- What responsibilities do we have as citizens to stop such abuses?
- Do you think we can make a difference in promoting international human rights standards?
- If so, how?

Focusing in on . . .

Focusing in On...“Criminalizing” People Who Have Been Trafficked

MANY LEGAL PRACTICES set up to stop trafficking actually lead to further harm to trafficked persons. Most Western European governments, for example, have taken a narrow “crime control” approach to trafficking, placing emphasis on enhanced border control; measures to combat organized criminal networks of traffickers; and the apprehension, and deportation of trafficked migrants. Ignoring the link between increasingly restrictive immigration and asylum policies in Western Europe and the boom in trafficking, many governments have thus far failed to address trafficking as a human rights and refugee protection issue.

Some countries on the receiving end of the trafficking ring have placed restrictions on the number of women they allow to legally immigrate. Countries where trafficking originates have

placed restrictions on women who seek to leave the country. For example, Poland and Myanmar (formerly Burma) have placed restrictions on leaving. As a result, if trafficked people from these countries are caught, they face dual prosecution-in their host country AND in their country of origin.³⁴

Policies like these, which criminalize the victims while the traffickers often go free, result in the deportation, detention and arrest of trafficked women — on top of the other atrocities they have already endured. Limiting legal migration has simply forced more women who have no choice but to migrate to turn to traffickers as a means of migration, thus exacerbating the problem and violating their human right to freedom of movement in and out of their countries.³⁵

Furthermore, restrictions and other policies that criminalize trafficked women mean that women will not feel safe testifying about who trafficked them if it will mean their arrest or deportation. Clearly, women who feel safe with law enforcement are more likely to cooperate in investigations, helping authorities catch and prosecute traffickers.³⁶



Trafficking in the U.S. Post-9/11

MORE THAN TWO DECADES of international activism finally lead the U.S. Government, in 2000, to pass the Trafficking Victims Protection Act, which recognizes that people who are forcibly trafficked are victims of a crime, not criminals. In 2003, the U.S. Congress passed the Trafficking Victims Protection Reauthorization Act, which makes it a crime for any person to enter the US or for any citizen to travel abroad for the purpose of sex tourism involving children.

The U.S. Government was also one of the primary backers of the Trafficking Protocol, but although it has signed the Protocol, the U.S. has not yet ratified it – meaning that it is not yet legally obligated to comply with the Convention. In the meantime, the U.S. Government is seriously considering legislation – the Homeland Security Enhancement Act (HSEA) – that would have serious consequences for trafficking victims as well as trafficking investigations and prosecutions. If enacted, the legislation would require state and local officials to enforce federal civil immigration laws and to detain and

remove non-citizens. The proposed legislation would further endanger some of the most vulnerable members of immigrant communities in the U.S. - battered, trafficked, or sexually abused women and children.

Even if they are in the U.S. legally, many immigrants will not contact police about abuses they have suffered for fear that they will be arrested and deported. In fact, traffickers often use the threat of deportation and reprisals back home to prevent their victims from reporting the crimes against them. In addition, it is the job of local law enforcement to protect victims of trafficking, not arrest them. However, the proposed legislation will force local officials to enforce federal immigration laws. This will give traffickers additional impunity, since they will have even more power to trap their victims in violent or exploitative situations. If passed, trafficking victims will suffer even more abuse, and law enforcement officials will have greater difficulty identifying and prosecuting traffickers and other violent criminals.

ologies fuel trafficking in women and girls, and that certain racial and ethnic groups, such as indigenous women and migrants, are often targeted for trafficking.⁴¹

The final Durban Declaration and Program of Action called on nations to take action against traffickers, while simultaneously protecting the human rights of trafficking victims.

more to
explore ...



To learn more about trafficking and some key organizations that are at the forefront of the struggle to end trafficking go to:

- The Global Alliance Against Traffic in Women at www.gaatw.net;
- The Global Fund for Women at www.globalfundforwomen.org/faq/trafficking.html#how-many;
- The Coalition Against Trafficking in Women at www.catwinternational.org/fb;
- Coalition to Abolish Slavery and Trafficking at www.castla.org.
- Omidyar Network at: www.omidyar.net/group/issues-soc/ws/Global%20Human%20Trafficking/

- ¹ World Conference Against Racism, "The Race Dimensions of Trafficking in Persons - Especially Women and Children," Press Kit: Issues - Trafficking in Persons, www.un.org/WCAR/e-kit/issues.htm.
- ² Human Rights Watch, "Campaign against the Trafficking of Women and Girls," www.hrw.org/about/projects/traffcamp/intro.html.
- ³ www.globalfundforwomen.org/faq/trafficking.html#how-many.
- ⁴ Human Rights Watch, "U.S.: Efforts to Combat Human Trafficking and Slavery" (7-7-2004), Human Rights Watch Testimony Before the U.S. Senate Judiciary Committee, Statement of Wendy Patten, U.S. Advocacy Director, www.hrw.org/english/docs/2004/07/15/usdom9075.htm.
- ⁵ *ibid.*
- ⁶ Human Rights Watch, Campaign against the Trafficking of Women and Girls.
- ⁷ United Nations Office for Drug Control and Crime Prevention, 2002, www.globalhawaii.org/PDF/Trafficking_taskforce.html.
- ⁸ The Coalition Against Trafficking, www.catwinternational.org/factbook/index.php.
- ⁹ *ibid.*
- ¹⁰ Ramdas, Avita, president of the Global Fund for Women sponsoring a recent prostitution conference, Knickerbocker, Brad. "Prostitution's Pernicious Reach Grows in the US," *Christian Science Monitor* 23, October 1996.
- ¹¹ Coalition to Abolish Slavery and Trafficking, www.castla.org.
- ¹² US State Department, "Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report," 2002, www.state.gov/g/tip/rls/tiprpt/2002.
- ¹³ International Catholic Migration Committee; www.icmc.net/docs/en/new/traffindoover.
- ¹⁴ *ibid.*
- ¹⁵ *ibid.*
- ¹⁶ *ibid.*
- ¹⁷ *ibid.*
- ¹⁸ Human Rights Watch, "Memorandum of Concern, Trafficking of Migrant Women for Forced Prostitution into Greece," www.hrw.org/backgrounder/eca/greece/greece_memo_back.htm#trafficking.
- ¹⁹ Human Rights Watch, "U.S.: Efforts to Combat Human Trafficking and Slavery" (July 7, 2004), Human Rights Watch Testimony Before the U.S. Senate Judiciary Committee, Statement of Wendy Patten, U.S. Advocacy Director, www.hrw.org/english/docs/2004/07/15/usdom9075.htm.
- ²⁰ Human Rights Watch, Campaign Against the Trafficking of Women and Girls.
- ²¹ World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, "BACKGROUND: The Race Dimensions of Trafficking in Persons - Especially Women and Children," United Nations Department of Public Information (March 2001), www.un.org/WCAR/e-kit/issues.htm.
- ²² United Nations World Conference against Racism, "The Race Dimensions of Trafficking in Persons - Especially Women and Children," Press Kit: Issues - Trafficking in Persons - World Conference Against Racism, www.un.org/WCAR/e-kit/issues.htm.
- ²³ *ibid.*
- ²⁴ World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, "BACKGROUND: The Race Dimensions of Trafficking in Persons - Especially Women and Children," United Nations Department of Public Information (March 2001), www.un.org/WCAR/e-kit/issues.htm.
- ²⁵ *ibid.*
- ²⁶ *ibid.*
- ²⁷ Radhika Coomar, "Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women," UN Commission on Human Rights, E/Cn.4/200/68 (February 29, 2000), 19.
- ²⁸ The International Organization for Migration (IOM), as cited by Human Rights Watch, "Memorandum of Concern, Trafficking of Migrant Women for Forced Prostitution into Greece," www.hrw.org/backgrounder/eca/greece/greece_memo_back.htm#trafficking.
- ²⁹ United Nations, Commission on Human Rights, Special Rapporteur on Violence Against Women, "Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women." (New York: United Nations, 2000), [www.unhchr.ch/Huridocda/Huridoca.nsf/\(Symbol\)/E.CN.4.2000.68.En?Opendocument](http://www.unhchr.ch/Huridocda/Huridoca.nsf/(Symbol)/E.CN.4.2000.68.En?Opendocument).
- ³⁰ Human Rights Watch, "Women's Human Rights: Trafficking," www.hrw.org/women/trafficking.html
- ³¹ Human Rights Watch, "Women's Human Rights: Trafficking," www.hrw.org/women/trafficking.html.
- ³² UN E8S Paper, p. 15.
- ³³ D'Agostino, Joseph, "The New Illegal Immigrants: Sex Slaves" Human Events, Vol. 55, Issue 24, (July 22, 1999), 4.
- ³⁴ P22, UN E8S.
- ³⁵ Radhika Coomar, 22.
- ³⁶ GAATX III p2.

³⁷ Human Rights Watch, "Memorandum of Concern, Trafficking of Migrant Women for Forced Prostitution into Greece," www.hrw.org/background/eca/greece/greece_memo_back.htm#trafficking.

³⁸ United Nations Convention against Transnational Organized Crime, Annex II: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, A/55/383, adopted by the General Assembly on November 2, 2000, article 3.

³⁹ GAATW IV.

⁴⁰ Human Rights Watch, "U.S.: Efforts to Combat Human Trafficking and Slavery" (July 7, 2004), Human Rights Watch Testimony Before the U.S. Senate Judiciary Committee, Statement of Wendy Patten, U.S. Advocacy Director, www.hrw.org/english/docs/2004/07/15/usdom9075.htm.

⁴¹ United Nations World Conference against Racism, "The Race Dimensions of Trafficking in Persons - Especially Women and Children," www.un.org/WCAR/e-kit/issues.htm.

Reparations

“By ‘reparations’ we mean not only compensation but also acknowledgment of past abuses, an end to ongoing abuses, and, as much as possible, restoration of the state of affairs that would have prevailed had there been no abuses.”¹



What Are Reparations? The meaning of the word reparations is to give back — or to make right. Reparations are methods by which countries that have actively practiced racism, or even simply allowed racism or other human rights violations to occur, can admit the wrong, correct it, and actively promote the human rights and equality of those affected. For these reasons, reparations is emerging as a major

issue among activists worldwide. Reparation is not about punishment for a crime, but rather taking responsibility for a wrongdoing. On the other hand, reparation is not simply an apology, although that can be an important first step. True reparations require proactive actions that redress the imbalances that resulted from exploitation. Reparations can contribute to healing among

communities and ensure an end to an historical legacy of human rights violations.

Reparations As A Human Rights Issue

According to most reparations activists, redress is due both to African countries and to all members of the African diaspora in former colony coun-

Reparations can be given in the form of:

- Money;
- Land;
- Return of cultural artifacts; and
- Funding of scholarships or community development projects;
- Policy changes that correct for the violations;
- Correction of historical record in text-books and official records.

tries. While the extremely low cost labor provided by the slave trade helped to catalyze the Industrial Revolution in Europe and the U.S., the tremendous destruction from the slave trade also tore apart communities and derailed thriving empires and cultures on the African continent.

The Trans-Atlantic Slave Trade

The Trans-Atlantic slave trade — one of the largest forced migrations in history — began in the fifteenth century and lasted for nearly 300 years. It is estimated that more than 10 million Africans were forcibly taken from their homes and shipped across the Atlantic Ocean in the overcrowded hulls of slave ships to work the fields of the American colonies and lay the foundation for American industry. Even after the abolition of slavery and Constitutional amendments guaranteeing citizenship and the right to vote to former slaves, racist customs and discriminatory laws known as Jim Crow Laws continued to deny African Americans full access to the American government, economy and physical infrastructure that they helped build. It was not until the 1960's, almost 100 years later that these discriminatory laws and practices were officially outlawed.

In Africa, even after the slave trade ended, the abuse of Africa's people and resources continued under colonialism. Colonialism, which was often justified by the racist attitudes that have foundations in the slave trade, allowed Western Countries to control the land and natural resources that should have been the basis of an independent African economy.

Some argue that the development of the U.S. and Europe — made possible by African slave labor — is intricately linked to the slowing of development in affected African regions, resulting in grave human rights consequences for many African countries. The region's share of global poverty is such that African countries assign more than 50% of their national budgets to pay off international debt. Additionally, Sub-Saharan Africa, the region with the lowest GNP per capita in the world also has the highest prevalence of AIDS cases.⁸

Facts with Faces

The Legacy of Slavery in the U.S.

To this day, the economic and social aftershocks of slavery and the years of discrimination that followed have acted as severe obstacles to the full realization of human rights for African-Americans. For example, they experience unequal access to health care and education, receive lower wages for the same jobs and higher prison sentences for the same crimes as their white compatriots.²



African-Americans have lower life expectancies and less access to healthcare than white Americans;³ The life expectancy for African-American men in the U.S. is 66.1 years, compared to 73.9 years for white men. African-American women have a life expectancy of 73.9 years while white women have a life expectancy of 79.7 years;



African-Americans often receive inferior health care even when they have the same resources and health insurance as whites. A study of Medicare patients in over 500 hospitals found that African-Americans received a lower quality of care when hospitalized for pneumonia and heart failure;



24% of African-Americans live below the U.S. poverty level. Only 8.2% of whites do;



The U.S. war on drugs primarily targets African-Americans. Although more drug offenders are white than African-American, African-Americans constitute 62.7% of the drug offenders sent to state prison, and African-American men are jailed on drug charges at 13.4 times the rate of white men;⁴



Nearly 25% of women in state prisons have a history of mental illness. Nearly 37% of women had monthly incomes of less than \$600 before their arrest;⁵



Since 1977, the overwhelming majority of death row defendants have been executed for killing white victims (over 80%), even though African-Americans make up about 50% of all homicide victims;



An estimated 98,000 African-Americans were incarcerated in 1954 (the year of the Brown v. Board decision). Today that figure is at nearly 900,000;



Current imprisonment policies affect not only those in jail but also their families and communities — 1 of every 14 black children has a parent in prison.

Focusing in on . . .

Colonialism

COLONIZATION was a violent process where European countries conquered and carved up parts of the world, including Africa, into spheres of influence.⁶ In many cases, European governments used “scorched earth” methods of warfare that devastated agricultural lands. Belgium’s conquest of the Congo killed thousands of people. In East and Southern Africa, war and the diseases that the Europeans brought with them killed the cattle population and

resulted in widespread epidemics. Colonialism also destroyed African agricultural systems and replaced them with a system designed to exploit African labor and resources to benefit Europe.⁷ Rather than focusing on food production and growing a variety of crops, each African economy was made to produce a single cash crop for export to European markets. As a result, each African economy was made dependent on the price of a single commodity in the world market. In addition, the colonial pow-

ers gave African economies little opportunity to gain self-sufficiency in food production or to develop their industrial base.



While the actual financial benefit of the slave trade to the colonial powers and its cost to Africa and its descendents cannot be accurately calculated, it is clear that many African economies have never recovered from the scar of the slave trade or the years of colonization that followed. African nations still grapple with border disputes, civil wars, famines and large-scale poverty, produced in large measure by the massive disruption of the continent’s political structures and economy.⁹

Using International Human Rights to Fight for Reparations/ Reparations at WCAR

The issue of reparations is an emergent issue in human rights discussions, but one that many recognize as an essential step towards protecting the rights of all people everywhere. Despite the fact that to date, no country has made reparation to anyone affected by the legacy of slavery and colonialism, the concept of reparations is strengthened and supported by international human rights law.

Reparations activists from around the world have

used international human rights, as well as international conferences and meetings, to promote and gain international support for reparations for slavery and colonialism. At the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, people of African descent from many different countries sought redress for the immeasurable economic gains of Europe and the American colonies from the Trans-Atlantic slave trade at the suffering and expense of Africans and African-Americans.

At Durban, Africans and African Descendents sought formal recognition for the crimes of slavery and urged governments to take steps to redress the damage. Some advocated for a formal apology and monetary reparations, while others hoped for reparations in the form of trade benefits, foreign aid and debt relief to Africa. However, countries with a history of involvement in the slave trade were reluctant to make even a formal apology in fear that this would leave them vulnerable to law suits.

The fact that the U.S. government pulled out of the conference was an additional obstacle for Afri-

The Reparations Debate in the U.S.

PEOPLE IN THE U.S. who oppose reparations argue that people today do not have any connection to slavery. Because reparations are normally given to those who survived a violation, descendants of slaves are not due reparations as they themselves were never enslaved. This logic, echoed by many opponents of reparations, implies that, since there are no surviving slaves, slavery is a thing of the past and has no residual effect on Americans today. However, most Americans do have some connection to slavery. For example, many agricultural empires and scientific innovations from which we all benefit today are the result of the work of slaves who were mistreated and never fairly compensated for their work. In fact, many of the colleges and institutions we attend today were built by slaves. Furthermore, African Americans continue to feel the after affects of slavery every day in the form of racial discrimination (refer to Facts with Faces for examples).

Many people may believe that African-Americans are not in need of reparations because they receive proper restitution through affirmative action laws and programs. While affirmative action programs are important tools for achieving racial justice, they do little to remedy the deep-seated racial inequalities in American society, including differential access to healthcare and elementary education and disparities in wealth and power. In addition, since very few African-Americans personally benefit from affirmative action policies, these policies fall short of compensating the majority of African descendants for the injustices of slavery and the racial discrimination that followed.¹⁰

Some people are also concerned that reparations would bankrupt the country. Some estimates of the unjust enrichment that the U.S. received from slavery and racial discrimination approach \$5-10 trillion.¹¹ Even paying the relatively small sum of \$20,000 to all the twenty million living descendants of slaves would cost \$400 billion. However, reparations can

take a variety of forms that will be less of an economic burden on the country. Reparations could, for example, take the form of the creation of education and community development funds for African-American communities, supporting research that addresses the health needs of African Americans, and pursuing policies aimed at closing the wealth gap between African Americans and other communities.¹² In addition, reparations could also involve funds for the development of educational materials about the Trans-Atlantic slave trade and its continuing harm, from the perspective of African descendants.

Reparations offer a far more holistic approach towards healing wounds and acknowledging the immeasurable economic, social and psychological harms caused by slavery, Jim Crow laws and centuries of human rights violations. Reparations and affirmative action can also be used as complementary measures. For example, while affirmative action might provide African-Americans opportunities to pursue higher education, reparations could set up community education funds to support schools in predominantly African-American neighborhoods.¹³

These are just a few examples of the many plausible measures of redress. Any reparations policy, however, must recognize reparations as a process of healing that acknowledges the massive human rights violations of slavery and the fact that African-Americans continue to experience its legacy today.

What do YOU think?

- Do you think African-Americans should receive reparations?
- What other communities in the U.S. might be entitled to reparations?
- Can you think of modes of reparations for these communities?
- Racial inequalities that still continue today endanger the fifty years of civil rights progress that was fought so hard for — What do you think about that?

cans and African Descendents, since the issue of reparations is particularly relevant to African Americans and the legacy of American slavery. In fact, although the U.S. claimed disagreements over the language regarding Israel/Palestine as their official reason for leaving the conference, many — including the African and African Descendent Caucus — believe that the U.S. left in part to avoid addressing the issue of reparations.

Despite these challenges, reparations advocates achieved some degree of progress. The official final WCAR plan of action — which governments (although not including the U.S.) committed to implementing — recognizes slavery as a crime against humanity and makes “acknowledgement for the wrongs of slavery” while recommending economic assistance to Africa. However, it does not specifically call for reparations.

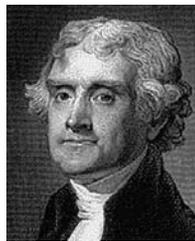
INTERSECTION CONNECTION

The Case of Sally Hemings

SUPPORTERS OF REPARATIONS for former slaves in the U.S. base their arguments on a long history of unequal treatment, including the years that followed the abolishment of slavery in which African-Americans were subject to ongoing discrimination. One particularly dramatic example of how blacks and whites held different status is the case of Thomas Jefferson and Sally Hemings.

Sally Hemings was the half sister of Jefferson's wife; that is, she was mixed-race and the daughter of a powerful white man. Yet she was born a slave and remained a slave, even after giving birth to at least six children, all presumably Jefferson's. Though she worked as a housemaid and companion to his white children, and she even accompanied him on a trip to Paris during the American Revolution, he never saw fit to free her and always refused to acknowledge the true nature of their relationship. When he died she remained a slave. In his will, he did free two of their children.

Many historians were reluctant to admit that Jefferson, the owner of around 200 slaves, might have fathered children with his slave, although questions were asked in his lifetime. Only recently has DNA evidence proved that the descendents of Sally



THOMAS JEFFERSON

Hemings — the descendents of slaves — are also Thomas Jefferson's children. This is particularly disturbing to many Americans as it demonstrates how the children of a president were denied their economic and social rights under the laws of the U.S.

Denied all forms of status in the intervening years, the children of Sally Hemings — and their children, and so on — grew up under segregation and Jim Crow law, forced to endure the demeaning and abusive policies of the nation while their white relatives enjoyed the power and privilege that came from being Jefferson's relatives.¹⁴ The situation of Sally Hemings herself, as a mixed-race woman who was denied her rights even as she bore the children of her owner, illustrates the particularly difficult position that slave women were often put in. Though their children were often the product of sexual relations with their masters — sometimes consensual, sometimes rape — they remained powerless to alter their own situation or that of their children. The consequences for the generations that followed slavery were severe, as African-Americans struggled against the new systems of oppression that replaced formal slavery in the U.S.

Excerpts from “Racism and Reparations”

by Manning Marable

*Director of African-American Studies at Columbia University*¹⁵

THE QUESTION OF REPARATIONS for slavery is more than an intellectual exercise. In 1854, my great-grandfather was auctioned off for \$500. The sale was “business as usual” for his white slave master in Georgia; for my family and for countless other African Americans, it was an affront against our humanity.

What I call the First Reconstruction (1865-1877) ended almost 250 years of legal slavery. But the four million people of African descent in this country anticipated not just personal freedom but also economic self-sufficiency. Thus African Americans clamored for “forty acres and a mule” as part of their compensation for more than two centuries of unpaid labor.

But compensation (“reparations”) never came during this First Reconstruction. And with the rise of Jim Crow and legalized segregation, African Americans were firmly relegated to secondary status.

What I call the Second Reconstruction (1954-1968), or the modern Civil Rights Movement, outlawed legal segregation in public accommodations and gave Blacks voting rights. Yet the damaging legacy of slavery and of a century of legal segregation was never addressed.

Because neither the First nor the Second Reconstruction resolved the issue of compensation, this society has never truly confronted the reality that the disproportionate wealth that most whites enjoy today was first constructed from centuries of unpaid Black labor.

Demanding reparations is not just about compensation for the legacy of slavery and Jim Crow, however. Equally impor-

tant, it is an education campaign that acknowledges the pattern of white privilege and Black inequality that is at the core of American history and that continues to this day.

White Americans today are not guilty of carrying out slavery and legal segregation. But whites have a moral and political responsibility to acknowledge the continuing burden of history’s structural racism.

Structural racism’s barriers include “equity- inequity,” the absence of Black capital formation that is a direct consequence of America’s history. One third of all Black households, for example, actually have negative net wealth. Black families are denied home loans at twice the rate of whites. Blacks remain the last hired and first fired during recessions. Blacks have significantly shorter life expectancies, in part due to racism in the health establishment. Blacks, by and large, attend inferior schools.

The idea of reparations doesn’t necessarily mean monetary payment to individuals. A reparations trust fund could be established, with the goal of closing the socioeconomic gaps between Blacks and whites. Funds would be targeted specifically toward poor, disadvantaged communities with the greatest need, not to individuals.

“Reparations” could begin America’s Third Reconstruction, a chance to raise fundamental questions about the racialized character of power within our democracy. As scholar Robert Hill of UCLA observed recently, the campaign for Black reparations is “the final chapter in the five hundred year struggle to suppress the transatlantic slave trade, slavery, and the consequences of its effects.”

more to explore ...



Following are some of the growing number of web sites offering information on the movement for reparations for slavery:

- The National Coalition of Blacks for Reparations in America at www.ncobra.com;
- The Africa Reparations Movement (United Kingdom) at the.arc.co.uk/arm/home.html;
- www.afre-ngo.org;
- www.reparationscentral.com — an online reparations clearinghouse with links to organizations throughout the world;
- www.buildingblocksforyouth.org.

- ¹ Human Rights Watch, "An Approach to Reparations" (July 19, 2001), www.hrw.org/english/docs/2001/07/19/global285_txt.htm.
- ² Clarence Mumford, *Race and Reparations* (Africa World Press, Inc., 1996).
- ³ "Race and Class in the US: Why African Americans are Dying Younger than Whites," NAACP study, 2000, www.greenleft.org.au/back/2000/420/420p21.htm.
- ⁴ Human Rights Watch, "Punishment and Prejudice: Racial Disparities in the War on Drugs" (New York: Human Rights Watch, 2000).
- ⁵ The Sentencing Project fact sheet, "Women in Prison," www.sentencingproject.org/pubs_11.cfm.
- ⁶ Justin Podur, "Non-Reformist Reparations for Africa," *Z Magazine* (February 2002), www.zena.secureforum.com/Znet/zmag/zarticle.efm.
- ⁷ *ibid.*
- ⁸ UNAIDS, HIV/AIDS, *Gender and Poverty Factsheet* (Geneva: UNAIDS, 2001), www.unaids.org/EN/other/functionalities/Search.asp.
- ⁹ Gamal Nkrumah, "Battling Africa's Colonial Legacy," *Al-Ahram Weekly Online* (11-17 June 1998), www.weekly.ahram.org.eg/1998/381/in1.htm.
- ¹⁰ Robert Westley, "Many Billions Gone: Is It Time to Reconsider the Case for Black Reparations?" 40 *B.C.L. Rev.* 429 (1998).
- ¹¹ Chad W. Bryan, "Precedent for Reparations? A Look at Historical Movements for Redress and Where Awarding Reparations Might Fit," 54 *Ala. L. Rev.* 599 (Winter 2003).
- ¹² Adjoa A. Aiyetoro, "Formulating Reparations Litigation Through the Eyes of the Movement," 58 *N.Y.U. Ann. Surv. Am. L.* 457 (2003).
- ¹³ "Bridging the Color Line: The Power of African-American Reparations to Redirect America's Future," 115 *Harv. L. Rev.* 1689 (2002).
- ¹⁴ Narratives/Biographies, *Sally Hemings*, www.slaveryinamerica.org/narratives/bio_sally_hemings.htm.
- ¹⁵ Manning Marable, "Racism and Reparations," *Rethinking Schools*, www.rethinkingschools.org.

RESOURCES **Part 3**

for Educators/Facilitators

78. Principles of Human Rights Education

79. Participatory Methodology
for Human Rights Education

80. Preparing to Facilitate
Combating Racism Together

83. Creating a Safe Learning
Environment

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for Discussion

86. Special Supplement:
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PRINCIPLES OF HUMAN RIGHTS EDUCATION¹

Breakthrough is proud to facilitate both awareness of and education about racism and international human rights. Our human rights education efforts are informed by a set of principles that help educators to promote and reflect human rights values. Familiarity with the following principles is part of the process of teaching and learning about our inherent rights and responsibilities:

1 Creating a learning community – Human rights education involves the creation of learning environments where people are encouraged to ask their own questions and search for their own answers, and draw on, critique and reflect on their own life experiences. Human rights education places learners – not educators – at the center of the learning experience, and supports learners to take ‘ownership’ of their own learning. This also requires an ability to be flexible and responsive to learners’ needs in deciding how extensively or deeply to explore a particular topic.

2 Valuing feelings and opinions. Human rights education involves acknowledging, honoring and giving equal weight to the non-rational – or affective – aspects of learning as well as its cognitive aspects. This includes accepting and accommodating the unpredictable or even negative emotions that certain subjects and issues might evoke as a valid part of the learning process. Moving beyond factual content to include skills, attitudes, values and action requires a democratic educational structure that engages each person and empowers him or her to think and interpret independently. It encourages critical thinking and analysis of real-life situations, and can lead to thoughtful and appropriate action to promote and protect human rights.

3 Modeling human rights. Because human rights express a value system, in order to be credible, it is important for human rights educators to model and reflect human rights values as they go about teaching them. This includes how participants are invited, how food is distributed, how participants and educators are introduced, and how educators sit among participants, such as avoiding a podium or ‘frontal’ presentation.

4 Self-examination. Because we all live in an unequal and discriminatory society, each individual probably has some degree of prejudiced thoughts, feelings, or attitudes toward other social groups. Human rights educators accept responsibility for honest, critical self-examination about any prejudices they might have, and strive to recognize and change them.

PARTICIPATORY METHODOLOGY for HUMAN RIGHTS EDUCATION²

No matter what the setting – a classroom, a community center, or a meeting room – effective human rights education uses participatory learning methodologies. These methodologies are informed by the knowledge that people learn more effectively when their own capacity and knowledge is valued, when their experiences can be shared and discussed in a safe and mutually respectful environment, and when they are engaged interactively in the process of learning.

Some of the key characteristics of these methodologies include:

- ☆ Participation of learners/participants in determining what is to be learned;
- ☆ Open Dialogue between educators and participants, and among participants creating an environment where the contributions of all participants and the educator have equal value;
- ☆ Respect for both participants and educators;
- ☆ A listening attitude on the part of everyone – educators, participants and resource people;
- ☆ Accountability. Participants take responsibility for their learning and degree and quality of interaction with others. The educator also is accountable for keeping the group focused and agreed upon objectives. It is also important for the educator to be open and sensitive to the group's needs;
- ☆ Small group work. Use a variety of methods, including group work to engage participants in the process;
- ☆ Participants learn best by doing, with a focus on practice and action;
- ☆ Feedback as a positive and desirable process and a skill to be learned that helps strengthen people and their work. Both participants and educators should give feedback to each other;
- ☆ Encouragement. Encourage yourself and others to re-examine your beliefs and push personal boundaries in a supportive atmosphere.

PREPARING TO FACILITATE COMBATING RACISM TOGETHER³

Human rights education requires a simultaneous awareness of both content and process, and the ability to participate in the learning process while also assessing interactions among your participants. As human rights education is best taught using a facilitative style rather than a didactic teaching style, we will refer to all users of this guide as “facilitators.”

The first step in thinking about facilitating the learning, discussions and activities in *Combating Racism Together* is to assess what personal resources you as an educator bring to the task. The issues that *Combating Racism Together* explores may be challenging for both facilitators and learners, and it’s important that facilitators feel confident to handle and address what the issues raise for themselves and learners. All of us have been affected by racism at various points in our lives, sometimes as initiators of, witnesses to, or targets of racist attitudes, behavior and actions. Most of us have been affected in all of these ways at different points in our lives.

These experiences affect our thoughts, feelings and attitudes about race and ethnicity. While leading discussions on race or identity, facilitators may be confronted with statements and beliefs that evoke strong emotions and touch on their own personal experiences. It is important that facilitators prepare for this by examining their own attitudes towards race, ethnicity and identity before tackling the issues that *Combating Racism Together* explores.

The following questions can also help facilitators assess their readiness to facilitate *Combating Racism Together*. Taking some time to reflect upon these questions will help educator/facilitators prepare to share *Combating Racism Together* with different learning groups:

1. SUPPORT. Support refers to the availability of personal and professional support for teaching about the issues explored in *Combating Racism Together*. Because many of them are challenging, it will help to have colleagues and friends who can discuss these issues, challenge your awareness, and to provide help and support if things don't go as planned:

- What kind of personal support do I have from colleagues and friends? Is there someone with whom I can co-facilitate?
- Do I have someone who I can talk with who will help me to plan a session or workshop focusing on racism and human rights? And with whom I can discuss/feedback to help strengthen plans for future workshops?

2. PASSION. The issues that *Combating Racism Together* explores may be challenging, and in some cases even overwhelming for /facilitators. Believing in the importance of human rights education and struggles to end racism, and in the possibility of social change and a world where discrimination and oppression no longer exist, can provide facilitators with a vision that sustains and inspires them:

- Can I articulate a clear rationale for myself about why these issues need to be addressed?
- How comfortable am I discussing racism and related forms of intolerance?

3. AWARENESS. Learning about human rights and the issues that *Combating Racism Together* explores is a life-long process. Excitement and humility about the need for continual learning about one's own social group memberships, access to privilege, and processes of empowerment translates into more effective human rights education, and can help facilitators stay in touch with the learning processes in which participants themselves are engaged:

- How much work have I done on my own beliefs and feelings about racism and related intolerance, as well as the other topics that *Combating Racism Together* explores?
- Am I aware of how these issues manifest in my own life and community?
- How aware am I of the inter-relationships among different forms of discrimination and oppression?
- Is racism/cultural identity something most of this group will feel comfortable discussing? If not, do I know why?

4. KNOWLEDGE. The more information facilitators can bring to the learning process, the richer the participants' experience will be. Keeping up or reading about current events related to racism and related intolerance and oppression in the U.S. and abroad can help educator/facilitators be better prepared to integrate this information into the *Combating Racism Together* learning process:

- Which of *Combating Racism Together's* discussion and learning activities are best suited to the needs of this group?
- How confident am I in broaching these topics and the messages I want to get across? Do I need to read up on or discuss anything with someone first?
- What information do I already have about different forms of racism and related discrimination and oppression? What information do I need?
- How prepared do I feel to provide information about different forms of racism and related discrimination and oppression to learners?
- Do I have everything I need, including access to resources that can help me to increase my knowledge (people, books, workshops, courses, videos)?

5. SKILLS. Because of the participatory and interactive nature of human rights education, *Combating Racism Together* uses an array of different learning processes (including discussion and activities) to help create a learning environment in which participants can engage with the issues and each other productively.

- How much preparatory work will I need to do with this group — for example, agreeing to discussion guidelines or defining key terms?
- How can I ensure that discussions feel safe? What ground-rules could I suggest to help participants cope with angry feelings and learn from conflicting viewpoints?
- How comfortable am I with learners expressing a variety of conflicting beliefs during discussions?
- How will I deal with any conflict or resistance? If certain participants 'act up' or express offensive views, will I be able to challenge their ideas rather than the individuals concerned?
- Can I listen to prejudiced comments without becoming emotionally "triggered" and expressing anger?
- Have I thought through the discussion prompts and how I will deal with the responses they may elicit from participants?
- Can I plan additional questions and other interventions to help participants challenge and confront their own stereotypes and fears about different social groups?
- Am I comfortable disclosing some of my own fears and uncertainties as a way to model self-disclosure and risk-taking for participants?

CREATING A SAFE LEARNING ENVIRONMENT⁴

In human rights education, promoting the sharing of personal knowledge, experience, and communication across different cultures, values and perspectives is fundamental. *Combating Racism Together* explores a number of challenging and emotional topics and issues. This makes it particularly important for educator/facilitators to pay close attention to creating a safe learning environment by establishing norms for personal safety and mutual respect, and for confidentiality, non-confrontation, honesty, careful listening, and speaking only for oneself.

The following are suggestions to help *Combating Racism Together* educator/facilitators create a climate of safety among learners:

- 1. Be sensitive to the feelings of individuals.** Creating a climate of trust and respect requires an awareness of how individuals are responding both to the topics under discussion and the opinions and reactions of others. Some may not articulate their discomfort, hurt feelings or anger but instead become silent and withdrawn from the discussion or group. Sensing how people are feeling, and understanding how to respond to particular situations, is crucial to creating a safe learning environment.
- 2. Don't rank different forms of oppression.** It's important not to rank different forms of discrimination and oppression, and to be mindful of participants' tendency to focus on the pain and experiences of their own group to the exclusion of others' pain and experiences. Educator/facilitators need to remind everyone that although some may feel that their issues are more important to them than others, as a group they need to agree that competition among issues is neither useful nor productive.
- 3. Promote safety for both target and agent identities.** It is important to establish a climate that provides safety for all learners in relation to their multiple identities as both victims and agents of racism and other forms of discrimination.
- 4. Strive for precision of language and discourage stereotyping.** Resist the temptation to over-generalize ("that's just the way men are") that limit ideas about effecting change. Discourage stereotyping by reminding participants that how groups are labeled affects how they are perceived (i.e. "Immigrants are lazy"). Finally, remind participants that although many members of a group may share common experiences and beliefs, it's important to qualify generalizations by using words like "sometimes," "usually," or "in many cases."

5. Create a safe environment for constructive discomfort. Safety involves respect for different cultural styles in communication and expression. However, safety should not be confused with discomfort, which is an important indicator of learning that takes individuals beyond their usual assumptions and comfort levels.

6. Establish ground rules.⁵ Creating ground rules for discussion is a good way to create and maintain a climate of trust and mutual respect.

CREATING GROUND RULES for DISCUSSION⁶

When teaching about human rights, the topics and issues explored can contribute to ‘difficult dialogues;’ for this reason, it is important to create discussion ground rules. This is especially useful when, as is the case with *Combating Racism Together*, discussions and the sharing of opinions are critical components of the learning process. Creating ground rules can also enable participants to acknowledge the initial fears and anxieties that they, and facilitators, may understandably attach to the strong reactions and feelings that *Combating Racism Together* may provoke. Finally, ground rules will help maintain a learning environment that models the rights-affirming attitudes, behavior and values being taught.

Facilitators may want to spend time establishing ground rules with participants before viewing the *Bringing Durban Home* video or prior to facilitating any of the discussion or learning activities in the resource book. Here are some ideas for creating ground rules: Copy the list and hang it where participants can refer to it and make changes as necessary.

GROUND RULES for DISCUSSION⁶

1. Think of some principles for discussion that everyone should follow.

Write all the suggestions on a flip-chart where everyone can see them, combining and simplifying where necessary.

2. Some possible sample principles:

- Listen to the person who is speaking;
- Only one person speaks at a time;
- Don't interrupt when someone is speaking;
- Encourage everyone to participate;
- Speak from experience and avoid generalizing about groups of people;
- Do not argue against people; argue with reasons and ideas;
- When you disagree with someone, make sure that you criticize their idea and not the person;
- When expressing an opinion, always be prepared to justify it.
You may change your opinion at any time.
Be willing and prepared to share you reasons for doing so;
- Listen respectfully to different perspectives;
- Avoid blaming or scapegoating;
- Don't laugh when someone is speaking (unless a joke has been made);
- Respect confidentiality by keeping any personal information shared within the group;
- Share 'air time';
- Focus on your own learning.

VIDEO VIEWING and DISCUSSION GUIDE

The Video:

Bringing Durban Home: Combating Racism Together

Breakthrough's video on racial justice and human rights (VHS: 13 minutes). *Bringing Durban Home* weaves together coverage of the 2001 World Conference Against Racism in Durban South Africa with actual footage of racial justice issues from filmmakers around the world. The video addresses seven themes:

- Indigenous peoples
- Caste discrimination
- Refugees
- Migrant workers
- Trafficking
- Reparations
- Self-determination

Narrated by the Pulitzer prize-winning author Alice Walker, with music by hiphop artist Michael Franti, *Bringing Durban Home* is a powerful educational tool that spurs important conversations about human rights, intersectionality, and the global face of racism.

Tips for A Successful Viewing

- Preview the video ahead of time to become familiar with the content. Jot down ideas for processing questions that will spark discussion after participants view *Bringing Durban Home*;⁷
- Write an outline. Note points in the video where you may wish to pause, places to comment, and segments to watch twice;
- Create a set of talking points to use before you show the video that will help prepare participants for what they are going to learn, what to look for, and what to focus on. The reading in the Resource Guide can help you determine what you would like to highlight;
- Decide whether or not you want to show the entire video at once, or just parts of the video. You may wish to show either the entire video or important scenes twice;
- Make sure that the room is well set up for all participants to view the video comfortably. If you have more than 5 participants, use a minimum 27" TV if possible and place TV at eye level.

Tips for A Successful Discussion

- Set a purpose for viewing. This might include several "critical questions" to focus participants;

- Help focus analysis of the video by asking participants to note examples of individual, cultural and institutional racism and the connections among them, as they watch *Bringing Durban Home*;⁸
- Create an option for two viewings – one for the gist; the second for details;
- Pre-view a short segment of the video and use it as the basis for a brainstorm;
- Have the students write interior monologues after viewing the video, illustrating the dilemmas or choices faced by different communities/individuals in the video.

Using the Video

The following are some suggestions to guide you through the video-viewing process. Note that the pre- and post-video discussion questions are examples of effective ways to stimulate discussion and focus the participants' process of analysis. We also encourage you to add your own questions that reflect the interests and contexts of your participants.

Pre-video⁹

Set Up the Video:

- Describe the video and the issues it focuses on
- Describe what viewers should look for;
- Explain who is in the video;
- Introduce new vocabulary and concepts.

Ask:

- Who has heard of the 2001 U.N. World Conference on Racism, Xenophobia and Related Intolerance held in Durban, South Africa?
- What do you know, think, feel and believe about human rights?
- What kinds of racism do you think exists in other countries?
- How do you think racism and human rights are connected?
- How does racism affect peoples' ability to enjoy their human rights?

During the Video

Encourage participants to think about the following as they watch the video:

- The film attempts to explicitly highlight racism as a global issue. What examples of racism does the video present?

- What rights are involved? Which are affirmed? Which are violated?
- How do social and institutional contexts encourage/discourage rights violations and affirmations?
- What people does the film foreground? Where are they from? Can you think of other peoples whose struggles are missing from the video?
- Who speaks in the film? Who is silent?
- Whose perspective does the video portray/do the camera shots suggest?
- What if the video's makers had wanted to show the conference from the point of view of governments? What kind of images and camera shots would they have used? Whose perspectives would have been added/removed and why?
- Who benefits and who suffers from the images and values promoted in this video?
- Who are the bystanders in the video? Who takes action? Why?

Post-video

Help your students understand and reflect on what they have seen:

- Hand out copies of the 1948 Universal Declaration on Human Rights (UDHR);
- Ask participants to try to connect specific articles in the UDHR with the issues explored in the video;
- Show the video one more time. Ask participants to watch it with the Universal Declaration of Human Rights in mind, paying attention this time to the rights that are involved, those that are affirmed, and those that are violated. This can include noting which rights were asserted by the participants at the conference, for example, "In order to attend the conference and to protest, which rights did activists assert?";
- Evaluation, reflection and sharing: Ask participants to share either five things that they have learned so far or one particularly important or meaningful lesson;
- Offer participants the opportunity to take some time to reflect on the video through creative expression. This could include the use of interior monologues, dialogues or poems to express feelings of empathy.

DISCUSSION QUESTIONS for VIEWERS:

- What happened at the World Conference Against Racism? Who was there?
- What were people protesting at the conference?
- Who was protesting? Where were they from?
- What role do you think activists played in putting pressure on governments to stop racism?
- Were any of the issues explored familiar to you? If so, which ones?
- How do you think the different issues discussed in the video are inter-connected?
- Are there local connections to any of these issues? Do any of these problems occur in the U.S.? If so, which ones?
- After seeing the video, what do you think are the connections between racism and human rights?
- How does racism and discrimination affect human rights around the globe?
- Prior to seeing the video, did you know about the conference? How did you learn about it? Why do you think you didn't know about it?
- Prior to seeing the video, were you aware that the U.S. government walked out? Why? Why not?
- Why do you think the U.S. walked out of the conference? Do you agree or disagree with their action? Why or why not?
- Why do you think the U.S. walkout provoked so much protest?
- How do you think the media covered the U.S. walkout?
- Do you think that it is important for people in the U.S. to know about human rights? Why? Why not?
- What should be the role of people in the U.S. in struggles happening in other countries or globally?
- Do you think the U.S. government should get involved in fighting racism and human rights issues in other countries? Do you think U.S. citizens should?
- Do you think U.S. activists and other U.S. citizens can make a difference towards ending racism and promoting human rights globally? Do you think they should?

¹ Adapted from *Guide to Facilitators Orientation*, Canadian Human Rights Foundation, and Nancy Flowers and David Shiman, Human Rights Educator's Network, *How You Teach is What You Teach: Principles for Human Rights Education* (Amnesty International USA).

² Ibid.

³ Adapted from Maurianne Adams, Lee Anne Bell and Pat Griffen, editors, *Teaching for Diversity and Social Justice: A Sourcebook* (Routledge: New York and London, 1997), 279- 280, and Stella Dadzie, *Toolkit for Tackling Racism in School* (Trentham Books, 2000), 67.

⁴ Adapted from Adams, Bell and Griffen, editors, *Teaching for Diversity and Social Justice: A Sourcebook*, 268 – 269, and Julie Mertus, Nancy Flowers and Mallika Dutt, *Learning About the Human Rights of Women and Girls: Local Action, Global Change* (UNIFEM and the Center for Women's Global Leadership, 1999), 205-206.

⁵ Adapted from Adams, Bell and Griffen, editors, *Teaching for Diversity and Social Justice: A Sourcebook*, 68.

⁶ Adapted from Flowers and Shiman, Human Rights Educator's Network, *How You Teach is What You Teach: Principles for Human Rights Education*.

⁷ Maurianne Adams, Lee Anne Bell and Pat Griffen, editors, *Teaching for Diversity and Social Justice: A Sourcebook* (Routledge: New York and London, 1997), 95.

⁸ Ibid.

⁹ Adapted from Bill Bigelow and Linda Christensen, "Videos with a Conscience" in *Rethinking Our Classrooms*, (1994), 188; and the Tasmanian Educational Leaders' Institute, www.discover.tased.edu.au/englight/critlit.htm.

Here are some suggestions for films that supplement the materials provided in this guide and the accompanying video.

FOR MORE IDEAS on films about the themes in this study guide, consult the following general resources:

www.witness.org

www.mediarights.org

www.womenmakemovies.com

Refugees

Terror's Children

(2003) by Sharmeen Obaid and Mohammed Naqvi (45 min.)

This documentary reviews the lives of Afghan children living in refugee camps in Pakistan. Set on the streets of Pakistan's most congested city, Sharmeen Obaid's tale presents poignant stories of the aftermath of war, the division of loyalties and the hardening of spirit—and how Pakistan might become a breeding ground for a new generation of terrorists.

Sudan—Living with Refugees

(2004) by Sorious Samura (52 min.)

A documentary featuring award-winning journalist Sorious Samura as he returns to Africa and discovers the realities of being one of Darfur's countless refugees. He spends a month living with one family as they travel from the Sudanese border to a refugee camp in Chad. Sharing with them the insecurities of life in an environment that provides no guarantee of food or shelter, he gains insight into what it really means to live as a refugee.

Jenin...Jenin

(2002) by Mobamed Bakri (54 min.)

The film shows the extent to which prolonged oppression and terror has affected the state of mind of the Palestinian inhabitants of the Jenin refugee camp. Banned in Israel, "Jenin Jenin" is dedicated to Iyad Samudi, the producer of the film, who was shot dead by Israeli soldiers on June 23rd, 2002, as he returned home after completing the film.



Sometimes in April

(2005) by Raoul Peck

This harrowing HBO Films drama focuses on the almost indescribable human

atrocities that took place a decade ago through the story of two Hutu brothers — one in the military, one a radio personality — whose relationship and private lives were forever changed in the midst of the 1994 Rwandan genocide. It depicts the story of Rwanda's genocide, not only as it occurred in 1994 but also as the country was still experiencing healing and justice in 2004.

In the Shadow of the Pagodas: The Other Side of Burma

(2003) by Irene Marty (53 min.)

Whereas the world knows about the oppression of Burmese political opposition leader Aung San Suu Kyi, little is known about Burma's ethnic and religious minorities. What began as a picturesque journey through the "Golden Land of thousand Pagodas", ends in Burma's jungle, where hundred thousands of internally displaced peoples live and struggle for survival. Their stories about forced relocation, forced labor, torture, arbitrary killings and many other human rights violations, committed by the ruling Junta, also reveal much about the genocide of ethnic minorities in Burma.

Uprooted: Refugees of the Global Economy

(2002) by National Network for Immigrant and Refugee Rights with Sasha Khoka, Ulla Nilsen, Jon Fromer, and Francisco Herrera (28 min.)

A compelling documentary about how the global economy has forced people to leave their home countries. Uprooted presents three stories of immigrants who left their homes in Bolivia, Haiti, and the Philippines after global economic powers devastated their countries, only to face new challenges in the United States. These powerful stories raise critical questions about U.S. immigration policy in an era when corporations cross borders at will.

S21: The Khmer Rouge Death Machine

(2003) by *Rithy Panh* (101 min.)
Introduction by Milean Manini and Matilde Callari Galli (Dip. Scienze dell'Educazione).

The film's title refers to Tuol Sleng, or Bureau S21, the notorious death camp in Phnom Penh, where thousands of Cambodians were tortured and killed by their own countrymen during the late 1970s. The prison has now been converted into a genocide museum, and filmmaker Rithy Panh uses that setting to conduct a series of interviews with some of the survivors (who have been deemed either "innocent" or "guilty" by history).

Balseros

(2002) *Carles Bosch and Joseph M. Domenech* (120mins.)

In the summer of 1994, a crew of television reporters with unprecedented access filmed and interviewed seven Cubans with their relatives before they set out as economic refugees on homemade rafts headed for US shores. The crew followed the survivors who were rescued at sea and transported to Guantánamo, a United States military base and, at that time, site of a temporary refugee camp. Seven years later, this same crew reconnects with their subjects to discover the outcome of their new lives in different regions across the United States. Life in the US and under capitalism is not a fairy tale for these refugees; BALSEROS is a true story about some of the authentic survivors of our times, an epic adventure of castaways caught between two worlds.

Migration



The Boxer

(2000) by *Felix Zurita* (25 min.)

A young male looks to escape Mexican poverty by becoming a boxer in the U.S.

Day of Remembrance

(Year N/A) by *Cynthia Fujikawa* (8 min.)

Sixty years have passed between Pearl Harbor and September 11th, but have things really changed for Arab and Muslim Americans?

B.E.S (Bangla East Side)

(2004) by *Fariba Alam and Sarita Khurana* (45 min.)

A documentary portrait of four Bangladeshi teenagers growing up in the Lower East side of New York City. Initially started as an after-school workshop at a local high school, the film follows Mahfuja, Jemi, Saleh and Maroofo as they travel between home and school, and as they negotiate their lives as young immigrant teens in post 9-11 America.

Schenglet

(2002) by *Laurent Nègre* (7 min.)

A witty and original short film about the potential abuses of immigration policies throughout the European Schengen Zone, a zone in which travellers can cross national boundaries of countries part of the Schengen Agreement wherever and whenever they like without having to undergo personal checks.

The Sixth Section

(2003) by *Alex Rivera* and produced in association with *P.O.V./American Documentary* (27 min.)

The Sixth Section depicts the transnational organizing of a community of Mexican immigrants in New York. The men profiled in the film form an organization called 'Grupo Unión,' which is devoted to raising money in the United States to rebuild the Mexican town that they've left behind. Grupo Unión is one of at least a thousand "hometown associations" formed by Mexican immigrants in the United States, and they are beginning to have a major impact in the politics and economics of both the U.S. and Mexico.

Tarifa Traffic: Death in the Straits of Gibraltar

(2003) by *Joakim Demmer* (60 min.)

From a European perspective and with haunting images, the film looks at the people of Tarifa whose everyday life is influenced by the constant flow of illegal immigrants looking for a better future in the fortress that is Europe.

In My Own Skin: The Complexity of Living as an Arab in America

(2001) by *Nikki Byrd and Jennifer Jajeb* (16 min.)

A thought-provoking collection of meditations on issues of identity, race and gender as experienced by a group of five young Arab women living in New York. Filmed in the months following the tragic events of September 11th, this work provides a fascinating and much-needed look at some of the concerns overlooked by the mainstream media.

Lest We Forget

(2003) by Jason DaSilva (57 min.)

The documentary follows the events post-9/11, giving attention to the round-ups and racial attacks that continue to occur. The film contains stories told by individuals who have felt the severity of wartime racism in America. Pulling from the past and looking to the future, members of the Japanese internments of WWII are paralleled with what is going on today to Muslim, Arab, and South Asian communities.

Born in East L.A.

(1987) by Cheech Marin (85 min.)

An American of Mexican descent is found without identification during an immigration raid on a factory. With no way to prove that he is in fact an American citizen, he is wrongly deported to Mexico where he must struggle to return to the United States.



Marsho

(2003) by Murad Mazaev (39 min.)

In early 1990s, dozens of Chechens arrived in Tbilisi to study in Georgian universities, with the assistance of the Culture Minister of Chechnya, Akhmed Zakayev, now wanted by Russia. While many Chechens are perceived in Russia as terrorists, there are many well-educated and interesting people — writers, journalists and artists — among the Chechen community in Georgia. The film is about generations in the Chechen resistance.

Indigenous Peoples

Daughters of the Wind

(2004) Joel Zito Araújo (121 min.)

Daughters of the Wind explores the routine social and economic discrimination of the darker members of Brazil's "non-racial" society. It is also a moving portrayal of relations among sisters, mothers, and daughters.

Pote Mak Sonje: The Raboteau Trial

(2003) by Harriet Hirshon (57 min.)
debate following:

Haiti: Denied Political Rights

A documentary about the military massacre at Raboteau, a city 90 miles outside of Port-au-Prince in Haiti and the subsequent trial that engaged and implicated an entire community.

Cross currents on the Miskito Coast

(2003) by M Dworkin,
M Young, J Mifsud

U.S. volunteers learn from Miskito Indians and Creole Blacks about the Autonomy Agreement on self-government and control of natural resources.

Heaven, Hell and El Dorado: Brazil and Ecuador

(1985) by Jack Pizzey

A documentary uncovering the Amazon jungle and its peoples.

Sixteenth Century Perception of Latin America

(1988) by Paul Sendry

Discovery of America from an alternative perspective.

Gacaca: Living Together Again in Rwanda

(2002) by Anne Aghion (60 min.)

Followed by a discussion with Alan Kuperman (JHU) and Anna Maria Gentili (Dip. Politica, Istituzioni e Storia)

As Rwanda struggles to heal from the genocidal horrors of 1994, filmmaker Anne Aghion documents the Gacaca, a form of popular justice composed of citizen-based tribunals. In open public forums, victims and their surviving relatives from the remote community of Ntongwe confront the accused in a search for truth and reconciliation, rather than resorting to the blind vengeance of the recent past.

Caste

Bandit Queen

(1994) by Shekar Kapur (119 min.)



A controversial film portraying the life of Phoolan Devi, a lower-caste woman who achieved notoriety when she fought back

against sexism and India's abusive cast system. She becomes a vigilante liberator and a symbol of empowerment for the lower-castes of Bihar.

Thirst

(2000) by Sreedevi Nallamothu (20 min.)

Tells the story of a particular Dalit Colony's battle over water rights with the upper-castes.

**Rainmakers (Series):
Shakuntala Kazmi in India:
New Delhi, India - Violence
Against Women**

(1998) *Luc Cote (26mins.)*

"Rainmakers" is a series that tells the inspiring story of six youth leaders from around the world who have overcome difficult personal situations to take control of their lives and help others. Shakuntala Kazmi was born into a low-caste Hindu family and has experienced discrimination all her life. As an activist in the fight for women's rights, she leads a dramatic protest against male domination.

Principles Of Caste

(1982) *by Tom Selwyn (24 min.)*

Discusses the structure and principles of the caste system.

Untouchable?

(2000) *by Poul Kjar (24 min.)*

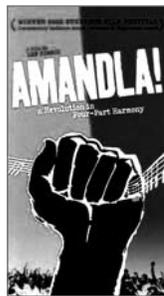
This film emphasizes that the scourge of 'untouchability' remains an abominable blight on the Indian social landscape.

Self-Determination

**Amandla:
A Revolution
In Four Part
Harmony**

(2002) *by Lee Hirsch (108 min.)*

Through a chronological history of the South African liberation struggle, this documentary cites examples of the way that music was used in the fight for freedom. Songs united those who were being oppressed and gave those fighting a way to express their plight. The music



consoled those incarcerated, and created an effective underground form of communication inside the prisons. This film shows the resilience of the human spirit throughout the decades-long struggle for freedom in South Africa.

A Boy Called Mohamed

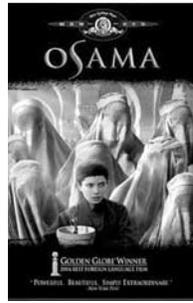
(2001) *by Naywa Najjar (10 min.)*

A portrait of a 12 year old boy, Mohammed, who works carrying goods for Palestinians across the Qalandia checkpoint manned by Israeli soldiers.

Osama

(2003) *by Siddiq Barmak in collaboration with GVC and Regione Emilia Romagna. (82 min.)*

A film, about the plight of people, particularly women during the Taliban regime.



Silence Between Two Thoughts

(2003) *by Babak Payami (95 min.) and National Debut in collaboration with Istituto Luce*

The film is a harsh story about the terrible dilemma of a people whose religious convictions are used to rule them with an iron hand.

Battle of Algiers

(1965) *by Gillo Pontecorvo (120 min.)*

This film portrays the urban warfare between Algerians and the French troops occupying their country.

Seeds of Tibet: Voices of Children in Exile

(1997) *Peter Yost (26mins.)*

Thousands of Tibetan children have left their families behind and fled over dangerous mountain passes to join refugee schools in northern India. In *Seeds of Tibet*, we follow four children as they overcome tremendous hardship to get a modern education. This riveting film speaks to all communities where children face violence, separation from their families, or a rapidly changing world that leaves them alienated and adrift. Includes the Dalai Lama and music by Philip Glass.

Kandahar

(2001) *by Mohsen Makmalbaf (81 min.)*

After an Afghani-born woman who lives in Canada receives a letter from her suicidal sister, she takes a perilous journey through Afghanistan to try to find her.

Behind Closed Eyes

(2000) *by Duco Tellegen (100 min.)*

A documentary that explores how four children of war learn to survive and build a future despite their past.

Trafficking

Sacrifice

(2000) *Ellen Bruno (50 min.)*

This film examines the social, cultural, and economic forces at work in the trafficking of Burmese girls into prostitution in Thailand. It is the story of the valuation and sale of human beings, and the efforts of teenage girls to survive a personal crisis born of economic and political repression.

Dirty Pretty Things

(2002) Stephen Frears (97 min.)

Okwe, a kind-hearted Nigerian doctor, and Senay, a Turkish chambermaid, work at the same West London hotel. When Okwe finds a human heart in one of the toilets, he uncovers something far more sinister than just a common crime.



Live Containers

(2002) by Orzu Sharipov (26 min.)

Women attempting to feed their families use their bodies as containers for trafficking heroin.

Sisters and Daughters Betrayed:

(1996) Chela Blitt and Global Fund for Women (28 min.)

A compelling video exploring the social and economic forces that drive this lucrative underground trade, and the devastating impact it has on women's lives.

Maria Full of Grace

(2004) Joshua Marston (101 min.)

A bright, spirited 17-year old, Maria Alvarez, lives with three generations of her family in a cramped house in rural Colombia and works stripping thorns from flowers in a rose plantation. The offer of a lucrative job involving travel—becoming a drug “mule”—changes the course of her life. Far from the uneventful trip she is promised, Maria is transported



into the risky and ruthless world of international drug trafficking. Her mission becomes one of determination and survival and she finally emerges with the grace that will carry her forward into a new life.

Hack Workers

(Year N/A) by Furkat Yavkalkhodzhaev (20 min.)

Banished by their families and society, these women are doomed to the slave market and to widespread violence.

Reparations

Race — The Power of an Illusion

(2003) by Larry Adelman, 3 episodes (56 min. each)

Produced in association with the Independent Television Service (ITVS)

The first documentary series to scrutinize the idea of race through the distinct lenses of science, history and social institutions. Lesson plans and background resources available at www.pbs.org/race.

The rise and fall of Jim Crow

(2002) Series Producer Richard Wormser, 4 episodes (56 min. each)

A co-production of Quest Productions, Videoline Productions and Thirteen WNET/New York.

Definitive four-part series offering the first comprehensive look at race in America between the Civil War and the Civil Rights Movement. Interactive activities, timelines, lesson plans and more available at www.jimcrowhistory.org and www.pbs.org/wnet/jimcrow.

James Baldwin: The Price of the Ticket

(1990) by Karen Thorson (87 min.)

The film captures the passionate intellect of a man who was born Black, impoverished, gay and gifted. It skillfully links excerpts from Baldwin's major books to different stages in Black-White dialogue and conflict.

The Road to Brown

(1990) by William Elwood (56 min.)

The Brown v. Board of Education ruling that launched the Civil Rights Movement fifty years ago was actually the culmination of a long and brilliant legal assault on segregation and the Plessy v. Ferguson “separate but equal” ruling, as shown in this documentary. The documentary highlights the contributions of a visionary Black lawyer, Charles Hamilton Houston, “the man who killed Jim Crow”.

Additional resources available at www.newsreel.org

And the Children Shall Lead

(1985) by Michael Pressman (58 min.)

When a group of civil rights activists arrive in a sleepy Mississippi town and bring the citizens' simmering racial tensions to the surface, a 12-year-old girl named Rachel joins the fight against segregation and leads the adults to better racial understanding.



Masters and Slaves

(2001) by Bernard Debord (84 min.)

Although the government denies it, slavery still exists today in Niger. The feudal society of nomadic tribes recognizes two classes: the masters who own the animals and tents, and the slaves who carry out the work. Children can be sold. Legal prosecution of slave owners is impossible. *Masters and Slaves* follows a camel trail through the Sahel to the 20-year-old Boulboulou who has escaped with her baby. She lays claim to compensation for the work she performed under slavery, but fears her former master's lethal revenge. The second story is about 26-year-old Tumajet who wants to take her teenage daughter away from her former owner.

The young women's battles are alternated with images of the arid desert and the ominous roars of the dromedaries.

When Good Men Do Nothing

(1998) by Mike Robinson (60 min.)
With an introduction by Anna Maria Gentili (Dip. Politica, Istituzioni e Storia)

Fifty years ago the world's statesmen promised the Holocaust would never happen again. They put their promise in writing and called it the Genocide Convention. Five years ago, in Rwanda, that piece of paper was put to the test, and proved to be worthless. *When Good Men Do Nothing* — a BBC Panorama/WGBH Boston investigation — reveals

the inside story of how the West ignored the warnings, turned its back on the victims, and then tried to suppress the truth of one of the worst genocides of this century.

Long Night's Journey Into Day

(2000) by Frances Reid and Deborah Hoffman (95 min.)

When apartheid in South Africa collapsed, the Truth and Reconciliation Commission was formed to review amnesty applications by those who had been involved in crimes relating to the apartheid system. This film focuses on four cases, revealing that the system that imposed racial separation was anything but clear-cut.