Natural Disasters and Human Rights: Comparing Responses to Haiti and Pakistan

CHRIJ Featured Lecture by Dr. Elizabeth Ferris

The Center welcomed Dr. Elizabeth Ferris on November 3, 2010 to speak comparatively about the international aid responses to the recent natural disasters in Haiti and Pakistan. Drawing from her lengthy human rights background, Dr. Ferris looked at the issue from a human rights perspective.

Dr. Ferris is a Senior Fellow in Foreign Policy and the Co-Director of The Brookings Institution- University of Bern Project on Internal Displacement in Washington, D.C. There, her work encompasses a wide range of issues related to forced migration, human rights, humanitarian action, the role of civil society in protecting displaced populations and the security implications of displacement. Prior to joining Brookings in November 2006, she spent 20 years working in the field of humanitarian assistance, including as director of the Church World Service’s Immigration and Refugee Program.

An echo of Michael Delaney’s recent CHRIJ lecture was present in Ferris’ introduction. She spoke briefly to the idea that natural disasters are not so natural because they always have some level of interaction between human and natural phenomena and to the fact that disasters always strike the marginalized much more severely than the wealthy. The statistical comparisons between Haiti and Pakistan revealed that much more governmental and individual aid was donated to Haiti. The US has contributed 1.6 billion dollars to Pakistan and double that amount to Haiti (3.3 billion). Individual contributions within the first two weeks of each disaster averaged 160 dollars per affected Haitian and only 15 dollars per
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Fall 2010 Events

Selected events the Center hosted in collaboration with other Boston College departments and groups in the fall 2010 semester.

Yuyachkani Theatre Group

On Tuesday, September 28, 2010, the CHRIJ and the Arts and Social Responsibility Project hosted the internationally acclaimed Peruvian theatre group, Yuyachkani at Boston College. “Yuyachkani” is a Quechua word that translates to “I am thinking, I am remembering.” The troupe’s performance of Adios Ayacucho transformed the audience into a “community of witnesses”—witnesses to the 70,000 Peruvians who disappeared during 20 years of political violence which ended in 2000. Adios Ayacucho is about a suspected “terrorist” in Peru who has been tortured and assassinated by the military. Speaking through the body of a masked dancer, the murdered peasant calls out to the audience as he presents his demand for a decent burial.

The performance is based on the work of Julio Ortega, a professor at Brown University, who collected multiple testimonies about the military abductions in Peru. The Yuyachkani performance of the story celebrates its 20th anniversary of production this year. When asked how the troupe felt about their achievement they responded by commending the families of the victims. “Every time we think that we might retire this show, it is the support and requests of the families that were affected by these crimes that give us the renewed energy to continue this performance” said one actor.

Adios Ayacucho traveled around Peru with the Truth and Reconciliation Commission, a governmental organization established in the aftermath of the atrocities to help Peruvians address their violent history, in order to aid in the healing process. Besides numerous showings in Peru, the dramatic performance has been given in multiple international locations.

Due to the sensitive political themes inherent in the performance, as one might imagine Yuyachkani has not always been warmly received by the Peruvian government. However, the group has maintained that their message is one for the people regardless of any government’s views. This attitude has gone beyond the stage as well. Since 1984, the group has engaged in the creative and educational sponsoring of many productions of woman-centered theatre both nationally and internationally. This project, spearheaded by the women of the group, has flourished because of the group’s dedication to not only educate but to also to lend a voice to the people of Peru.

The Push for Peace: Human Rights in the Indigenous Communities of Chiapas

On December 1, the CHRIJ and the Ignacio Martín-Baró Fund for Mental Health and Human Rights co-sponsored the event The Push for Peace: Human Rights in the Indigenous Communities of Chiapas, Mexico. Pedro Faro from the Fray Bartólome de las Casas (Frayba) Human Rights Center in Chiapas was the speaker.

The Frayba Center was founded in 1989 through the leadership of then-Bishop Samuel Ruiz-García, and continues today as a human rights organization, although no longer officially linked to the Church. The Center seeks to accompany marginalized populations in their struggles for justice, documenting abuses and instilling in the affected populations themselves the ability and will to make their own stands demanding their rights, rather than doing it on behalf of these populations.

Mr. Faro spoke about the current situation in Chiapas, particularly about some of the effects that the North American Security and Prosperity (continued on page 3)
After being separated from his U.S. citizen wife and his two young U.S. citizen sons for the past two and a half years, a client of the Center’s Post-Deportation Human Rights Project (PDHRP) will now be able to rejoin his family in Massachusetts. The Project’s Director, Professor Daniel Kanstroom, lauds this as “a great, humanitarian decision that is the fruit of much excellent hard work by our Project’s attorneys. It is an example of the type of compelling case for which the Project was designed. We hope that it can serve as a model for other lawyers and law school clinics.”

Mr. L (not his real name) fled Haiti in 2002, after being the target of threats and harassment, and applied for asylum in the United States. While his asylum application was pending, he met his wife and became the primary caretaker of the couple’s special needs son. His asylum application was ultimately denied, however, and Mr. L was detained and deported to Haiti in May 2008, leaving behind his son and his wife, who at the time was expecting the couple’s second child.

Although U.S. citizens can generally petition for their spouses, individuals who have been deported or who have spent periods of time in the U.S. “unlawfully” are barred from re-entering the country. In such instances, special waivers must be granted to allow the individual to obtain an immigrant visa and to return to their families.

With the assistance of the PDHRP, Mr. L submitted applications to U.S. Citizenship and Immigration Services documenting the extreme emotional and financial hardship his wife and children were experiencing as a result of the separation, and requesting that he be granted a waiver. After waiting five months for a decision on the waiver applications, and more than two and a half years after his deportation, Mr. L was recently informed that the waivers were approved, and that he may now be issued his visa to return to the U.S. as a lawful permanent resident. Mr. L may now obtain his visa and make travel arrangements so that he can reunite with his family.

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Partnership has had in Chiapas, where police training initiatives aimed at combating narcotrafficking have had the effect of militarizing the region, incidentally contributing to additional repression of the rights of indigenous people there. He highlighted that Chiapas has the highest number of military installments of all the Mexican states and that paramilitary groups supported by the Mexican government were also active in the area. Mr. Faro also spoke of the injustice stemming from the 1997 massacre in Acteal, in which 45 people attending a prayer service were murdered. The suspected paramilitaries responsible for the massacre are being granted immunity by the government, and the local community is continuing to fight for justice on behalf of those slain.

Mr. Faro also talked about a Mexican government plan to grant a large number of mining permits which would be valid for the next 50 years and which are also affecting the region of Chiapas, pushing people off their ancestral lands and creating environmental problems. Legal efforts are being initiated to block these permits and a temporary injunction has been filed against the largest one, which had begun operation in the region, but the future is very uncertain.
Summer 2010 Research Grants

Each year, the Center issues a small number of grants to graduate and undergraduate students to help them conduct research in the field of human rights and international justice. With these grants, the Center aims to nurture a new generation of human rights scholars and practitioners, and to foster innovative and interdisciplinary scholarship about human rights work. The following are our 2010 recipients and a brief summary of the research work they conducted:

Rachel Hershberg used the grant awarded to her by the Center to spend the summer of 2010 in Zacualpa, Guatemala conducting research for her dissertation entitled “Transnational Families in the 21st Century: A Grounded Theory Analysis of Familial Relationships under Threat of Immigration and Deportation Systems”. The research is part of a study about the nature of transnational families and the effects of this arrangement on the familial relationships. A doctoral candidate in the Lynch School of Education and of the Center’s certificate program, Rachel has spent time during the past four years collaborating with the Center’s Post-Deportation Human Rights Project. Through this experience she became interested in the psychosocial effects of transnational relationships as well as the human rights concerns for undocumented immigrants in the United States. Her summer work involved finding Guatemalan-based participants for her dissertation project and interviewing them about their experiences with family separation across borders. Upon arriving home, Rachel has followed up with the US-based members of the transnational, mixed-status families that she met in Zacualpa. The information gathered from these interviews has allowed Rachel to examine the question of what leads some transnational family relationships to rupture, while others are sustained, when family members are indefinitely separated from one another. Her preliminary findings show that often there is a tendency of the separated parent to make “efforts to protect [the child] transnationally” despite geographic barriers. Rachel continues to develop her investigation with the hope of completing her dissertation by the summer of 2011.

Fatima Sattar used the research grant awarded to her by the Center to conduct research at a refugee resettlement agency in the Northeast U.S. This project is part of her preliminary dissertation research for her Sociology doctoral program at BC. At the agency, Fatima conducted ethnographic and participant-observation research by documenting her day-to-day experiences while providing initial reception services to newly arrived refugees, mainly from Iraq and Bhutan. The data she collected has helped her understand many of the institutional challenges to resettling refugees into the United States.

Fatima observed that two of the major challenges for this non-governmental refugee resettlement organization are that there are not enough resources to resettle the number of refugees arriving through the agency, and that the organization is underfunded and relies on volunteers and underpaid staff to run the state’s refugee resettlement program. Oftentimes these problems cause the workers and volunteers at the resettlement agency to become frustrated and angry, emotions which then spill into their relationships with the refugee clients. Besides economic difficulties, many refugees arrive to the United States with little social or cultural understanding, which further complicates the integration process. Fatima concludes that many of the non-profit refugee resettlement agencies cannot accomplish the mission that they intend to because of a lack of resources and funds. This highlights the inconsistency that the government agrees to resettle these refugees but does not provide sufficient funding to do so, which creates tensions and conflict at the responsible refugee resettlement agency and an unsettling integration process for the refugees.
Summer 2010 Research Grants

Sophia Moradian (A&S ’12), an undergraduate, combined her summer research with a semester abroad in Amman, Jordan. Sophia worked with CARE International and collaborated with other NGOs in aiding Iraqi refugee women in Jordan. Her involvement with the organization stems from her academic interest in understanding the plights of vulnerable and displaced peoples. She is especially interested in women’s issues in the greater Middle East and North African region where women tend to have limited social, economic, and political rights. Iraqi women are commonly forced to leave their country for a multitude of reasons, including war and restricted freedom. Despite an improvement from life in Iraq, Iraqi women in Jordan do not find themselves living under pleasant conditions, either. They are denied the right to work and only considered temporary “guests”—often marginalized and exploited. Sophia’s research looks into the ways that Iraqi refugee women in Jordan cope with the economic hardships that they face.

She found that the main mechanisms by which they provide for themselves and their children, aside from cash assistance provided by local NGOs, are familial remittances, paid volunteer positions, travel stipends for no-cost training and skills courses, self-employment (often aided by microfinance programs), and informal work arrangements. She also highlights the fact that despite the seeming independence of Iraqi women in Jordan, many of their coping mechanisms depend on international and NGO aid. She argues that this is not an effective long-term approach to the refugee situation. Instead, programs that take the form of “guided assistance” would be more effective in creating sustainable self-sufficiency, although this solution runs into the additional obstacle that Iraqi women cannot work legally in Jordan. In sum, she maintains that removing barriers to refugee self-sufficiency is a key part of reducing poverty in those populations there.

Amanda Rothschild (A&S ’11) is an undergraduate student who used her grant from the Center to conduct research on genocide at the United Nations Archives in Geneva, Switzerland during the summer of 2010. It allowed her to access over 245 classified documents including notes from the Geneva Convention and official UN documents as well as enjoy a culturally rich experience abroad. The information she collected in Geneva has provided a foundation of research material for her two-part honors thesis. Amanda’s thesis will first address the specific causes of the 1948 UN Genocide Convention’s failure to spark international action during genocides. Second, she will evaluate the degree to which the Responsibility to Protect (R2P), a set of guiding principles the UN endorsed in 2005 to evaluate when it must act across national borders to stop grave human rights violations, assuages or exacerbates factors behind non-action in such cases.

Amanda cites a graduate seminar she took in security studies during the spring 2010 semester as the primary motivator in sparking her interest in genocide prevention. Her term paper for the course, in which she created a typology of 22 different reasons for non-intervention despite R2P, jumpstarted her thesis project. Her passion for these academic endeavors emerges from the understanding that her work has the ultimate purpose of protecting the lives and well-being of millions of people around the world.
Conversations at Lunch

Each semester the center hosts luncheon conversations with leading human rights scholars and practitioners. Visit www.bc.edu/humanrights for more information.

The Haiti Earthquake: More than a Disaster, A Moral Call to Arms

The Center’s first Conversations at Lunch event for the 2010-11 academic year was held on September 24, 2010. Mike Delaney, Director of Humanitarian Response for the international relief and development organization, Oxfam America, spoke about the most effective approaches to relief efforts after natural disasters with a primary focus on the January 2010 earthquake in Haiti.

Delaney has led Oxfam’s response to emergencies over the last 13 years, including the Asian tsunami, food crises and conflicts in West Africa and Hurricane Katrina in the US. Prior to joining Oxfam, Delaney spent five years in Central America working with refugee populations and rural communities, promoting grassroots development initiatives. He was also guest lecturer at Boston College, in the fall of 2010 where he co-taught a course with Center Director, David Hollenbach S.J., “Human Rights, Humanitarian Crises, and Forced Migration: Ethical, Political, and Religious Responses”.

Delaney began his presentation by emphasizing the need for humanitarian response to be a long-term plan which addresses the historical, social, and structural contexts of the crisis. He pointed out that often there is a lack of information when the media portray a crisis to be an “all-of-a-sudden” or “out-of-nowhere” event. The truth is that poor populations are the worst affected by natural disasters because they are the most vulnerable. Delaney explained that this was exactly the situation in Haiti. Haitians lived in conditions of instability and poverty before

Iris Gomez

The Center hosted attorney Iris Gomez on November 5, 2010 for a presentation on human rights and immigration as part of its Conversations at Lunch series. Born in Cartagena, Colombia, and immigrating to the US as a child, Ms. Gomez has been a senior immigration lawyer at Massachusetts Law Reform Institute for the last fifteen years, litigating on behalf of immigrants’ rights issues. These have included co-counseling class action litigation against the state Registry of Motor Vehicles for illegal license denial practices, advocating for higher education legislation and administrative reforms on behalf of high-achieving immigrant youth, and championing the rights of asylees, detainees, battered immigrants, and immigrant families before federal and state courts, immigration authorities, state agencies and the legislature. Also an author, Ms. Gomez employed a literary bent to frame immigration issues in the United States, much as she does in her latest work of fiction, Try to Remember, which chronicles an immigrant family’s plight in the US in dealing with their legal status and a mental illness that emerges in a family member.

Ms. Gomez gave a brief history of US immigration law that has gradually become, since the 1950s, more and more repressive for immigrants. She posited that the laws marginalize immigrants by reducing their legal rights and creating a hierarchy of rights and access to services based on legal status. Undocumented immigrants undoubtedly receive the worst treatment, but even legal residents experience discrimination solely because they are immigrants. In the Mathews v. Diaz case, the Supreme Court decided that some green card holders are not eligible for federal medical benefits. These types of cases exclude certain immigrants from many public programs including Social Security, government housing resources, and college financing programs. Her view was that the federal government was using exclusion from certain benefits as an immigration control tactic, which is beyond the scope of immigration regulatory law, which is border-based, and results in a crude, inhumane strategy of forcing people out. She called for the “re-humanization” of immigrants which will make it more difficult to discriminate against certain people for the fiscal benefit of others.
Conversations at Lunch

The Haiti Earthquake

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the earthquake which only exacerbated the effects of the earthquake. The corrupt political structure of a centralized federal government failed to implement programs to safeguard the wellbeing of its people both before and after the earthquake. He also noted the role of the United States in perpetuating the cycle of poverty in Haiti with its economic and agricultural policies. The earthquake was like an “x-ray showing the ills plaguing Haiti” explained Delaney.

Oxfam America originally allocated 20% of the $100 million rebuilding Haiti budget—the largest amount of aid raised by Oxfam for a humanitarian crisis—towards immediate, short-term relief and the remaining for long term, development projects. Due to the extent of the disaster and the lack of government capacity, Delaney projected that nearly 75% of the funds will be used for short-term solutions including providing access to clean water, basic medical care, and temporary shelter for displaced Haitians. Despite this offset, Delaney remains hopeful. He is inspired by the resilience and determination of the Haitians. Oxfam’s long-term development plans include building the capacity of local and municipal governments to take more control of delivering services, thereby relieving the stress on the Port-au-Prince government and providing local organizations with the tools needed to demand a transparent, efficient and corruption-free government.

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The Center welcomes new Assistant Director Tim Karcz. Tim comes to the Center for Human Rights and International Justice from the field of international public health, where he was a Project Support Officer supporting health programs related to maternal and child health, reproductive health, HIV/AIDS and pandemic influenza in Latin America and Africa.

Prior to his international work, Tim worked domestically at the community level, serving as project coordinator for a transitional housing program for women with children transitioning out of homelessness in the Merrimack Valley region of Massachusetts. He has also worked with immigrant populations in the US, serving as a citizenship caseworker in California during his time in the Jesuit Volunteer Corps, and is fluent in Spanish.

Featured Lecture

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Pakistani. Dr. Ferris speculates that there are many different reasons for such differing responses including extent of media coverage, the nature of the disaster (earthquake vs. flooding), geographic proximity, and historical cooperation and involvement of the US government. She lingered over other possible reasons as well. It could be that Americans subconsciously decide that some people are more worthy or deserving than others. Another is that Americans identify more with one type of disaster than the other or with one population of people than another.

Dr. Ferris’ central premise in analyzing this phenomenon was to consider the concept of neutrality and the fact that it is almost impossible to be a neutral actor when providing humanitarian aid. Ever since the Rwandan genocide in the mid-90s, there has been a shift among humanitarian organizations to try to “build [countries] back better.” As a result of this goal, political motivations, cultural disruptions, and imposition of Western ideals are always consequences, both to positive and negative effect. The point, Ferris says, is not whether it is right or wrong not to be neutral, but rather the recognition and response to the fact that international aid is almost never neutral. CHRIJ Director David Hollenbach, SJ, spoke to this point in his response as well calling attention to the fact that politics always sway decisions in allocations of governmental aid.

As a parting note, Dr. Ferris leaves advice to humanitarian aid program developers, “think about who is not in the line”, referring to the lines of people waiting for aid. She urges organizations to structure their programs in order to target the most vulnerable because those with a little more resources or a little more wealth will be more likely their way into the line themselves.
Upcoming Spring 2011 Events

February 4
The Trafficking-Migration Nexus: Links and Divergencies
Conversations at Lunch with Dr. Janice Raymond - Professor of Women’s Studies and Medical Ethics, UMass-Amherst
12:30 p.m. - Boston College
Boston Room, Corcoran Commons

February 16
Screening of documentary Call and Response
7:00 p.m. - Boston College
Heights Room, Corcoran Commons

February 24
International Human Rights and Democratic Sovereignty: The Contemporary Debates
Dr. Seyla Benhabib, Professor of Political Science and Philosophy, Yale University
7:00 p.m. - Boston College
Heights Room, Corcoran Commons

April 1
A Critical Insider’s Perspective on the Boston Principles on the Economic, Social, and Cultural Rights of Non-citizens
Conversations at Lunch with Hope Lewis, Professor of Law at Northeastern University
12:30 p.m. - Boston College
21 Campanella Way, Rm. 328

Join the CHRIJ listserv to receive news and reminders of CHRIJ events via email. Visit http://www.bc.edu/centers/humanrights/mailinglist.html and simply enter your email address to join.