1990
Carter-Menil
Human Rights Prize
New York University
New York, New York

The Program

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President, New York University
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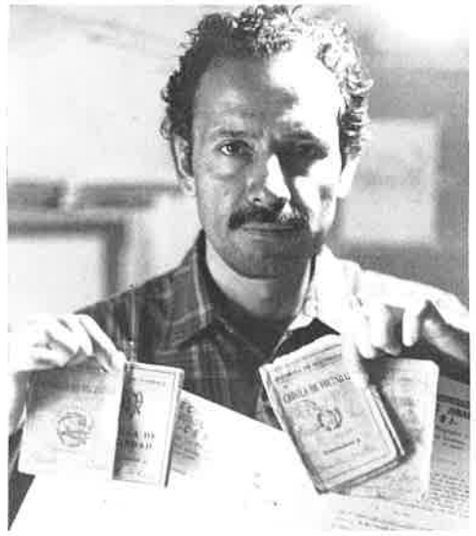
THE CARTER-MENIL HUMAN RIGHTS PRIZE

Commemorating the 42nd anniversary of the Universal Declaration of Human Rights

New York University
New York, New York
December 10, 1990

The Consejo de Comunidades Etnicas Runujel Junam, Guatemala



CERJ President Amílcar Méndez Urízar holds the identity papers of four kidnapped CERJ members, along with habeas corpus petitions filed on their behalf. The four were abducted by uniformed soldiers in April 1989 and remain disappeared. The term desaparecido *("disappeared"), which originated in Guatemala, is used to describe the condition of a person who is abducted by government forces or death squads and whose fate is usually death—though often this is never confirmed.*

The Consejo de Comunidades Etnicas Runujel Junam (Council of Ethnic Communities Runujel Junam; CERJ) was formed by a group of Mayan Indian peasants with the assistance of schoolteacher Amílcar Méndez Urízar in July 1988 to monitor and defend human rights and fundamental freedoms. The primary objectives of the CERJ include: disbanding Guatemala's massive civilian patrol system and defending peasants against the obligation to provide unpaid service in this system; educating the rural populace (primarily indigenous) about human rights, denouncing human rights violations directed at these individuals, and seeking legal redress for victims of abuse; and advocating for increased respect for indigenous culture and identity. Before CERJ began its work, abuses against Indians were largely unreported and unrecorded, and civil patrol service went unchallenged.

The current civil patrol system was developed by General Efraín Ríos Montt in 1982 as an army counterinsurgency strategy to establish full control over villages in Guatemala's mountains, where guerrilla forces have been actively challenging the government for decades. Since the system's inception, hundreds of thousands of men have been forcibly conscripted into the civil patrols, and some 600,000 remain active.

The patrols appear to be inherently racist in nature, as "recruits" have been secured almost exclusively from the Indian population. Even in villages where both Indians and mestizos (mixed-blood) live, the patrols are composed of 10-12 Indian men between the ages of 15 and 60, who must make rounds through the streets and outlying areas of their village for 12-24 hours once every one to two weeks. Patrollers, who must provide their own food while on duty and who are not paid for their service, lose a day's wages each time they patrol. Because most Indians barely make enough money to survive under normal circumstances, the patrol system imposes an unbearable economic burden.

Patrollers are either unarmed or armed only with machetes or sticks. Their mission is to stop and question any unknown person and to make reports to the local army commander on any "subversive" activities. Patrollers are sometimes used as a screen for army units by being positioned literally between the guerrillas and the army. This not only provides a human buffer from fire, but also further protects the army since the guerrillas generally do not fire at the lightly armed or unarmed patrollers. In addition, the army reportedly has put unarmed civil patrollers in their uniforms and sent them into combat—a clear violation of international law. According to one eyewitness, a patroller was killed in such an incident in the Quiché in February 1989.

As presently constituted, the patrols are in direct violation of Article 34 of Guatemala's Constitution, which specifically states that no one may be forced to serve in such "self-defense" organizations. To refute charges that the patrols are illegal, government and army officials insist that patrollers serve voluntarily and are inspired by the desire to seek protection from communists and subversives. Even Guatemalan Supreme Court President Edmundo Vásquez Martínez dismisses this view, however, and in February 1988 he told Americas Watch that the patrols were "unconstitutional, illegal, and despicable" (*News from Americas Watch,* October 1989, Number 11, p. 6). Vásquez Martínez's remarks notwithstanding, the judicial system still has not sought an end to the patrols on constitutional grounds or through other legal avenues. In addition, the notion that constitutional protections even apply at all to Guatemala's Indian population is not accepted in Guatemalan society.

Because of the tremendous unpopularity of the civil patrols among villagers, patrollers in the southern Quiché province began in 1986 to call on government and army officials to end the patrols in their communities, or to exempt them from duty. Amílcar Méndez, a *ladino* native of the Quiché who speaks both Spanish and Quiché, assisted these groups in articulating their views and presenting them to the government. These early appeals were met with stiff reprisals in the form of threats by security forces. Those seeking an end to the patrols continued to meet informally to discuss coordinating efforts. By 1988, the movement had gained impressive

"Despite being plagued with innumerable difficulties in its short period of existence, the CERJ already has had a remarkable impact in the highland Indian villages, calling the world's attention to the egregious violations against the dignity of Guatemala's indigenous peoples, and working to ensure that these individuals enjoy equal justice under the law."

-Jean-Marie Simon, author, *Guatemala: Eternal Spring, Eternal Tyranny*; member, Americas Watch Board of Directors

Three CERJ members display a copy of Guatemala's Constitution which guarantees them the right to refuse service in self-defense organizations such as the civil patrols.

Amílcar Méndez waits with three widows who had requested that local authorities investigate an alleged clandestine cemetery where they believed their husbands' bodies were buried.

strength—presenting some six hundred signed or thumb-printed petitions requesting the elimination of the patrols or permission to withdraw from duty to the Human Rights Attorney, The Congressional Human Rights Commission, and on several occasions to the Ministry of Defense. Patrolling was suspended completely in some areas and in others, groups of 10-40 patrollers withdrew. These actions were met with immediate reprisals in the form of threats, intimidation, propaganda campaigns and other tactics meant to terrorize the rural population into believing that refusing service in the civil patrols had serious consequences. The first official meeting of the CERJ took place on July 31, 1988, when several hundred interested villagers met at Méndez's house in Santa Cruz del Quiché to discuss their concerns about the patrols, as well as the many abuses to which they had been subjected. The decision to form an organization to address these issues was made and the name was chosen to reflect the group's commitment to speak out for Guatemala's Mayan Indian majority: "Runujel Junam" means "everybody is equal" in the Quiché language.

The immediate effectiveness of the CERJ is apparent: between July 31 and October 31, 1988, 78 communities in the Quiché province had partially or totally ended their participation in the patrols. By March 1989, 192 communities were represented in the CERJ, and in just over 28 months existence, CERJ's general membership has swelled to some 10,000 members, almost all of whom are Mayan Indians, approximately half coming from the southern Quiché and the rest from Solola, Chimaltenango, and Totonicapan.

CERJ has also been effective in documenting the broad range of human rights violations—killings, disappearances, torture, death threats, and intimidation—directed at Guatemala's indigenous and rural population. Family members can take their grievances to the CERJ office in Santa Cruz where representatives record information about alleged violations. These testimonies, petitions, and writs of *habeas corpus* are then passed on to government human rights offices in Guatemala City and the Quiché, which to date remain unwilling to seriously address these abuses.

CERJ members themselves have been special targets of abuse by Guatemalan security forces and death squads. Hundreds of members have been harassed and intimidated, and dozens have received repeated death threats. In less than two and one-half years of existence, at least ten CERJ members have been killed, their bodies showing signs of torture in most cases. Five others have disappeared and are believed dead. Seven of these deaths and one disappearance have occurred since mid-March 1990 as the violence in Guatemala has continued to escalate. According to Amílcar Méndez, "Although these killings were carried out by military commissioners and sometimes by civil patrol chiefs, the intellectual authors of these acts are members of army intelligence."

Most recently, Sebastián Velásquez Mejía, the CERJ delegate from Chunimá in the Quiché department, was kidnapped on October 6, 1990 by men in plain clothes accompanied by the local civil patrol chief from Chunimá. Prior to his abduction, Velásquez Mejía had received repeated written and oral death threats widely attributed to the army. He remains disappeared. Three weeks later, the decapitated body of CERJ member Mateo Sarat Ixcoy was found. Sarat Ixcoy is the son-in-law of CERJ member José Vicente García, who was killed in April 1990.

"CERJ embodies the deepest humanity and highest achievements of the human rights community. Guatemala's rural and Mayan Indian populations have in CERJ a protector and champion that merits our profound respect."

-Jonathan Fine, M.D., Executive Director, Physicians for Human Rights

Amílcar Méndez takes the testimony of the widow and relatives of Andrés Ventura, a peasant who died escaping a military round-up.

The Civil Rights Movement of Sri Lanka

Suriya Wickremasinghe, founding member and current secretary of CRM.

The Civil Rights Movement (CRM) of Sri Lanka is a nonpartisan, inter-ethnic organization committed to the promotion and protection of civil and political rights. The group was founded in 1971 in response to government emergency measures introduced to deal with a militant insurgency. Though this insurgency was speedily crushed, CRM worked vigorously to counter human rights violations, such as prolonged detention, deaths in custody, unfair trial procedures, suspension of trade union rights, and censorship, that emerged in the insurgency's aftermath.

The primary objective of CRM is to examine existing and proposed laws and the workings of government in light of internationally recognized human rights principles and then to initiate debate and educate the public about such issues. In the words of CRM, "We judge each issue on its merits, irrespective of what embarrassment it might cause and to whom. Governments come and go, yesterday's tyrant is today's defender of liberty and vice-versa. Amid the shifting tides of political change and electoral upheaval, our basic attitudes and principles remain constant."

The current political crisis has its roots in the inadequacy of the present political structures to recognize and reflect satisfactorily the multi-ethnic nature of Sri Lankan society. Since independence from British rule in 1948, the State and successive governments more representative of the Sinhala majority have enacted measures discriminatory of the minority ethnic groups. The first post-independence ethnic riots broke out in 1958 in the wake of the enactment of "Sinhala only" as the country's official language, a measure which favored the Sinhala majority both in education and employment. Subsequent measures such as ethnic ratios in university admissions and state-aided colonization schemes were perceived as further threats to the minority Tamil society. Protests against these measures ultimately grew into an insurgency, with the formation of several Tamil armed groups committed to the creation of a separate Tamil state in the northeast of the island.

As the insurgency degenerated into civil war after anti-Tamil riots in 1983, the security forces adopted increasingly repressive measures against the militants. The guerrillas retaliated with attacks on security forces and Sinhalese civilians, setting in place the cycles of violence which continue today.

An agreement to give Tamils a measure of regional autonomy through the delegation of political powers to

"Over the last 19 years, CRM has developed into a leading human rights monitor in Sri Lanka. In both its investigations of cases and its challenges of broader government policies, CRM has maintained the highest standards of professionalism."

-Michael Posner, Executive Director, Lawyers Committee for Human Rights

provincial councils, reached with Indian mediation, has proved ineffectual. Indian Peace Keeping Forces were invited to the island to assist with the implementation of the agreement. The LTTE, militarily the most powerful of the Tamil groups, refused to accept and abide by the agreement and continued its campaign against the Sri Lankan State and the Indian forces. At the same time, it attempted to maintain its hegemony over the Tamil people by eliminating all opponents. In addition, LTTE forces massacred and otherwise sought to force out Muslim and Sinhala people living in the northeast.

The Indo-Lanka agreement and the deployment of Indian troops also provoked a violent political reaction from a large section of the Sinhalese. These hostile sentiments were the background against which the JVP, the group responsible for the abortive 1971 insurgency, mobilized support with anti-Indian and anti-Tamil slogans and launched a violent campaign against the government. It sought to overthrow the state by assassinating thousands of state employees and members of the government party. The JVP also killed many members of the democratic opposition (particularly those who supported the concept of a political resolution to the ethnic conflict based on regional autonomy for the Tamil people), as well as ordinary citizens who cast their votes at elections or otherwise failed to comply with JVP-

The late Bishop Lakshman Wickremasinghe, founding member and former chairman of CRM, speaks at a CRM public meeting on Torture in Sri Lanka (1982).

Human rights activist Paul Nallanayagam (left) shakes hands with S. Nadesan after being acquitted on charges of sedition, spreading rumors, and making false statements in a trial which attracted international attention. His defense by CRM lawyers Suriya Wickremasinghe (left of Nadesan) and Ainsley Samarajiwa (right of Nadesan) was led by CRM founder S. Nadesan.

"Throughout Sri Lanka's recent history of ethnic tension and violence, CRM has maintained its nonpartisan position and has been a constant voice for ethnic reconciliation and for the protection of human rights for all communities in Sri Lanka."

-Sidney Jones, Executive Director, Asia Watch

directed boycotts.

The JVP insurgency was suppressed with brutality, the Indian forces were asked to leave, and political negotiations between the government and both the LTTE and those Tamil groups who had accepted the peace agreement and sought political power in the Provincial Councils broke down. At this writing, there is a full-scale war in the northeast between the LTTE and Sri Lankan government forces.

Faced with inter-ethnic riots and the confrontations between its forces and both Tamil guerrillas and Sinhalese militants, the government has sought to maintain its authority through the use of emergency powers. Under these measures non-combatants continue to be victims of arbitrary arrest, torture, disappearance and summary execution. Abductors and vigilante killer squads have operated with impunity. Lawyers appearing in *habeas corpus* cases have been killed; others have had to leave the country. CRM has worked diligently to document abuses by all sides to the conflict and has, since its inception, actively challenged successive governments' departures from internationally accepted norms.

CRM has fought several major battles in the courts, where it has successfully raised constitutional issues relating to voting rights and defended human rights activist Paul Nallanayagam and CRM founding member S. Nadesan. Other important CRM campaigns include intensive work against the 1982 Referendum through which Parliament's life was extended by an additional six years without a general election—an event which many consider a watershed in the decline of Sri Lankan democracy. CRM marshaled arguments against the Referendum and documented many illegalities that marked its adoption.

In 1987, CRM made a special study of the Geneva Conventions and the work of the International Committee of the Red Cross (ICRC). The group petitioned for the ICRC to be invited into the country and initiated a campaign for adherence to basic humanitarian rules by all parties to the conflict. Following the admission of the ICRC to Sri Lanka in 1989, CRM has continued to try to maximize public understanding of its role.

Throughout its history, CRM has opposed government decisions which threaten freedom of the press and free political participation. The group has pressed for proper investigations into numerous cases, including the death of journalist Richard de Zoysa in February 1990 and the killing of 12 persons in Wewulkele in March 1990. CRM also has recently initiated an ambitious publication program which seeks to illustrate the importance of dissent in the history of human progress.

The work of CRM over the years has had to take into account the extreme violence and brutality resorted to by various opposition groups, which has victimized both political opponents and uninvolved civilians. CRM has always recognized the right and responsibility of the State to maintain law and order. At the same time, the group recognizes that during times of civil unrest, when the authorities have to contend with politically motivated killings and other acts of violence directed against themselves and other citizens, the responsibility of the State is undoubtedly more demanding.

In this regard, CRM acknowledges both the practical and human problems which government forces face. The members of CRM stress, however, that it is precisely at such times that the temptation is greatest for those entrusted to uphold the law to depart from lawful methods. It therefore becomes necessary to underscore the crucial need to observe basic human rights norms and to strive to protect the civilian population from hardship. CRM emphasizes that this responsibility alone distinguishes the State politically, morally, ethically, and legally from the opponents against whom it defends itself.

S. Nadesan (left) with his lawyer, CRM member H.L. de Silva, after his acquittal by the Supreme Court. Nadesan, a leading lawyer and constitutional expert, was tried after writing and publishing a report for CRM that criticized the exercise of judicial power by Parliament (1980).

Dominique de Menil

"The CERJ and CRM are role models of courage and leadership in two countries whose governments have chosen to ignore the voice of truth. Working under difficult, discouraging, and sometimes life threatening conditions, members of these two groups have struggled dauntlessly to denounce human rights abuses and prevent their future occurrence."

-Dominique de Menil

French-born Dominique de Menil is the daughter of Conrad Schlumberger whose geo-electric discoveries led him to found, with his brother Marcel, the oil field service firm bearing their name.

Mrs. de Menil, founder and president of Rothko Chapel in Houston, is a proponent of better understanding among people of different religions. She has also been active in her support of human and civil rights causes. Her empathy with the deprived and oppressed and her commitment to justice have led her to initiate a variety of projects seeking truth; denouncing repression; and promoting understanding, non-violence and peace.

She is known as well for her interest in art, which has led to the creation of the Menil Collection Museum in Houston. The museum, inaugurated on June 4, 1987, houses the collections both she and her late husband, John de Menil, acquired throughout the years.

In addition to her commitment to the Houston museum, Mrs. de Menil is chairman of the Georges Pompidou Art and Cultural Foundation and is involved with Menil Foundation projects such as the Image of the Black in Western Art, the Institute for the Arts at Rice University, and the International Circle for Philosophy.

Jimmy Carter

"The citizens of both Guatemala and Sri Lanka have for decades borne the brunt of grave violations of their rights and dignity with insufficient attention or assistance from the rest of the world. The growth of the CERJ and CRM illustrate once again the importance of individuals of conscience and commitment coming together when governments no longer feel obligated to respect the rule of law."

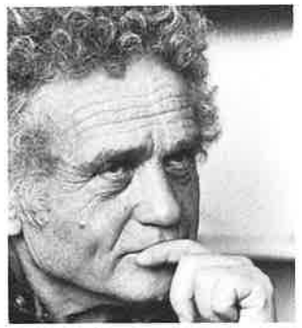
-Jimmy Carter

Jimmy Carter, the 39th president of the United States, is recognized and honored as an international statesman. The efforts of his administration to make human rights the centerpiece of U.S. foreign policy and his own deep commitment to human rights, both during and after his tenure as president, have put the issue on the international agenda. His wife, Rosalynn, also has been active in promoting respect for human rights, most recently working with the International Helsinki Federation on the promotion of human rights in the Soviet Union. The credibility established by the Carters and their access to world leaders make them valued assets to The Carter Center's Human Rights Program, where they continue their important work.

The Carter-Menil Human Rights Foundation

The Carter-Menil Human Rights Foundation was established in 1986 by Jimmy Carter and Dominique de Menil to promote the protection of human rights throughout the world. Each year on December 10, which marks the anniversary of the proclamation of the Universal Declaration of Human Rights, the foundation presents a $100,000 prize to one or two organizations or individuals for their outstanding contribution to the advancement of human rights principles. The Carter-Menil Human Rights Foundation also supports the activities of the Human Rights Program of The Carter Center of Emory University.

Past Recipients



Yuri Orlov, Soviet Union (co-recipient)

1986: Yuri Orlov, Soviet Union

Soviet physicist and dissident Yuri Orlov founded the Moscow Helsinki Committee in May 1976. His outspoken criticism of the Communist party and human rights activism led to his expulsion from the party in 1956 and arrest in 1977. Dr. Orlov spent seven years in a strict regimen labor camp and two years in exile in Siberia before being released and moving to the United States. In 1987, he accepted a position in the Physics Department at Cornell University and continues his human rights activities as honorary chair and spokesperson for the International Helsinki Federation for Human Rights.

Grupo de Apoyo Mutuo, Guatemala (co-recipient)

1986: Grupo de Apoyo Mutuo, Guatemala

The Grupo de Apoyo Mutuo (GAM) was created in June 1984 by relatives of people who disappeared in Guatemala. These relatives attempted to determine the fate of their missing family members by making inquiries to the government, filing *habeas corpus* petitions, and denouncing disappearances in local and international forums. GAM's current membership of over 1,500 continues to serve the important role of uniting and supporting families who have suffered and leading protests to call attention to these situations. Because of these efforts, members themselves have been the victims of repeated threats, torture, kidnapping, and, in some cases, murder.

La Vicaría de la Solidaridad, Chile

1987: La Vicaría de la Solidaridad, Chile

In January 1976, Cardinal Raul Silva Henriquez founded La Vicaría de la Solidaridad to provide legal assistance to political prisoners and social welfare assistance to the families of victims of human rights abuses. The group also collects and disseminates information about specific rights violations. The organization continues these activities in addition to providing food and monetary assistance to the large sectors of the Chilean population living in extreme poverty. La Vicaría also has intensified its traditional human rights education efforts through nonpolitical civic programs.

1988: The Sisulu Family, South Africa

The Sisulu Family, South Africa

Walter and Albertina Sisulu and their seven children —Zwelakhe, Jongumzi, Max, Lindiwe, Nonkululeko, Berel, and Mlungisi—have come to symbolize the fight against apartheid and the suffering it has imposed on South Africa. Since they first met in the early 1940s, Walter, as Secretary-General of the African National Congress (ANC), and Albertina, as a leading member of the South African women's movement, have struggled constantly for the recognition of human rights for all South Africans. Because of their activities to promote these rights, Walter served 26 years of a life sentence in prison along with Nelson Mandela, and Albertina lived under restriction orders which made her a prisoner in her own home for the better part of 25 years. Walter was released from prison and Albertina's restrictions lifted in an historic decision by the South African government in October 1989. Many of the Sisulu children also have been imprisoned, exiled, or otherwise harassed for their efforts to end apartheid and work for justice in South Africa.

Al-Haq (co-recipient)

1989: Al-Haq, West Bank

Al-Haq (Arabic for "truth," "justice," "fairness," and "law"), the West Bank affiliate of the International Commission of Jurists, is a Palestinian human rights organization based in Ramallah. It was founded in 1979 to promote respect for internationally recognized standards of human rights, humanitarian law and justice in the Occupied Territories. The primary activities of al-Haq are investigating and documenting human rights violations; researching issues pertaining to the rule of law in the Occupied Territories; publishing studies on various aspects of the legal and human rights situation in the West Bank and Gaza Strip; and making an ongoing effort, through direct intervention and other means, to bring specific abuses to an end.

B'Tselem (co-recipient)

1989: B'Tselem/The Israeli Information Center for Human Rights in the Occupied Territories, Israel

B'Tselem was founded in February 1989 by a group of Israeli lawyers, intellectuals, physicians, journalists and Knesset members to respond to the resounding silence in Israel about the treatment of Palestinians living in the Occupied Territories. B'Tselem's primary objective is the systematic collection of data on human rights violations in the West Bank and Gaza Strip and the dissemination of reliable information. In addition, the organization educates the Israeli public about international human rights standards and fosters public debate within Israel about the nature and scope of human rights violations and their impact on Israeli society and democracy.

The Carter Center Human Rights Program

The Human Rights Program of The Carter Center of Emory University seeks to strengthen institutions engaged in human rights monitoring and advocacy, promote their collaborative interaction, and help in the development of strategies that discourage violations of human rights. The program was launched in January 1988.

A special concern of the program is the protection of victims of human rights abuses and of people engaged in monitoring and protesting those abuses. Program staff screen, research and evaluate requests for President and Mrs. Carter to intervene on behalf of persecuted individuals. Briefings and recommendations for action are prepared in cases where program staff have determined that intervention by the Carters is appropriate. Briefings of this kind have brought to the Carters' attention abuses in Ethiopia, Ghana, Kenya, Liberia, Mali, Morocco, Nigeria, Senegal, Somalia, South Africa, Sudan, Uganda, Zambia, Zimbabwe, Cuba, El Salvador, Guatemala, Guyana, Haiti, Nicaragua, Paraguay, Peru, Egypt, Israel and the Occupied Territories, Jordan, Syria, the Soviet Union, Bangladesh, Burma, China, Hong Kong, India, Indonesia, Nepal, Pakistan, Sri Lanka, and Tibet.

In addition, the Carters are committed to adding a human rights component to all of their overseas visits. Over the past two years the Carters have included a human rights agenda on their trips to eight nations in Africa, Eastern Europe and Latin America. In each case, they were provided with an extensive briefing on human rights conditions prior to meeting with leaders in these countries.

The Human Rights Program is coordinated by Karin Ryan. Susan Casey is Program Associate and coordinates the Carter-Menil Human Rights Prize. Anne Massagee is Program Assistant.

The Carter Center Atlanta, Georgia

The Carter Center

The Carter Center in Atlanta, Georgia is a non-profit public policy institute founded in 1982. The Center is home to a consortium of organizations that unite research and outreach programs in an effort to improve quality of life around the world.

The core organization of the Center is The Carter Center of Emory University (CCEU). Here, academic fellows, who also teach at Emory, address carefully selected issues through research, conferences, and special publications. CCEU programs focus on resolving conflict, promoting democracy, preserving human rights, improving health, and fighting hunger in regions such as Africa, Latin America, the Middle East, and the Soviet Union.

The Center's strength lies in a unique combination of resources. Jimmy Carter's stature as a world leader provides the Center with singular access, vision and direction. Under the direction of James T. Laney, Emory University's strong academic programs provide a solid base for studying contemporary issues and implementing solutions to global problems.

The construction of The Carter Center facilities was funded entirely by $28 million in private donations from individuals, foundations, and corporations. Dedicated on October 1, 1986, the complex of four interconnected buildings on 30 acres houses CCEU and the Jimmy Carter Library and Museum, deeded to and operated by the Federal Government. The Center is also home to Global 2000, The Task Force for Child Survival, and the Carter-Menil Human Rights Foundation, a group of independently funded and administered organizations with goals and ideals that complement and enhance The Carter Center as a whole.