

FRANÇOIS-XAVIER BAGNOUD CENTER FOR  
HEALTH AND HUMAN RIGHTS  
ANNUAL REPORT  
JANUARY-DECEMBER 2002

**EXECUTIVE SUMMARY**

The year 2002 was one of steady growth for the FXB Center. FXB Faculty attracted increasing numbers of students to the courses they taught at Harvard and around the world and maintained a high level of scholarly publication. It was a period of growth for all three of the Center's programs, in terms of both staff and research projects.

It was also a year of adjustment to changes in the world. One frequently heard that the world had changed fundamentally after September 11, 2001. However horrible the events were on that day, the basic issues with which the FXB Center is concerned had not radically changed. HIV/AIDS continued to claim lives—more than 3 million in 2002 and 5 million more people were infected with HIV, mainly in Africa where some 30 million were living with HIV/AIDS. The magnitude of the crisis is almost beyond comprehension, considering that between 13 million and 40 million children (depending on how they are counted) have been orphaned because of the pandemic and one estimate predicts this number will rise to 100 million by 2010.

Armed conflicts continued to tear nations apart in 42 countries in 2002. The World Health Organization in its *World Report on Violence and Health* reported that violence kills more than 1.6 million people every year and that 35 people die every hour as a direct result of armed conflict. During these conflicts millions of children have been killed, disabled, orphaned, sexually exploited, and abused. Many have been abducted and forced to take up weapons themselves. September 11 did not change the face of poverty in the world, where a quarter of the population lives on less than \$1 a day and 150 million children in low- and middle-income economies are still malnourished. These are the challenges facing the world that existed before and continue to exist after the September 11 terrorist attacks. Those acts of terrorism and the response to them did change the face of international politics, however, and contributed to the slowing of the world's economy and the concern over security, often at the expense of human rights.

It is in that climate that the FXB Center consolidated its three programs that bring the normative power of the human rights framework to bear precisely on issues such as HIV/AIDS, armed conflict, and poverty. We have had to adjust our expectations of the world economy and a weakening of multilateral institutions. At the same time, we have found that among widening circles of students and professionals to and from whom the FXB Center seeks to reach, train, and learn, the message that health is better advanced if human rights are respected is more compelling than ever. By publishing cutting-edge essays in *Health and Human Rights*, by providing critical support to major international institutions working on health and human rights, by lecturing and training, and by contributing to scholarly and general publications the Center has endeavored to advance knowledge, promote policies, and mobilize professionals around the linkages between health and human rights. Our partnerships with WHO, APHA, the ICRC, and the NGO community have led to measurable progress toward these goals. The Center is training WHO staff to apply health and human rights in its work; it is implementing jointly with MIT and Tufts an inter-university program in humanitarian studies; it is working with APHA on introducing health and human rights into the curriculum of schools of medicine, public health and nursing, as well as in public health practice. At the same time, FXB faculty and research staff are working with NGOs to investigate situations and disseminate awareness of the importance of human rights in advancing health.

The challenge ahead, as the Center's activities for 2002 demonstrate, is to bridge the gap between lofty ideals of human rights and the resource-constrained practice of public health, between policy pronouncements and service delivery, between word and deed. Our experience in 2002, in spite of the worsening international climate, has reinforced our conviction that it is both possible and necessary to meet that challenge.

Stephen P. Marks, Director  
François-Xavier Bagnoud Center for Health and Human Rights  
and Professor of Health and Human Rights

## CENTER FACULTY AND STAFF

### FACULTY

Stephen P. Marks, Docteur d'État, Dipl. IHEI, Center Director and Director of Development and Human Rights  
Sofia Gruskin, JD, MIA, Director of International Health and Human Rights  
Jennifer Leaning, MD, SMH, Director of Humanitarian Crises and Human Rights  
Arjun Sengupta, PhD, Adjunct Professor

### STAFF AND AFFILIATES

Pippa Amick, MPA, MPH, Operations and Projects, FXB Center  
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Anthony Carbone, MD, Research Fellow, Program on Humanitarian Crises and Human Rights  
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Mark Hancock, Staff Assistant, Program on International Health and Human Rights  
Gilbert Holleufer, Research Fellow, Program on Humanitarian Crises and Human Rights  
Susan Isenstein, MS, Publications and Information, FXB Center  
Jenna LeMieux, MSW, Program Manager, Program on Humanitarian Crises and Human Rights  
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Claudia Ordoñez, Staff Assistant, Program on International Health and Human Rights  
Neena Philip, Program Assistant, Program on Humanitarian Crises and Human Rights  
Mindy Jane Roseman, JD, PhD, Senior Research Officer, Program on International Health and Human Rights  
Sayed Sahibzada, Visiting Fellow, FXB Center  
Bonnie Shepard, MEd, MPA, Senior Program Manager, Program on International Health and Human Rights  
Daniel Tarantola, MD, Senior Associate

## ABOUT THE FXB CENTER

The François-Xavier Bagnoud Center for Health and Human Rights is the first academic center to focus exclusively on health and human rights. The Center combines the academic strengths of research and teaching with a strong commitment to service and advocacy. It was founded in 1993 with the financial support of the Association François-Xavier Bagnoud and Albina du Boisrouvray in memory of her son François-Xavier Bagnoud.

The late Jonathan Mann served as the first François-Xavier Bagnoud Professor and Center Director from 1993 to 1997. Dr. Daniel Tarantola and Professor Sofia Gruskin served successively as acting directors from 1997 to 1999. Stephen P. Marks was appointed FXB Professor and Center Director in July 1999.

The Center Advisory Board includes Countess Albina du Boisrouvray (Switzerland), Chairperson; Harvey V. Fineberg (USA); Dr. Halfdan Mahler (Denmark); Mme Simone Veil (France); Aung San Suu Kyi (Burma); and Professor V. Ramalingaswami (India). The Advisory Board, created to provide general guidance on Center activities, will be reactivated and expanded in 2003.

Center faculty work at international and national levels through collaboration and partnerships with health and human rights practitioners, governmental and nongovernmental organizations, academic institutions, and international agencies to expand knowledge through scholarship, professional training, and public education; develop domestic and international policy focusing on the relationship between health and human rights in a global perspective; and engage scholars, public health and human rights practitioners, public officials, donors, and activists in the health and human rights movement.

The Center's mission is carried out through its core activities—education and training, publications, research, and collaboration with other institutions—and its three programs on international health and human rights, humanitarian crises and human rights, and human rights in development.

## CENTER ACTIVITIES

### EDUCATION AND TRAINING AT HARVARD

The FXB Center's education and training activities include teaching at the Harvard School of Public Health and at other Harvard institutions, as well as at academic and nonacademic settings throughout the world. Center faculty taught the following courses at HSPH in the period under review:

- Complex Humanitarian Emergencies (Jennifer Leaning)
- Development and Human Rights (Stephen Marks)
- Disaster Management (Jennifer Leaning)
- Health and Human Rights (Sofia Gruskin)
- Health, Human Rights, and the International System (Stephen Marks)
- Public Health Response to Biological Terrorism (Jennifer Leaning, co-taught with Jonathan Burstein)
- Women, Gender, and Health (Sofia Gruskin, co-taught with Nancy Krieger)

Throughout the year, FXB Center faculty continued to advise students and supervise tutorials and doctoral students. In 2002, Professor Stephen Marks advised many students from Harvard and other universities on career opportunities. Professor Sofia Gruskin advised a number of students from HSPH, as well as students referred to her by the Development Office, on career options and relevant internship opportunities in health and human rights. Professor Jennifer Leaning continued to supervise students who have been working on disasters and forced-migration issues. She also continued to serve on two doctoral-student committees and to advise a large number of students on career options. In addition, many students throughout the Greater Boston area sought her advice on both research opportunities and career options.

Each year, the Center sponsors the François-Xavier Bagnoud Essay Award, a competition open to all HSPH students. In 2002, the Essay Award was given to HSPH doctoral student Anne M. Johnson for her paper "Protecting Human Rights in the Course of Development: Safe Migration for Young Women in Nepal."

The Center participated in the annual HSPH Poster Day, a schoolwide event at which centers and research groups at HSPH present their work to one another. The Center also employs students as research assistants on a variety of projects.

The 2002 Intensive Course on Health and Human Rights was held from June 17 through 20 at HSPH. This course is a collaborative effort of the FXB Center, Boston University's Health Law Department, and the Center for Continuing Professional Education at HSPH. Professors Marks, Gruskin, and Leaning all taught sessions, as did Professors Michael Grodin and George Annas from Boston University. Approximately 70 students, representing 20 countries, attended the course.

Professors Marks, Leaning, and Gruskin regularly attended PIH departmental faculty meetings, general HSPH faculty meetings, and other committees on which they serve. Professor Marks served on the HSPH search committee for a professor of ethics. Professor Leaning served on the PIH MS Committee and on a faculty search committee. Professor Marks was appointed to the university-wide Scholars-at-Risk Committee that selects academics or researchers whose security is under threat and also participates in regularly scheduled meetings of the University Committee on Human Rights Studies. In addition, he was one of two faculty members appointed to the Advisory Committee on Shareholder Responsibility.

Professor Leaning continued to chair the Harvard University Student Health Coordinating Board. Professor Gruskin continued to serve on the Human Subjects Committee for HSPH. She also serves on the Working Group on Women, Gender, and Health, which meets monthly.

## **PRESENTATIONS AND GUEST LECTURES BEYOND HARVARD**

The Center Faculty frequently lecture, offer intensive short courses, and conduct training for health and human rights practitioners at other institutions in the United States, Europe, Latin America, and Africa. Some of these presentations are specifically tailored to meet the needs of academic institutions, government personnel, and NGOs and other organizations.

### **Sofia Gruskin**

February 12, Professor Gruskin was invited to Northwestern University Law School to present a special evening seminar: "International Human Rights and the Battle Against AIDS." The Law School's Center for International and Comparative Studies organized the seminar, working with other organizations, including the School's Program on International Human Rights and the Chicago Council on Foreign Relations, to bring a large, diverse audience to the event. Professor

Gruskin was also asked to teach a session of the course “International Organizations: Regimes for International Public Health.” Both the session and the evening seminar focused on human rights and HIV/AIDS.

March 2, Professor Gruskin delivered a seminar at the Museum of Science in Boston, entitled “Ecosocial and Health and Human Rights Perspectives: Women and Tuberculosis.” The Museum’s Current Science and Technology Department organized the seminar, which was part of a larger initiative “to convey to the museum’s visitors the science behind news, recent inventions and ongoing research.” This particular seminar was related to a three-month exhibit at the museum on women’s health.

March 12 and 13, Professor Gruskin participated in a Consultation on Child and Adolescent Health and Development in Stockholm. The Consultation was sponsored jointly by WHO and UNICEF and was hosted by the Swedish government in preparation for the UN General Assembly Special Session on Children. Swedish SIDA invited Professor Gruskin to lead a preparatory workshop for NGOs to establish NGO priorities for the consultation and to support preparation for the joint-NGO statement to the consultation.

April 15, Professor Gruskin was invited by Professors David R. Davis and Abdullah An-Na’im to speak at Emory University in Atlanta. While there, she conducted a “brown-bag lunch” discussion on the links between HIV/AIDS and human rights and was also a guest lecturer for a seminar on Interdisciplinary Perspectives on Human Rights, where she spoke on “Health and Human Rights: Methodological Issues and Solutions.”

April 18, Professors Harvey Weinstein and Vince Iacopino of the School of Public Health at the University of California, Berkeley, invited Professor Gruskin to speak on “Reproductive Rights: The Application to Public Health Interventions” for their health and human rights class. At the end of April, Professor Gruskin traveled to Geneva to serve as an outside expert for the Regional Advisers’ Meeting of WHO’s Department of Child and Adolescent Health and Development. She also led a session on WHO strategy for child and adolescent health and development and spoke on “Equity, Gender and Child Rights—Toward a Rights-Oriented Public Health Approach.” At this session, participants discussed progress in applying the Convention of the Rights of the Child, the development and content of WHO strategy on child health, and the process for finalizing this strategy.

May 7, Professor Gruskin was a guest lecturer at the University of Chicago in a class on contemporary issues in human rights. The semester-long course was structured to include sessions on human rights topics ranging from torture, the death penalty, and police brutality to the rights of the child and humanitarian law. Professor Gruskin’s session, “Health and Human Rights: Challenges and Opportunities,” was the only one to focus specifically on the links between health and human rights.

The last week of May, Professor Gruskin traveled to Geneva to help conduct a Training of Trainers for Reproductive Health and Reproductive Rights. The workshop, “Transforming Health Systems: Gender Rights in Reproductive Health,” which was based on a training Professor Gruskin developed, trained experienced trainers in running the three-day module on rights and reproductive health. Workshop participants came from Argentina, Australia, China, Kenya, Malaysia, and South Africa. The training was intended to create a pool of trainers from different regions who could teach rights and reproductive health.

### **Jennifer Leaning**

February 14, Professor Leaning lectured on the “US Postal Service Response to the Anthrax Threat” as a part of a seminar for senior leadership at the Volpe Transportation Center in Boston.

March 5, Professor Leaning was a panel participant in a Winchester Town Meeting Presentation on "Current Issues in Afghanistan." On March 10, Professor Leaning presented a lecture on "Human Rights and the War in Afghanistan" to the First Congregational Church in Bradford, Massachusetts.

April 26 and 27, Professor Leaning lectured on "Globalization and Humanitarian Crises" at the Forum on Emerging Infections and Globalization at the Institute of Medicine in Washington, DC.

May 17, Professor Leaning presented "Humanitarian Crises and International Humanitarian Law" at the Peace and Security Funders Meeting, sponsored by the Rockefeller Brothers in New York. On May 30, Professor Leaning gave a panel presentation on "Ethical Issues in Humanitarian Aid" at a meeting of the Global Health Council in Washington, DC.

July 23 and 24, Professor Leaning directed a course on Human Security at the HELP course (Health Emergencies in Large Populations), sponsored by the International Committee of the Red Cross and held at the Johns Hopkins School of Public Health.

From August 28 through 31, Professor Leaning led a workshop at the World Health Organization and the Humanitarian Accountability Project on "Ethics and Humanitarian Crises."

September 13, Professor Leaning presented a lecture on "Human Rights, Ethics, and Accountability" as part of the SPHERE Revision Project at Tufts University.

September 26, she presented a guest lecture entitled "Principles of Operations in Humanitarian Response" for Richard Cash's course on the Practice of International Health at HSPH.

September 30, she lectured on "Casualties of Conflict: Afghanistan" as part of a seminar series at the Weatherhead Center for International Affairs.

October 17, Professor Leaning presented a guest lecture entitled "Complex Humanitarian Emergencies, Human Rights, and the Environment" at Harvard Medical School.

November 1, Professor Leaning presented a lecture entitled "International Humanitarian Law and Human Rights in Humanitarian Crises" as part of the Humanitarian Studies Initiative Field Practice Seminar at the Harvard School of Public Health.

### **Stephen Marks**

January 22, Professor Marks spoke on the Right to Development at Columbia University.

March 12, he spoke at MIT on the topic "Does Tampering with the Human Genome Violate Human Rights?" at the invitation of the MIT Program on Human Rights and Justice and the Technology and Culture Forum at MIT.

August 13, he spoke on the same topic for the "Hot Topics" series organized for summer school students.

October 2, Professor Marks attended the Negotiation Awards at Harvard Business School, which honored Ambassador Lakhdar Brahimi, Special Representative of the UN Secretary-General in Afghanistan. He spoke in the public forum on the difficulties of including human rights in Brahimi's political mandate.

October 29, Professors Marks and Sengupta were both panelists at the Poverty and Human Rights: Implications of the Right to Development panel discussion at the Kennedy School of Government. The Center was one of the sponsors.

### **Mindy Roseman**

In January, Dr. Roseman met with the Open Society Institute International Policy Fellows, and agreed to be adviser to the program.

Dr. Roseman spoke on two occasions at events sponsored by Health Action AIDS and Physicians for Human Rights. The first was on April 8, at a conference held at Brown Medical School, at which she spoke on “Global AIDS and Human Rights.” The second was held on April 12 at the University of Massachusetts Medical School, where Dr. Roseman lectured on “HIV/AIDS, Africa, and Human Rights.”

June 7, Dr. Roseman spoke on “International Law, Human Rights, and the Right to Health” at the Physicians for Human Rights Student Leadership Training.

November 2, Dr. Roseman addressed the 6th Annual Health Profession Students for Choice Conference at Harvard School of Medicine on “US Foreign Policy and Women’s Health.”

On November 7, at a workshop on rebuilding security for children in post-conflict situations, organized by Women Waging Peace and the International Children’s Mental Health Working Group, Harvard Children’s Initiative at the Kennedy School of Government, Dr. Roseman presented a paper “International Human Rights and Child in Situations of Armed Conflict—Advancing Human Security and Human Rights.”

November 20, Dr. Roseman led a seminar on “Defending ICPD: Current trends in U.S. Foreign Policy,” at the Center for Population and Development, HSPH. This seminar developed into a regularly recurring “Group on Reproductive Health and Rights,” at the Pop. Center; Dr. Roseman is one of its conveners.

### **Bonnie Shepard**

November 20, Ms. Shepard presented the findings from her case study on male involvement in reproductive and sexual health services in Ecuador at an HSPH Global Chat cosponsored by the FXB Center. Her talk was entitled, “Addressing Gender Issues with Men and Couples in a Reproductive Health Service in Ecuador.”

## **FXB CENTER COLLABORATIONS AND PARTNERSHIPS**

### **American Public Health Association**

Professor Marks launched a major joint initiative with American Public Health Association to develop a health and human rights curriculum for schools of public health, medicine, and nursing, as well as in public health practice. With grants from the Macy and Kellogg Foundations and in collaboration with the International Human Rights Committee of APHA, the FXB Center hosted a workshop on this topic that took place from January 16 through 18. Twenty-eight participants—all of whom are leading academics from the major professional schools, as well as senior officials of state and municipal public health departments—attended the workshop. Ms. Pippa Amick helped coordinate this effort.

### **Amnesty International**

Dr. Roseman continued to serve on the Children’s Rights Network Steering Committee of Amnesty International-USA. She worked with Vienna Colucci, AIUSA Network Coordinator, on a number of projects, coordinating, in particular, its involvement with follow-up activities relating the UNGASS on Children.

### **Association François-Xavier Bagnoud**

The Center values its collaborations with the Association François-Xavier Bagnoud, and Professor Marks met several times throughout the year with Anil Purhoit to review collaboration between the Center and the Association.

## **Consortium for Health and Human Rights**

The FXB Center is a founding member of the Consortium, a Boston-based group of NGOs founded in 1998 in commemoration of the 50th anniversary of the Universal Declaration of Human Rights. Center faculty met throughout the year with fellow Consortium members to share information and plan joint activities.

## **DISSEMINATION OF INFORMATION**

The Center's publications and communications program grew significantly in the period under review. Its main publication, *Health and Human Rights: An International Journal*—the only academic journal devoted to health and human rights—published two issues:

Vol. 5, No. 2, which had a special focus on children's health and children's rights. This issue included pieces on a range of subjects, including adolescent sexual and reproductive rights, the impact of differential treatment on the rights and health of girls and boys, the impact public policy choices have on the health of children, and positive examples of work in policy and programming in children's health and rights from national and international organizations. The special issue is receiving wide distribution from a range of actors interested in child and adolescent health.

Vol. 6, No. 1 explored a range of topics and included a special section "Cloning, Health, and Human Rights" that featured an article by Professor Marks entitled "Assumptions of Restrictive and Permissive Approaches to Human Reproductive Cloning" as well as the conclusions on Human Reproductive Cloning of the Expert Group on Human Rights and Biotechnology convened by the UN High Commissioner for Human Rights.

The FXB Center's working paper series produced the following papers in 2002:

- Bonnie Shepard, "Addressing Gender Issues with Men and Couples: Involving Men in Sexual and Reproductive Health Services in APROFE, Ecuador"
- Arjun Sengupta, "Development Cooperation and the Right to Development"

In October, the Center also published *Health and Human Rights: The Educational Challenge*, which included a summary of graduate-level health and human rights courses given at universities in the United States and elsewhere and edited versions of the presentations given at the January workshop (described previously) that was jointly sponsored by the Center and APHA.

The FXB Center Seminar Series, which introduces the HSPH community and the general public to the latest developments on a variety of health and human rights topics, presented the following speakers:

- Leslie London, Department of Public Health and Primary Health Care, at the University of Cape Town, South Africa, "Can Human Rights Serve as a Tool for Promoting Equity in Health in Developing Countries?"
- Bonnie Shepard, Senior Program Manager in the Center's Program on International Health and Human Rights, "Women's Empowerment and Reproductive Health in the Peruvian Highlands."
- Unity Dow, Judge, High Court of Botswana, "Rights and Duties: The Practical Realities of Working on HIV/AIDS in Botswana" (co-sponsored with the Harvard AIDS Institute).

- William Korey, a leading authority on anti-Semitism and human rights in eastern Europe, “Rights and Duties: The Practical Realities of Working on HIV/AIDS in Botswana” (co-sponsored with the Harvard University Committee on Human Rights, Human Rights Program at Harvard Law School, and the Carr Center for Human Rights Policy).
- Eyad el-Sarraj, Secretary General of the Independent Palestinian Commission for Citizens’ Rights, Founder and Director of Gaza Community Mental Health, “Health and Human Rights in Occupied Palestine” ( co-sponsored with Grassroots International).
- Fiona Terry, Research Director, Médecins sans Frontières, “Humanitarian Action and Responsibility.”

## **VISITING FELLOWS AND AFFILIATES**

The FXB Center hosts self-funded visiting fellows working on health and human rights topics for periods of up to one academic year. While at the Center, they may pursue research independently and collaborate with Center faculty and staff on a variety of projects. The Center hosted four fellows in 2002:

- Anthony Carbone, Research Fellow with the Program on Humanitarian Crises and Human Rights
- Gilbert Holleufer, Research Fellow with the Program on Humanitarian Crises and Human Rights
- Leslie London, Research Fellow with the Program on International Health and Human Rights
- Sayed Sahibzada, Visiting Fellow with the Program on Humanitarian Crises and Human Rights

Daniel Tarantola, a senior adviser to Gro Harlem Brundtland, Director-General of the World Health Organization, remained an Associate of the FXB Center and continued to collaborate with the Center on a variety of projects.

## **PROGRAM ACTIVITIES**

### **PROGRAM ON INTERNATIONAL HEALTH AND HUMAN RIGHTS DIRECTOR: SOFIA GRUSKIN**

In conjunction with core activities, this program seeks to enhance the capacity of intergovernmental agencies, governments, nongovernmental organizations, and concerned health and human rights professionals to develop, implement, and evaluate policies, programs, and strategies consonant with sound public health and human rights principles and practice. The program promotes and catalyzes thinking and action in health and human rights by having an impact on governmental and nongovernmental action both in countries and through the work of international organizations. The program seeks to provide frameworks to stimulate the translation of governmental commitments into policies and programs and to ensure that governments are held legally accountable for these commitments under national and international law.

## **COLLABORATIONS AND PARTNERSHIPS**

A major focus of the program is on HIV/AIDS. Collaborations are primarily with the Enhancing Care Initiative at Harvard and through the international Joint United Nations Programme on HIV/AIDS. A second major focus of the program is its extensive collaboration with WHO.

### **Enhancing Care Initiative**

Professor Gruskin is one of the two Harvard investigators for ECI. This project is jointly carried out by the Harvard AIDS Institute, the FXB Center, other entities within Harvard, and counterpart institutions in Brazil, Senegal, Thailand, and South Africa. ECI has been developing a conceptual and practical framework on how to assess, plan for, and evaluate care for people living with HIV/AIDS, which includes human rights and gender-sensitive approaches. Throughout 2002, Professor Gruskin worked with each of the teams to ensure consistency in research and integrating human rights with their research agendas and continued to serve as the focal point for the Brazilian team.

### **Joint United Nations Programme on HIV/AIDS**

Extensive work continued throughout 2002 with UNAIDS. Professor Gruskin participated in, at the invitation of The Office of the High Commissioner for Human Rights (OHCHR) and UNAIDS, an expert consultation on the International Guidelines on HIV/AIDS and Human Rights. The purpose of the expert consultation was to update Guideline 6 in order to reflect new developments—principally, the issue of access to medication and other HIV-related goods, services, and information from a human rights perspective. The meeting culminated in an agreement on the guideline and accompanying text. It was agreed that the text would be published and signed off on by Peter Piot and Mary Robinson prior to her last day in office (September 12<sup>th</sup>). The guideline was published and is serving a useful strategic framework for consideration of this issue. Professor Gruskin prepared the General Comment on HIV/AIDS for the Committee on the Rights of the Child. A final draft was submitted to the Committee for consideration in this period. The draft will be discussed and finalized at the Committee's January meeting. The Program was appointed as Secretariat for the newly mandated UNAIDS Global Reference Group on HIV/AIDS, with Professor Gruskin as its Chair. The first meeting will be held in 2003.

### **World Health Organization**

The Program also collaborated with various departments of the World Health Organization (WHO), including Reproductive Health, Children's Health, Women's Health, and the newly created Health and Human Rights Unit. Professor Gruskin is an External Advisor on Health and Human Rights for the organization. In 2002, work continued on a Memorandum of Understanding with WHO, which encompasses the following current and projected areas of collaboration:

- Producing an annotated bibliography on health and human rights, with updates to be done each year for two years. Former HSPH student Ms. Alexandra Huttinger continued to work on this project. Dr. Roseman, Mr. Mark Hancock, and Ms. Claudia Ordoñez wrote abstracts for the bibliography, and Mr. Hancock began organizing the abstracts into one document. The bibliography is intended to provide WHO staff and others with state-of-the-art pieces that articulate the links between health and human rights within their fields of work, as well as to identify the gaps where additional research needs to be done.

- Identifying health and human rights actors and institutions doing work on a global level. HSPH doctoral student Mr. Scott Gordon devised the initial survey and database for this project. A full-scale, follow-up mailing was sent one year ago and, while responses to the survey are still coming in, it has thus far yielded a highly successful 15% response rate. Meanwhile, HSPH master's-degree student Mr. David Hanna continued to refine the database design and enter data from the surveys. This information is being stored in an online database and will be available on the FXBC Web site and for internal use by WHO staff. Professor Gruskin presented the database to WHO in Geneva to receive feedback on any adjustments that need to be made to the database to maximize its usefulness to WHO. Fortunately, the database needed only minor changes.
- Articulating WHO's strategy for the Human Rights Treaty Bodies, which seeks to bring more consistency to the organization's approach to working with the various bodies on reporting, providing information, and establishing indicators. Additional meetings were held with representatives from a number of departments within WHO to ensure that the draft strategy that will be presented to the organization next year best reflects the concerns and suggestions of all those involved. Meetings were also held with secretariats of several of the treaty bodies and some of the UN agencies to ensure that the strategy would be articulated coherently. HSPH student Eduardo Pesqueira provided assistance with this project.
- Health and human rights training of WHO staff. During the first year, the Program had agreed to develop basic modular training on health and human rights that would be relevant and applicable to all WHO clusters. The training is expected to be field tested in April and revised on the basis of that testing, with a final product to follow. Specialized trainings on specific aspects of health and human rights may be developed subsequently, as will expanded trainings. During this period, the revised framework and content of the module were presented to WHO staff from a variety of departments for their input and guidance. Revisions are being made as a result of that feedback in preparation for the April field testing.
- Guiding WHO on integrating a human rights approach into national efforts toward reducing maternal mortality. Professor Gruskin and Dr. Roseman continued their analysis of preexisting data on maternal and neonatal mortality from a human rights perspective and further refined the draft tool based on input from WHO staff. Meetings were held with WHO in this period to review existing work and to ensure consistency on the future direction of the work, in general, and in Mozambique, specifically.

In addition, Professor Gruskin is a member of the International Coordinating Committee for Operationalizing Cairo and Beijing: A Training Initiative in Gender and Reproductive Health, conducted in partnership with the World Health Organization and the Women's Health Project, University of Witwatersrand, South Africa. Early in 2002, Professor Gruskin began planning with WHO's Reproductive Health Department a "Training of Trainers," held in the spring to prepare people to teach the human rights module. Participants were chosen primarily from partner institutions in China, South Africa, Kenya, Argentina, and Australia.

## **PUBLICATIONS**

### **Sofia Gruskin**

"Human Rights and HIV/AIDS," co-authored with Miriam Maluwa, *AIDS in Africa*, 2d ed., Kluwer Academic/Plenum, 2002.

"The United Nations General Assembly Special Session on AIDS: A Landmark Event, But Were Some Lessons of the Last 20 Years Ignored," editorial, *American Journal of Public Health*, February 2002.

"Letter to the Editor" in response to "An Ethics Framework for Public Health," *American Journal of Public Health*, April 2002.

"HIV/AIDS and Human Rights: Current Thinking and Approaches," co-authored with Daniel Tarantola, *HIVinsite*, available at [www.hivinsite.ucsf.edu](http://www.hivinsite.ucsf.edu).

"Time, Place and Consciousness: Three Dimensions of Meaning for U.S. IRBs," co-authored with Sarah Putney, *American Journal of Public Health*, July 2002.

"Do Human Rights Have a Role in Public Health Work?" co-authored with Bebe Loff, *The Lancet*, December 2002.

## **PROGRAM ON HUMANITARIAN CRISES AND HUMAN RIGHTS DIRECTOR: JENNIFER LEANING**

Humanitarian crises threaten the lives and security of large civilian populations and pose great challenges to the human rights and international relief community. In conjunction with core activities, this program seeks to provide strong academic leadership and critical resources to clarify the key factors that cause and sustain these crises and to train a broad range of leaders, policymakers, academics, and professionals who are engaged in all phases of prevention and response. It contributes to the understanding of the role of human rights in response to all phases of humanitarian crises, including early warning and prevention, impact assessment and intervention, and resolution and reconstruction. The Program activities involve extensive collaboration with a variety of institutions and specific research and training projects.

### **COLLABORATIONS AND PARTNERSHIPS**

#### **Capacity-Building Project in Kosovo**

Professor Leaning continued to work on this project in Kosovo with colleagues at the International Health Systems Group at HSPH and Physicians for Human Rights. The goal of the project is to assess the potential for professional capacity and institution-building with physicians and other health-care workers. Professor Leaning, with Ms. Jenna LeMieux, returned to Kosovo in April 2002.

#### **Institute for International Emergency Medicine and Health/Fellowship Program on International and Disaster Medicine**

Professor Leaning continued to work with partners at Harvard Medical School and at Brigham and Women's Hospital to coordinate and plan for the expansion of a fellowship program. Professor Leaning continued to work closely with this year's fellows, advising them on academic issues related to their MPH studies at HSPH.

#### **Program on Humanitarian Policy and Conflict Research**

Professor Leaning continued to chair the Advisory Committee for this program, which was launched in the fall 2001 and is based at HSPH. She worked closely in an advisory capacity with the program's director, Claude Bruderlein, on planning for the program's current and future activities.

### **Physicians for Human Rights**

Professor Leaning spent three weeks in Afghanistan with a delegation from Physicians for Human Rights to conduct a human rights investigation. The team explored evidence of human rights abuses that reportedly occurred near Mazar-I-Sharif and traveled to the site of an alleged mass grave. After returning to Boston, work continued with PHR to compile and disseminate a report of the team's findings.

### **WHO Advisory Group on Research Priorities in Emergencies**

Professor Leaning continued to participate in WHO's ethics subgroup, which has been discussing informed-consent issues. Key discussions have been underway with a network of field practitioners and researchers for a fall conference in Washington, DC.

## **RESEARCH AND TRAINING**

### **Fetzer Project on Compassion in War**

Work on this project, which examines evidence of altruistic and compassionate behavior in settings of war and conflict, continued to focus on detailed qualitative analysis of the findings. This project is funded by a one-year grant that Professor Leaning received from the Fetzer Institute.

### **Inter-University Initiative on Humanitarian Studies and Field Practice**

The Inter-University Initiative on Humanitarian Studies and Field Practice continued to develop during this period. The HSI program, which Professor Leaning is spearheading, allows students from HSPH, MIT, and Tufts University to incorporate certain core requirements into their individual programs of study that focus on humanitarian affairs. These requirements provide not only a solid foundation in humanitarian studies but also a flexible curriculum based on students' backgrounds and interests.

Program administration during this period continued to focus on the logistics of students' academic and administrative needs. Students' participation in the weekly field seminar series continued, and the project is now in the second semester of its first year. Students also began planning for their summer field placements during this period. Professor Leaning continued to meet with HSI students regularly in an advisory capacity.

### **Partition of India Project**

Professor Leaning received a grant from the Weatherhead Center for International Affairs to hold an expert seminar to examine the feasibility of conducting a demographic study of the Partition of India. Initial findings from the study, conducted over the past two years in collaboration with Dr. Arup Maharatna in India, have been promising. The workshop, held at Harvard in April 2002, brought together a small group of demographers and experts on partition to discuss undertaking this large-scale project. Planning for the expert seminar occupied a significant portion of program activities. Program staff worked closely with the workshop coordinator to plan for the logistical and content needs of the seminar.

### **People on War Project**

Gilbert Holleufer continued to work (from his home in Switzerland) on the project he began during his year as a fellow with the FXB Center. The People on War Project, the first large-scale attempt to conduct a worldwide survey of people in war-torn areas, examined their experiences in war and sought to evaluate the impact of the work of the International Committee of the Red

Cross over the past 50 years. Work continued on the final manuscript, and final collaborations were conducted throughout the year.

### **USAID/Human Security Project**

Professor Leaning continued her work with the CERTI project (Complex Emergency Response and Transition Initiative) at USAID. The first phase of the project included completing a working paper for the Harvard Center for Population and Development Studies. This paper set forth a new conceptual framework for human security and included suggestions for incorporating the framework into USAID policy.

Phase two of the project involves producing a series of documents that explore in detail how the human security framework can be incorporated into the work of USAID. These documents will include a detailed case study of Angola; analyses of the work (as detailed in their country reports) of 12 USAID missions from a human-security perspective; and policy recommendations based on the findings of the case study and the detailed country analyses. During this period, work continued on the 12 country reports.

### **PUBLICATIONS**

#### **Jennifer Leaning**

"Was the Afghan Conflict a Just War?" and "Physicians and War," *British Medical Journal* (vol. 324, 9 Feb 02).

"Identifying Precursors," in: *Will Genocide Ever End?* C. Rittner, J.K. Roth, and J.M. Smith (eds.) Paragon House, 2002.

"Review of La Tendresse," *British Medical Journal* (vol. 325, 2002).

"Letter from Afghanistan," *British Medical Journal* 2002; 324:360.

"Conflict Monitoring," co-authored with J. Fine and R. Garfield, in: *War or Health? A Reader*, I. Taipale et al. (eds.), New York: Zed Books, 2002, pp. 510-519.

"An End to Evasion: America's role in a century of genocide," (Review of S. Powers, "A Problem from Hell": *America and the Age of Genocide*), *Harvard Magazine*, Sept.-Oct. 2002, pp. 26-31.

### **PROGRAM ON HUMAN RIGHTS IN DEVELOPMENT DIRECTOR: STEPHEN MARKS**

During 2002, the Human Rights in Development Program was almost exclusively taken up with the implementation of the Right to Development Project. This project, funded by the Government of the Netherlands, involves support for Professor Arjun Sengupta, the UN Independent Expert on the Right to Development and a visiting fellow at the FXB Center. He and Professor Marks are responsible for providing the research for submission to international institutions and for a series of country studies. The project has offices in New Delhi, where Professor Sengupta established the Center for Development and Human Rights as part of this project; in Geneva, where a staff person at the Office of the High Commissioner for Human Rights (OHCHR) is funded by the project; and at the FXB Center, which is the hub of the project for both the international research and the country studies.

## **INTERNATIONAL RESEARCH AND COLLABORATION**

Based on research carried out under this project, Professor Sengupta submitted his fourth and fifth reports to the Working Group on the Right to Development of the Commission on Human Rights in Geneva. He and Professor Marks regularly attended meetings of that group. One of the main ideas being advanced by Professor Sengupta is that of the Right to Development-Development Compact (RTD-DC), which would provide a mechanism to support developing countries that adopt the right to development as part of their approach to development. During 2002, the project hosted a meeting of its international advisory committee, made contact with the Bretton Woods Institutions and the U.S. Department of State in Washington, DC, and organized events at the World Summit on Sustainable Development in Johannesburg, South Africa.

On April 22 and 23, the FXB Center hosted the International Advisory Committee of the RTD Project. On the first day, the Advisory Committee reviewed the approach used in research and the selection of countries. Amartya Sen, Nobel laureate in economics and member of the committee, participated actively in the meeting, as did Stefanie Grant, chief of the Research and Right to Development Branch of the OHCHR, and Thord Palmlund, coordinator of the UNDP project on Human Rights Strengthening (HURIST). Harvard faculty members Michael Reich and Allan Hill also contributed to the deliberations.

On April 23, the Center's RTD staff organized two seminars to engage the Advisory Committee in a reflection of ideas behind the RTD Project. In the morning, the Committee met with economists from the Kennedy School and from the Business School to critically examine the underlying concept of RTD. In the afternoon, the Committee met with four other faculty members to explore the theoretical and practical understanding of participatory community development and its relation to RTD.

On July 15 Professors Sengupta and Marks met at length with the Chief Economist and Vice President of the World Bank to review the Bank's position on introducing human rights into its policies. It was agreed in principle that the Bank would host a seminar on the conceptual problems involved and invite leading specialists in economics, philosophy, and human rights. Also on July 15, they met separately with the legal advisor of the International Monetary Fund, to discuss the relation between Poverty Reduction Strategy Papers (PRSPs) and RTD-DC.

At the U.S. Department of State, Professors Sengupta and Marks met with the Deputy Assistant Secretary of State for International Organization Affairs, and a representative from the Bureau of Democracy, Human Rights, and Labor. The purpose of the meeting was to clarify the U.S. government's position on the Commission on Human Rights and the General Assembly on RTD and the new mandate for a Special Rapporteur on the Right to Health.

Professor Marks participated on behalf of the RTD project in the World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa, from August 28 to September 5. His main responsibility was to ensure that adequate attention was paid to the right to development in diplomatic discussions among NGOs, governments, and international officials attending the Summit. The RTD project and FXB Center co-sponsored the Civil Society Forum on Human Rights, Environment, and Sustainable Development on September 1. The event was attended by several hundred visitors, and Mary Robinson, UN High Commissioner for Human Rights, gave the keynote address. RTD was prominently discussed. On September 2, Professor Marks organized a workshop on "The Human Right to Development and the Environment: Conflicting Agendas or Common Cause?" He moderated a panel consisting of Fatma Ouhachi-Vesely, UN Special Rapporteur on Toxic Waste and Human Rights; Miloon Kothari, UN Special Rapporteur on the Right to Adequate Housing; Victoria Tauli-Corpuz, Executive-Director of

Tehtabba Foundation, Philippines; Corinne Lennex, Advocacy Officer, Minority Rights Group; and Ashfaq Khalfan, Director, Center for International Sustainable Development Law.

## **COUNTRY STUDIES**

The project also involves a seven-country research program on the development process and prospects for enhanced application of human rights to the promotion of health, food, and education. In some countries, there is also a practical component, with one or more small-scale projects in each country that is applying the approach to development. During 2002, the final selections of country teams were made for the studies being carried out in Bangladesh, Cambodia, Ghana, India, Mali, the Philippines, and Sri Lanka. For each country, a team of national specialists is studying the development process and prospects for enhancing the application of human rights in the promotion of the rights to health, food, and education.

During 2002, Professors Marks and Sengupta traveled to the Philippines and Cambodia where they negotiated the collaboration of the respective country teams. From February 9 through 13, they negotiated with the Chair of the Committee on Economic, Social, and Cultural Rights and with a group of scholars on the conditions needed to conduct a country study on the Philippines for the RTD project. From February 16 through 18, they were in Phnom Penh, Cambodia, to work with the Cambodian Institute for Cooperation and Peace and with a team of authors who were preparing the RTD country study in Cambodia. They met with the UN country team, representing all the UN agencies, and with several government officials, including the Minister for Women's and Veterans' Affairs.

Professor Marks also traveled to London, where, on February 18, he met with four officials of the Department for International Development to exchange information and to discuss possible collaboration, especially regarding a possible extension of the project to Peru.

Team members from India, Sri Lanka, and Bangladesh met in New Delhi from April 7 through 9 at the invitation of the Center for Development and Human Rights. Professor Sengupta chaired the meeting and Professor Marks made several presentations, including an opening talk on the history, scope, and approach of the Right to Development Project. Several UNDP officials also attended the meeting. On April 9, UNDP hosted an interagency meeting with Professors Marks and Sengupta and the authors of the country studies, during which the experiences of UNDP, UNICEF, and other agencies were reviewed from the perspective of the right to development.

A second workshop for the South Asian country studies was held in New Delhi on October 20 through 22. The coordinators and authors from India, Bangladesh, and Sri Lanka reviewed the manuscripts by the various authors and discussed the evolution of the project. Professor Marks made three presentations, one at the opening on the four major challenges facing RTD at midstream, and two on the final day on realizing the RTD project in other parts of the world and on integrating a gender analysis into the country studies.

## **PUBLICATIONS**

### **Arjun Sengupta**

"Cultural Rights and the Right to Development" (February 2002), prepared for the International Roundtable on the Right to Take Part in Cultural Life, Philippines.

Addendum to the Fourth Report on the Right to Development UN-ESC, (E/CN.4, 2002/WG.18/2/Add.1): Mission to the OECD, United Kingdom, IMF, World Bank, U.S.A. and Netherlands (March 2002).

“Rights and Obligations: Minority Rights, Indigenous Peoples’ Rights and the Right to Development” (April 2002), prepared for Minority Rights Group, London.

“Implementing the Right to Development,” *International Law Book* (May 2002).

Keynote speech in honour of Dr. Waheeduddin Khan Memorial Lecture, at Centre for Economic and Social Studies, Hyderabad India, titled: “*Development as an International Human Right*” (August 2002).

Fifth Report on the Right to Development: “Frameworks for Development Cooperation and the Right to Development,” submitted in accordance with Commission Resolution 2002/69, E/CN.4/2002/WG.18/6 (September 2002).

“Development Cooperation and the Right to Development: an Essay in Honour of Professor Asbjørn Eide” (October 2002).

“On the Theory and Practice of the Right to Development,” *Human Rights Quarterly* (Vol. 24.4, November 2002).

“A Note on Justice, Development and Human Rights,” prepared for North-South Roundtable in Cairo (November 2002).

“Justice, Development and Human Rights,” for the Asian Civil Society Forum 2002, conference in Bangkok (December 2002).

Sixth Report on the Right to Development: “Preliminary Study of the Independent Expert on the Right to Development, on the impact of international economic and financial issues on the enjoyment of human rights,” submitted in accordance with Commission Resolution 2001/9 and 2002/69, E/CN.4/2003/WG.18/2) (7 December 2002).