

We include in this issue, to accompany our War Crimes conference reports, a message of congratulations to Jose Pablo Baraybar, and to EPAF, the Peruvian Forensic Anthropology Team (EPAF), the not-for-profit organization he currently directs and helped to found. It was announced in the Spring of this year that he had been awarded the Judith Lee Stronach Human Rights Award for 2011 by the US-based Center for Justice and Accountability. The award was given for JP's 'extraordinary commitment to human rights' and his work with the Centre 'on behalf of survivors of human rights abuses'. Tribute was also paid to 'his ground-breaking work in forensic anthropology which has been instrumental in the prosecutions of human rights abusers from Peru to the Philippines; from Haiti to Ethiopia'. We were not able to congratulate him in person, and we missed his planned plenary, but we include with this message of congratulations a reflection by Rebeca Blackwell, his partner, on why the work done by EPAF and people like JP is so important in advancing an understanding of human rights as a concept which is able to draw on the cultures and experiences of individuals and nations, past and present, around the world. It gives a human face to forensic science as well as underlining the commitment of figures like Jose Pablo Baraybar. One thing that has become plain from the past two war crimes conferences is that while organizations and agencies are important, what sustains them and makes them work are the efforts of committed individuals we have met in organizing these events, including Cissa Wa Number, Candace Gorman, Shirley Randell, Lesley Abdela, and JP.

For further information on the ongoing work of EPAF itself, and the work of JP, see <http://epafperu.org/>, and do take a look at its latest video on the Peruvian disappeared: 'No Una Sino 15 Mil Voces', launched on 1 September 2011.

Are we perfectible?

Rebeca Blackwell¹

'You can't say that civilization don't advance, however, for in every war they kill you in a new way.'

Will Rogers, 1949²

In May of this year, Jose Pablo Baraybar, a forensic anthropologist - born and raised in Peru, a country where over 15,000 people remain disappeared as a result of armed conflict in the 1980s and 90s - received the Judith Lee Stronach Human Rights Award, given annually by the Centre for Justice and Accountability (CJA) to an individual or organization considered to have made an outstanding contribution to the movement for global justice. Judith Lee Stronach (1943–2002) was a deeply committed human rights activist who helped the San Francisco based organization in its origins. CJA represents

¹ Rebeca Blackwell is rebecablackwell@gmail.com

² Day, Donald. *The Autobiography of Will Rogers*. (New York: Amereon Ltd., 1980).

torture survivors in their pursuit of justice. Jose Pablo Baraybar is the co-founder and current director of the Peruvian Team of Forensic Anthropology (EPAF for its initials in Spanish). He has worked in the Balkans, Africa, Southeast Asia and throughout Latin America trying to help people find their dead, their disappeared loved ones, and thus give some kind of closure to their state of perpetual pain. Jose Baraybar and CJA have worked together on cases requiring integration of forensic investigation with legal action. Mr. Baraybar has also understood that Human Rights activism needs a social development strategy in order to achieve sustainability. Exposing the traces of violence is not enough. Healing the wounds requires empowerment of those left behind, so they themselves can help prevent their recurrence. Otherwise, the initial conditions that turned people into victims remain intact and their vulnerability is not diminished.

Throughout history, we have not always said that we are all equal, but we have always tried to think, in one way or another, that people are naturally born with a set of basic and irrevocable rights. This is not just a Christian concept: it transcends borders and beliefs. In all times and places, many human beings have seen ourselves as free and intelligent. In each generation, we have generated documents that declare our natural rights and serve as a platform for freedom of volition. We can find declarations and defences of our natural rights in the Torah, the Cylinder of Cyrus, the Bhagavad Gita, the Book of Changes, the Magna Carta, the Declaration of the Rights of Man, and so on, long before the Universal Declaration of Human Rights in 1948. Today we have an International Covenant on Economic, Social and Cultural Rights, another on Civil and Political Rights, a Convention on the Prevention and Punishment of the Crime of Genocide, an International Convention on the Elimination of All Forms of Racial Discrimination, a Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, a Convention on the Rights of the Child, and Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities. All of these are part of our insistent attempt to state in writing our will to be ruled by a natural instinct that forces us to respect “ethical reciprocity” as our “golden rule”.

The explosive expansion of communications now keeps us all informed, but globalized information does not necessarily mean globalized responsibility. The holocaust is only just behind us, and the change we promised ourselves as a species in the wake of the Second World War has not yet arrived. Our ex post facto efforts to fight the consequences of

violence go hand in hand with new episodes of violence. As we continue working on retroactive laws and actions, all the legal, political and moral boundaries are still being trespassed everyday throughout the world. Since the holocaust we have seen many new conflicts charged with unspeakable cruelty. Well-publicized slaughters in Darfur, the Philippines, Rwanda, the Congo, Colombia, Kosovo, and - a little less recently - Argentina, Guatemala, El Salvador, Pakistan, are only some of the best-known examples of modern crimes against humanity, not to forget the new cases adding to this list, for instance, we are yet to see what will be the set of variables shown in the data resulting from Libyan recent history.

Should the future not be better than the past? Should we not learn more from our mistakes? Should knowledge not result in wisdom? Should we not evolve over time and change for the better, based on our previous and painful accumulative experience? The natural answer is yes, and we have, in fact evolved. The problem is that as many of us live within parcels of luck, where we share the assumption that we have rights that must and will be protected, others, less fortunate, remain outside the realm of legal, religious, territorial and economic safety. Despite the maxims written, signed and declared all over the planet, still today it is only through good fortune that any one of us is born and lives a whole life in a space protected by these instruments of justice. Those without that good fortune may very well be tortured, disappeared or starved before the eyes of the world with very little chance of escape. We are now ready to condemn any society or group in power that decides to murder, exterminate, torture, rape or do any other inhumane act in a systematic way. What we have yet to discover is how to prevent the atrocities we condemn from happening.

In the nineteenth century, Mark Twain described the human animal as

...the only one that gathers his brethren about him and goes forth in cold blood and calm pulse to exterminate his kind. He is the only animal that for sordid wages will march out and help to slaughter strangers of his own species who have done him no harm and with whom he has no quarrel³

³ Joshi, S.T. *What is Man? and Other Irreverent Essays by Mark Twain* (New York: Prometheus Books, 2009).

and Karl Marx wrote that ‘...violence, war, pillage, murder and robbery, etc. have been accepted as the driving force of history.’⁴ Their statements were intended to incite their readers to be appalled. They appealed to our understanding, present then as before throughout history, that such slaughter is in conflict with what we believe our species should be and the way we would like to make history.

Now, in the twenty-first century, surrounded by a proliferation of international agreements intended to provide the foundation for another form of making history, through ethical international cooperation, we still need people who remind us, by thorough and detailed investigation, of how far we still have to travel. That is why it is important that we remember Judith Stronach or listen to the words and ideas of Jose Pablo Baraybar, working on the belief that helping people improve their living conditions diminishes their propensity to victimhood, giving names to the clothes and bones and memories of the victims so they are not forgotten and we can all learn from past unmistakable atrocities, are deeds that ought to be celebrated.

When he received the Judith Stronach award, Mr. Baraybar told us:

I have learnt that forensics is a quest for uncovering the truth that lies beneath.... It is a means to empower victims in a system, in the long run, to become subjects of rights and not just simple collateral damage of those delusional and dangerous enough to feel they have the right to hold the power to control life and death.

I have also seen that there are people . . . like Judith Lee Stronach, who care enough for other’s burden to try to do something to help. And that is what keeps me going, the certainty that together we can actually make a difference.

The challenge we now face is to approach Human Rights work, in such a way, that those whose rights were violated, because their social condition made them extraordinarily vulnerable, may have a chance to become citizens. True social insertion is the sole path toward the real possibility of preventing atrocities from repeating themselves in the future.⁵

⁴ Marx, Karl. *The German Ideology*. quoted and edited from:
<http://www.marxists.org/archive/marx/works/1845/german-ideology/ch01b.htm>

⁵ Baraybar, Jose Pablo. Speech delivered at the Judith Stronach Prize Award, San Francisco, 2011