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The Hypocrisy of Human Rights Watch

By Keane Bhatt

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Over more than a decade, the rise of the left in Latin American governance has led to remarkable advances in poverty alleviation, regional integration, and a reassertion of sovereignty and independence. The United States has been antagonistic toward the new left governments, and has concurrently pursued a bellicose foreign policy, in many cases blithely dismissive of international law.

So why has Human Rights Watch (HRW)—despite proclaiming itself “one of the world’s leading independent organizations” on human rights—so consistently paralleled U.S. positions and policies? This affinity for the U.S. government agenda is not limited to Latin America. In the summer of 2013, for example, when the prospect of a unilateral U.S. missile strike on Syria—a clear violation of the UN Charter—loomed large, HRW’s executive director Kenneth Roth speculated as to whether a simply “symbolic” bombing would be sufficient. “If Obama decides to strike Syria, will he settle for symbolism or do something that will help protect civilians?” he asked on Twitter. Executive director of MIT’s Center for International Studies John Tirman swiftly denounced the tweet as “possibly the most ignorant and irresponsible statement ever by a major human-rights advocate.”¹

HRW’s accommodation to U.S. policy has also extended to renditions—the illegal practice of kidnapping and transporting suspects around the planet to be interrogated and often tortured in allied countries. In early 2009, when it was reported that the newly elected Obama administration

was leaving this program intact, HRW's then Washington advocacy director Tom Malinowski argued that "under limited circumstances, there is a legitimate place" for renditions, and encouraged patience: "they want to design a system that doesn't result in people being sent to foreign dungeons to be tortured," he said, "but designing that system is going to take some time."²

Similar consideration was not extended to de-facto U.S. enemy Venezuela, when, in 2012, HRW's Americas director José Miguel Vivanco and global advocacy director Peggy Hicks wrote a letter to President Hugo Chávez arguing that his country was unfit to serve on the UN's Human Rights Council. Councilmembers must uphold the highest standards in the promotion and protection of human rights, they maintained, but unfortunately, "Venezuela currently falls far short of acceptable standards."³ Given HRW's silence regarding U.S. membership in the same council, one wonders precisely what HRW's acceptable standards are.

One underlying factor for HRW's general conformity with U.S. policy was clarified on July 8, 2013, when Roth took to Twitter to congratulate his colleague Malinowski on his nomination to be Assistant Secretary of State for Democracy, Human Rights and Labor (DRL). Malinowski was poised to further human rights as a senior-level foreign-policy official for an administration that convenes weekly "Terror Tuesday" meetings. In these meetings, Obama and his staffers deliberate the meting out of extrajudicial drone assassinations around the planet, reportedly working from a secret "kill list" that has included several U.S. citizens and a 17-year-old girl.⁴

Malinowski's entry into government was actually a re-entry. Prior to HRW, he had served as a speechwriter for Secretary of State Madeline Albright and for the White House's National Security Council. He was also once a special assistant to President Bill Clinton—all of which he proudly listed in his HRW biography. During his Senate confirmation hearing on September 24, Malinowski promised to "deepen the bipartisan consensus for America's defense of liberty around the world," and assured the Foreign Relations Committee that no matter where the U.S. debate on Syria led, "the mere fact that we are having it marks our nation as exceptional."⁵

That very day, Obama stood before the UN General Assembly and declared, "some may disagree, but I believe that America is exceptional." Assuming that by "exceptional" Obama meant exceptionally benevolent, one of those who disagreed was Brazilian president Dilma Rousseff, who had opened the proceedings at the same podium by excoriating Obama's "global network of electronic espionage," which she considered a "disrespect to national sovereignty" and a "grave violation of human rights and of civil liberties." Rousseff contrasted Washington's rogue behavior with her characterization of Brazil as a country that has "lived in peace with our neighbors for more than 140 years." Brazil and its neighbors, she argued, were "democratic, pacific and respectful of international law."⁶ Rousseff's speech crystallized Latin America's broad opposition to U.S. exceptionalism, and therefore shed light on the left's mutually antagonistic relationship with HRW.

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Malinowski's background is but one example of a larger scenario. HRW's institutional culture is shaped by its leadership's intimate links to various arms of the U.S. government. In her HRW

biography, the vice chair of HRW's board of directors, Susan Manilow, describes herself as "a longtime friend to Bill Clinton," and helped manage his campaign finances. (HRW once signed a letter to Clinton advocating the prosecution of Yugoslav President Slobodan Milosevic for war crimes; HRW made no case for holding Clinton accountable for NATO's civilian-killing bombings despite concluding that they constituted "violations of international humanitarian law.")⁷ Bruce Rabb, also on Human Rights Watch's Board of Directors, advertises in his biography that he "served as staff assistant to President Richard Nixon" from 1969-70—the period in which that administration secretly and illegally carpet bombed Cambodia and Laos.⁸

The advisory committee for HRW's Americas Division has even boasted the presence of a former Central Intelligence Agency official, Miguel Díaz. According to his State Department biography, Díaz served as a CIA analyst and also provided "oversight of U.S. intelligence activities in Latin America" for the House Permanent Select Committee on Intelligence.⁹ As of 2012, Díaz focused, as he once did for the CIA, on Central America for the State Department's DRL—the same bureau now to be supervised by Malinowski.

Other HRW associates have similarly questionable backgrounds: Myles Frechette, currently an advisory committee member for the Americas Division, served as Assistant U.S. Trade Representative for Latin America and the Caribbean from 1990-93, and then became U.S. Ambassador to Colombia from 1994-97. Frechette subsequently worked as the executive director of a "nonprofit" group called the North American-Peruvian Business Council, and championed the interests of his funders in front of Congress. His organization received financing from companies such as Newmont Mining, Barrick Gold, Caterpillar, Continental Airlines, J.P. Morgan, ExxonMobil, Patton Boggs, and Texaco.¹⁰

Michael Shifter, who also currently serves on HRW's Americas advisory committee, directed the Latin America and Caribbean program for the National Endowment for Democracy (NED), a quasi-governmental entity whose former acting president Allen Weinstein told *The Washington Post* in 1991 that "a lot of what we do today was done covertly 25 years ago by the CIA."¹¹ Shifter, as current president of a policy center called the Inter-American Dialogue, oversees \$4 million a year in programming, financed in part through donations from the U.S. Agency for International Development (USAID), the embassies of Canada, Germany, Guatemala, Mexico and Spain, and corporations such as Chevron, ExxonMobil, J.P. Morgan, Microsoft, Coca-Cola, Boeing, and Western Union.

To be sure, not all of the organization's leadership has been so involved in dubious political activities. Many HRW board members are simply investment bankers, like board co-chairs Joel Motley of Public Capital Advisors, LLC, and Hassan Elmasry, of Independent Franchise Partners, LLP. HRW Vice Chair John Studzinski is a senior managing director at The Blackstone Group, a private equity firm founded by Peter G. Peterson, the billionaire who has passionately sought to eviscerate Social Security and Medicare. And although Julien J. Studley, the Vice Chair of the Americas advisory committee, once served in the U.S. Army's psychological warfare unit, he is now just another wealthy real-estate tycoon in New York.

That HRW's advocacy reflects its institutional makeup is unremarkable. Indeed, an examination of its positions on Latin America demonstrates the group's predictable, general conformity with

U.S. interests. Consider, for example, HRW's reaction to the death of Hugo Chávez. Within hours of his passing on March 5, 2013, HRW published an overview—"Venezuela: Chávez's Authoritarian Legacy"—to enormous online response. In accordance with its headline's misleading terminology, HRW never once mentioned Chávez's democratic bona fides: Since 1998, he had triumphed in 14 of 15 elections or referenda, all of which were deemed free and fair by international monitors. Chávez's most recent reelection boasted an 81% participation rate; former president Jimmy Carter described the voting process as "the best in the world."¹² The article neglected to cite a single positive aspect of Chávez's tenure, under which poverty was slashed by half and infant mortality by a third.

In contrast, HRW's August 21, 2012 statement regarding the death of Ethiopian leader Meles Zenawi was decidedly more muted: "Ethiopia: Transition Should Support Human Rights Reform," read the headline. Leslie Lefkow, HRW's deputy Africa director, urged the country's new leadership to "reassure Ethiopians by building on Meles's positive legacy while reversing his government's most pernicious policies." Regarding a leader whose two-decade rule had none of Chávez's democratic legitimacy (HRW itself documented Ethiopia's repressive and unfair elections in both 2005 and 2010), the organization argued only that "Meles leaves a mixed legacy on human rights."¹³ Whereas HRW omitted all mention of Chávez-era social improvements, it wrote, "Under [Meles's] leadership the country has experienced significant, albeit uneven, economic development and progress."

The explanation for this discrepancy is obvious: as a *New York Times* obituary reported, Meles was "one of the United States government's closest African allies." Although "widely considered one of Africa's most repressive governments," wrote the *Times*, Ethiopia "continues to receive more than \$800 million in American aid each year. American officials have said that the Ethiopian military and security services are among the Central Intelligence Agency's favorite partners."¹⁴

HRW has taken its double standard to cartoonish heights throughout Latin America. At a 2009 NED Democracy Award Roundtable, José Miguel Vivanco described Cuba, not the United States, as "one of our countries in the hemisphere that is perhaps the one that has today the worst human-rights record in the region." As evidence, he listed Cuba's "long- and short-term detentions with no due process, physical abuse [and] surveillance"—as though these were not commonplace U.S. practices, even (ironically) at Guantánamo Bay.¹⁵ Vivanco was also quoted in late 2013, claiming at an Inter-American Dialogue event that the "gravest setbacks to freedom of association and expression in Latin America have taken place in Ecuador"—not in Colombia, the world's most dangerous country for trade union leaders, or in Honduras, the region's deadliest country for journalists (both, incidentally, U.S. allies).¹⁶

Latin America scholars are sounding the alarm: New York University history professor Greg Grandin recently described HRW as "Washington's adjunct" in *The Nation* magazine.¹⁷ And when Vivanco publicly stated that "we did [our 2008] report because we wanted to show the world that Venezuela is not a model for anyone," over 100 academics wrote to the HRW's directors, lamenting the "great loss to civil society when we can no longer trust a source such as Human Rights Watch to conduct an impartial investigation and draw conclusions based on verifiable facts."¹⁸

HRW's deep ties to U.S. corporate and state sectors should disqualify the institution from any public pretense of independence. Such a claim is indeed untenable given the U.S.-headquartered organization's status as a revolving door for high-level governmental bureaucrats. Stripping itself of the "independent" label would allow HRW's findings and advocacy to be more accurately evaluated, and its biases more clearly recognized.

In Latin America, there is a widespread awareness of Washington's ability to deflect any outside attempts to constrain its prerogative to use violence and violate international law. The past three decades alone have seen U.S. military invasions of Grenada and Panama, a campaign of international terrorism against Nicaragua, and support for coup governments in countries such as Venezuela, Haiti, Honduras, and Guatemala. If HRW is to retain credibility in the region, it must begin to extricate itself from elite spheres of U.S. decision-making and abandon its institutional internalization of U.S. exceptionalism. Implementing a clear prohibition to retaining staff and advisers who have crafted or executed U.S. foreign policy would be an important first step. At the very least, HRW can institute lengthy "cooling-off" periods—say, five years in duration—before and after its associates move between the organization and the government.

After all, HRW's Malinowski will be directly subordinate to Secretary of State John Kerry, who conveyed the U.S. attitude toward Latin America in a way that only an administrator of a superpower could. In an April 17, 2013 House Foreign Affairs Committee hearing, a member of Congress asked Kerry whether the United States should prioritize "the entire region as opposed to just focusing on one country, since they seem to be trying to work together closer than ever before." Kerry reassured him of the administration's global vision. "Look," he said. "The Western Hemisphere is our backyard. It is critical to us."¹⁹

Notes

1. Kenneth Roth, followed by John Tirman's response, Twitter, August 25, 2013, <http://twitter.com/KenRoth/status/371797912210407424>.
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3. José Miguel Vivanco and Peggy Hicks, "Letter to President Chavez on Venezuela's Candidacy to the UN Human Rights Council," Human Rights Watch, November 9, 2012.
4. Jo Becker and Scott Shane, "Secret 'Kill List' Proves a Test of Obama's Principles and Will," *The New York Times*, May 29, 2012.
5. Senate Foreign Relations Committee, "Statement for the Record by Tom Malinowski," September 24, 2013.
6. "Text of Obama's Speech at the U.N.," *The New York Times*, September 24, 2013. Statement by H.E. Dilma Rousseff, United Nations, September 24, 2013.

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19. Committee on Foreign Affairs, House of Representatives, "Hearing: Securing U.S. Interests Abroad: The FY 2014 Foreign Affairs Budget," April 17, 2013.