EarthRights International’s Mission

EarthRights International (ERI) is a non-governmental, nonprofit organization that combines the power of law and the power of people in defense of earth rights.

We specialize in fact-finding, legal actions against perpetrators of earth rights abuses, training grassroots and community leaders, and advocacy campaigns. Through cutting edge strategies, ERI seeks to end earth rights abuses, to provide real solutions for real people, and to promote and protect human rights and the environment in the communities where we work.
Perhaps like no other year, 2011 feels like one where we’ve returned to our roots.

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COVER PHOTO: Students from the EarthRights School Mekong (ERSM), on a field trip in northern Thailand
Dear Friends,

Perhaps like no other year, 2011 feels like one where we’ve returned to our roots. When we established EarthRights International in 1995, we had two goals: to protect human rights and the environment in Burma, and to use the Alien Tort Statute (ATS) to hold corporations accountable for their role in violations including slavery, torture and murder. That year, we sued U.S. oil giant Unocal for abuses in Burma, launching a groundbreaking ATS lawsuit.

Over the years, our work has expanded in many different directions. In Southeast Asia, in addition to Burma, we now work with communities from Thailand, Cambodia, Vietnam, China, Tibet and Laos. Building on the Unocal precedent, we’ve brought cases against corporations in the oil, chemical and agricultural sectors for human rights abuses in Colombia, Nigeria, Peru, and India, and we’ve supported allies in cases and campaigns all over the world.

We’ve certainly grown since those early days, but through it all, Burma and the ATS have...
remained core to our work, and close to our heart. And this year, both were front and center in ways they’ve never been before. Burma began an historic—if troubled—transition away from military rule that thrust the country into the international spotlight, and our EarthRights School alumni living in Burma into the leadership they’ve been preparing for. Meanwhile, the U.S. Supreme Court is poised to hear an ATS case—Kiobel v. Shell—that will determine whether corporations can continue to be sued for human rights abuses they’re involved in overseas. So much of what we’ve been working for is at stake!

And even in these historic times—for Burma, the ATS, and ERI—we continued to look forward and break new ground. We were thrilled to open our new office in Lima, Peru, which will reinforce and expand the work we’ve been doing to protect indigenous communities and threatened ecosystems in the Amazon. We launched new campaigns to protect the Mekong River, and were thrilled when a 10-year moratorium on mainstream dams was announced. 2012 will be a huge year: We have a lot of work to do.

As always, we couldn’t do it without your support. Thank you!

In solidarity

Ka Hsaw Wa, Marie, Chana, Katie

The U.S. Supreme Court is poised to hear an ATS case—Kiobel v. Shell—that will determine whether corporations can continue to be sued for human rights abuses they’re involved in overseas.

So much of what we’ve been working for is at stake!
The EarthRights Schools continue to develop the capacity of human rights and environmental leaders from Burma (ERSB) and the Mekong Region (ERSM) to protect their communities from human rights abuses and environmental degradation associated with unsustainable development projects. The students, community leaders from inside Burma and the other Mekong countries (Cambodia, Thailand, Laos, Vietnam, and China), all brought a range of professional experience, enriching the program curriculum while building stronger professional and personal relationships between the participants. Students learned strategies for successful community development by studying microfinance, organizational management, and community organizing. Through these classes EarthRights Schools students gained specific knowledge and skills essential to the creation of a civil society—adapting this acquired knowledge to address issues in their own communities.

ERS Alumni programs expanded to support a growing network of graduates. These activists represent a wide variety
of indigenous and ethnic communities, all dedicated to the goal of protecting earth rights inside Burma and throughout the Mekong region. Lao alumni continued to work with local communities in Si Phan Don to protect their environment and livelihoods. Information centers established will promote the exchange of information and knowledge and open communication channels for grassroots media on issues of concern to local residents. ERS alumni also worked to raise awareness around the Xayaburi Dam project which threatens the livelihoods of millions of residents along the lower Mekong.

The alumni program, with the support of various donors, funded the development and implementation of 15 grassroots projects targeting issues alumni identified in their own communities, as well as a selection of projects on building women’s rights and empowerment.

We also celebrated the opening of a new partner school, the Health and Earth Rights Training Center (HEART) in Mae Sot, Thailand. The school seeks to combine issues of earth rights and health, recognizing the devastating health impacts that environmental and human rights abuses can have on local populations. Participants were recruited from areas along the border and inside Burma, representing the vulnerable groups of migrant, refugee and internally displaced people in the region. Many came from working in the health sector or community organizations, addressing the pressing problem of lack of access to essential services on both sides of the border.
In 2011, EarthRights International proudly opened our Amazon Office in Lima, Peru, in order to expand our work in the region, with a small but ambitious staff. Work there focused on building capacity within indigenous groups and other communities, as the first step in establishing a larger Amazon legal network. ERI continued to litigate on behalf of victims of human rights abuses, providing channels to remedies, including our case against Occidental Petroleum (Oxy) for its 30 year legacy of massive pollution in the Peruvian Amazon. We won the second round of appeals in the case, when the company filed a petition for rehearing at the Ninth Circuit. Addressing some of Oxy’s criticisms but not changing the result of the appeal, the amended opinion decided that the case should stay in Los Angeles.

Expanding our network of lawyers regionally, ERI’s Southeast Asia legal team spearheaded formation of the Mekong Legal Network (MLN). When the Thai National Human Rights Commission heard a transnational human rights case—the Koh Kong sugar plantation case in Cambodia, involving
a Thai company working through Cambodian subsidiaries—ERI supported the lawyers involved in this case through the MLN. ERI hosted an MLN meeting to prioritize this case as well as concerns about Mekong dams, allowing for focused discussions on legal strategies for engaging on the issue of hydropower development on the Mekong River and business and human rights within the ASEAN Intergovernmental Commission on Human Rights.

EarthRights continues to serve as a reliable resource for litigators in human rights and environmental lawsuits. In our effort to build a strong framework of good law, we supported critical litigation by filing numerous amicus briefs in 2011. These briefs defended the use of the Alien Tort Statute as a legal tool to preserve accountability measures from being preempted by U.S. foreign policy.

Expanding our network of lawyers regionally, ERI’s Southeast Asia legal team spearheaded formation of the Mekong Legal Network (MLN).
ERI’s campaigns focus on holding corporations and governments accountable for earth rights abuses and giving local communities a leading role in decisions affecting their lives and environment.

ERI continued to host the International Corporate Accountability Roundtable (ICAR), which has taken a leading role in promoting corporate accountability policies in the U.S., defending the Foreign Corrupt Practices Act and legislation passed by the U.S. Congress in 2010 to deter the use of conflict minerals from Congo. ICAR is promoting similar legislation on the state level as well as internationally.

ERI was instrumental in efforts to reform the U.S. National Contact Point (NCP) for the OECD and the OECD Guidelines for Multinational Enterprises. ERI joined the Stakeholder Advisory Board to the U.S. NCP, to improve the effectiveness of this critical dispute resolution mechanism for communities negatively impacted by U.S. corporations.

As part of the Publish What You Pay coalition, ERI submitted comments to the U.S. Securities and Exchange Commission on developing rules to implement Section 1504 of
the Dodd-Frank Act, which requires oil, gas, and mining companies to disclose information on payments made to the countries where they operate—legislation which will empower civil society in these countries to hold their governments accountable for management of their natural resource wealth.

We also released new Burma-related reports in 2011. *The Burma-China Pipelines, Human Rights Violations, Applicable Law, and Revenue Secrecy* report analyzes corporate responsibility and Burmese law, while discussing strategies to mitigate impacts and improve the benefits for the people of Burma; in July, Burma Environmental Working Group released a groundbreaking report—*Burma’s Environment: People, Problems, and Policies*. This 100-page first-of-its-kind holistic examination of Burma’s natural environment focuses on the laws, policies, and frameworks covering the environment in Burma. ERI also worked with the 13-member Network for Human Rights Documentation- Burma (ND-Burma) to produce two periodic reports, providing up-to-date information on human rights violations, and pressing issues and trends, within the country.

ERI led preparation of the third edition of *The True Cost of Chevron: An Alternative Annual Report*, which provides a community-based perspective on the impacts of Chevron’s global practices. ERI provided legal support to ensure that impacted communities had access to the annual shareholder meeting and could speak directly to Chevron’s CEO and Board about Chevron’s devastation of the environment and traditional communities.
## Financial Statement

### Revenues and Other Support

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<td><strong>MISCELLANEOUS</strong></td>
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**Net Assets Released from Restrictions**

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**Total Revenues and Other Support**

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<tr>
<td><strong>Total Revenues and Other Support</strong></td>
<td>2,109,114</td>
<td>__</td>
<td>148,582</td>
<td>2,257,696</td>
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EarthRights International (ERI) is a nonprofit organization that combines the power of law and the power of people in defense of human rights and the environment. ERI is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code.

This Statement of Activities is excerpted from ERI’s audited financial statements by Douglas Corey & Associates, which are available upon request. The Statement of Activities reflects financial activity for ERI for the year that ended January 31, 2012. To briefly summarize this Statement: as of January 31, 2012, ERI had available $1,085,955 (under “Net Assets – Unrestricted”), to carry forward for general use in the next fiscal year.

Of the fund in the amount of $2,048,719 (under “Net Assets-Board Designated”), $55,167 has been specified for emergency expenditures authorized by the Board of Directors. The remaining amount, $1,993,552 is designated by the Board for reserves to cover the cost of litigation, litigation support, Burma programs, and organizational reserves.

The temporarily restricted net assets of $1,628,060 are earmarked for particular programs and are not available for general use.

<table>
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<th>Expenses</th>
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<td><strong>INTERNATIONAL CROSS-CUTTING</strong></td>
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<td><strong>MANAGEMENT AND GENERAL</strong></td>
<td>162,602</td>
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<td><strong>DEVELOPMENT</strong></td>
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<td><strong>Total Expenses</strong></td>
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<td><strong>CHANGE IN NET ASSETS</strong></td>
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<td>—</td>
<td>148,582</td>
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<td><strong>Net Assets, beginning of year</strong></td>
<td>1,060,804</td>
<td>2,048,719</td>
<td>1,479,478</td>
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<td><strong>Net Assets, end of year</strong></td>
<td>$ 1,085,955</td>
<td>$ 2,048,719</td>
<td>$ 1,628,060</td>
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</table>
EarthRights International would also like to thank our interns, volunteers, and partners:

Chamberlain Amadi, Yewadee Ajboola, Natalie Bridgeman Fields, Ben Brown, Sarah Birkebak, Sophie Brian, Arturo Carrillo, Miluska Carhuavilca, Janna Caspener, Marissa Charles, Jeanice Chieng, Maria Chickedantzie, Joanie Chen, Judith Brown Chomsky, Cindy Cohn, Nathan Collins, Katherine Conchada, Shauna Curphey, Anthony DiCaprio, Naw Ehmu, Ingrid Collins-Fourie, Agnieszka Frysza, Reena Gambhir, Tyler Gianinni, Laura Gibbs, Jennifer Green, Marra Guttenplan, Evan Harrison, Paul Hoffman, Rachel Imamkhan, Phil Jablon, Yuan Ji, Ellen Joanie, Angus Johnstone, Bill Kilby, Kristian Kopp, Katherine Kovich, Maria Latllood, Dong Keun Lee, Richard Lewis, Howard Mann, Mario Melo, Tarek Maassarani, Dana MacLean, Douglas MacLean, Dr. Cynthia Maung, Chen Meizheng, Molly McOwen, Dion Tobias Mellor-Senior, Isabella Munilla, Amanda Monaco, Patrick Naaghbantion, Allison Neswood, Pi Nok, Peter O’Hare, Kit Pierson, Kwar Poe, Xi Qiu, Sandra Ray, Nikki Reisch, Kirsten Rice, Saengsawang Saechang (Cheng), Michelle Salomon, Michael Seplow, Misty Seemans, Rajan Sharma, Katie Shay, Benjamin Schonbrun, Saw Si Si, Ellen Bryna Smith, Amy Ward-Smith, Atossa Soltani, Robert Sullivan, Zoran Suto, Mat Taylor, Lauren Teukolsky, Theresa Traber, Rachel Teverathen, Curtis Trinko, Kinny Wai Chan, Jennifer Beman White, Chima Williams, Renshao Xu, Casimira Younger, and students at the George Washington University and Harvard human rights legal clinics. We would also like to give special thanks to the many organizations we partner with!
Board of Directors 2011

Rebecca Lambert — (Co-Chair) MS in Environment and Natural Resources, University of Vermont

Neil A.F. Popovic — (Co-Chair), Partner, Sheppard Mullin Richter & Hampton LLP; Lecturer, University of California, Berkeley, School of Law

Charlie Clements — (Treasurer) President and Chief Executive Officer, Unitarian Universalist Service Committee (UUSC)

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Jelson Garcia — Asia Program Manager, Bank Information Center

Laura Levine — Attorney, Washington DC

Dorcus Moo — Program Officer, American Jewish World Service

Abby Reyes — Attorney, Sustainability Researcher, Environment Institute, University of California, Irvine

Jasper Teulings — Head of the Legal Unit of Greenpeace International, Amsterdam

Kate Tillery — Attorney, Korein Tillery LLC

Institutional Funders

Anonymous (4)
C.S. Fund
Conservation Food & Health Foundation
Courtney’s Foundation
Flora Family Foundation
Ford Foundation
Foundation to Promote Open Society
ICCO
Libra Foundation
MacArthur Foundation
McKnight Foundation
Oak Foundation
Open Society Institute
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Park Foundation
Refugees International Japan
Rosewater Fund
Sigrid Rausing Trust
Silicon Valley Foundation
Tikva Fund of Tides Foundation
Underdog Fund of Tides Foundation
Wallace Global Fund