Students from the EarthRights Burma School learn to use natural materials for building.
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On the cover: EarthRights Mekong School students walk through once-flooded rice fields, reclaimed by Thai villagers after a 20-year campaign.
Dear Friends,

We're probably all going to remember 2008 for a long, long time. So many of us were united in our overwhelming hope for change, articulated during the course of an election awaited and watched by the entire world.

Yes, we heard a lot about change last year, and when you spend your time documenting, analyzing, writing about, and litigating earth rights abuses like we do, change is a welcome and necessary thing.

We ended the year with a tremendous feeling of optimism for the new directions that we hoped that the United States, at least, might be taking. We experienced
this sense of hope, too, in many aspects of our work: when the federal judge in our case against Shell finally, after 12 years, set a date for trial; when we saw our former students become the pioneers of a new kind of lawyering in Cambodia, establishing that country’s first public interest law firm; when our EarthRights Schools graduated two more classes of remarkable young leaders, ready to take the futures of their people and their countries into their own hands.

But in other features of our work, the change that we saw was not so positive. Fast-paced growth in the extractive and energy sectors, industrial agriculture, forced production of bio-fuel crops and massive infrastructure projects—all in the name of regional development—were not the change that local communities, indigenous peoples, and the environment really needed. China’s lightning-speed growth continued to transform the Mekong region, and it was all that we, our alumni and our colleagues could do to keep up. And of course, our loss at trial against Chevron for the company’s complicity in killing, torture, and other abuses against environmentalists in Nigeria reminded us that the deep and long-term change we seek will take hard work, commitment and a whole lot of time.

We look back on 2008 realizing the tremendous opportunities associated with any change agenda. In this historic moment we have to ask ourselves and you: How far are we willing to go to lead, influence, push, and of course be the change that we want to see in this world? The individuals and communities with whom we work with in Asia, Nigeria and the Amazon consistently take great risks for their people, their communities and their homelands. Likewise, it’s hard to think about the US election without remembering the many people who sacrificed and died for the dream that took a momentous step towards reality in 2008.

It’s an exciting time. We’ll do what we can to live up to the responsibility and the challenge. Thanks for being with us.

Ka Hsaw Wa, Katie Redford,
Chana Maung and Marie Soveroski
Highlights of 2008

**ERI PUBLISHED THE REPORT, THE HUMAN COST OF ENERGY**, the first comprehensive human rights report on Chevron since its acquisition of Unocal in 2005. The report, which received widespread press coverage, exposed the scope of Chevron’s financial support for the military regime in Burma and the ongoing abuses associated with its Yadana gas pipeline.

**ERI GRADUATED 14 STUDENTS FROM THE EARTHRIGHTS BURMA SCHOOL** in August, and 12 students from the EARTHRIGHTS MEKONG SCHOOL in December. The graduates joined the ranks of our growing alumni network, who continue to put their skills into action in their home communities: organizing trainings, documenting and exposing abuses, and raising local voices against environmental and human rights harms.

**ERI LAUNCHED THE WIWA V. SHELL CAMPAIGN**, a coordinated international effort highlighting our precedent setting case on behalf of families of the Ogoni Nine, including Ken Saro-Wiwa, and increasing global awareness of Shell’s complicity in past and ongoing human rights and environmental abuses in Nigeria.
ERI FILED A COMPLAINT TO THE KOREAN GOVERNMENT on behalf of Burma’s Shwe Gas Movement and Korea’s two largest labor organizations, alleging that the Daewoo and KoGas corporations breached the OECD Guidelines for Multinational Enterprises on the Shwe pipeline project in Burma.

ERI AND OUR INDIGENOUS ACHUAR CLIENTS AND PARTNERS CONTINUED TO SEEK JUSTICE from Occidental Petroleum for decades of toxic contamination by appealing the dismissal of their case from US court and exploring options for legal remedies in Peru, and organizing documentation and advocacy trainings for remote communities in the Corrientes region of the Peruvian Amazon.


ERI PARTNERED WITH WITNESS AND THE INTERNATIONAL ACCOUNTABILITY PROJECT to conduct an intensive Video Advocacy Workshop for leading Asian human rights activists working on forced displacement and human rights issues in the region.

ERI PUBLISHED GAINING GROUND: EARTH RIGHTS ABUSES IN BURMA EXPOSED, a compilation of reports by the EarthRights Burma School Class of 2008, giving our students an opportunity to publish their work, and providing a valuable source of information about the communities from Burma otherwise silenced by the military regime.
ERI FORCED OIL GIANT CHEVRON TO DEFEND ITSELF IN U.S. COURT IN A HIGH-PROFILE, public trial for the company’s complicity in military attacks on villagers and peaceful environmental protesters in Nigeria. This was only the second time such a case has gone all the way to trial.

ERI CONDUCTED A SERIES OF TRAININGS FOR PUBLIC INTEREST LAWYERS IN CAMBODIA and provided two of Cambodia’s leading human rights lawyers with invaluable experience and educational opportunities during their summer law fellowships at our office in Washington DC.

ERI ACHIEVED A MAJOR VICTORY IN OUR LEGAL ACTION AGAINST UNION CARBIDE/DOW, after a U.S. federal appeals court reinstated our claims against the company for ongoing widespread pollution resulting from their operations in Bhopal, India.

ERI CONTINUED TO CONDUCT CUTTING-EDGE RESEARCH, such as reflected in our publication, *China in Burma: the Increasing Investment of Chinese Multinational Corporations in Burma’s Hydropower, Oil and Gas, and Mining Sectors*, the first extensive study of its kind on this subject.

EARTH RIGHTS MEKONG SCHOOL STUDENTS AND ALUMNI PARTICIPATED IN THE INTERNATIONAL CONFERENCE, Mekong Mainstream Dams: Peoples’ Voices Across Borders, presenting their concerns to the media, government and international financial institution officials, and policy makers, while setting the stage for strategic cross-border cooperation.
ERI continued to advocate at the highest levels, including the UN, the Mekong River Commission Secretariat, the World Bank, the US Senate and the South Korean Presidency, calling for environmental and human rights abuses arising from large-scale development projects to be addressed.

ERI joined the Publish What You Pay (US) Coalition, and supported the introduction of the Extractive Industry Transparency Disclosure Act, a bill requiring disclosure of resource revenues paid to governments by corporate actors.

Our work was featured extensively by national and international media, including the Washington Post, Reuters, the New York Times, the San Francisco Chronicle, the Nation, the Economist, the Associated Press, Inter Press Service, In Africa Focus, OECD Watch, News24 (South African Press Association), Neftegaz Russian News, CSR Asia, Oil Daily, ABC Radio Australia, the Madison Times, Le Soir, Business Wire, the AM Law Daily, and Bloomberg. Katie Redford, ERI co-founder and US Office Director, was profiled in a new book Your America: Democracy’s Local Heroes.
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 for grassroots and community leaders, and advocacy campaigns. Through these 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.
To accomplish this mission, EarthRights takes a three-pronged approach:

Justice and Accountability
EarthRights uses litigation and other legal mechanisms to hold corporations accountable for earth rights abuses, often perpetrated in the name of development. We also advocate for stronger legal mechanisms for corporate accountability within the international system. In 2008 we continued to pursue justice, representing plaintiffs in cases against Chevron, Shell, Union Carbide/Dow Chemical, Chiquita, and Occidental Petroleum for human rights violations overseas.

Speaking Power to Power
EarthRights uses media, public education and organizing strategies to hold corporate and government human rights and environmental offenders accountable in the “court of public opinion”. Our goal is to build a broad constituency for the earth and its peoples who will ensure that there are strong legal mechanisms for accountability, and to deter earth rights abuses by highlighting the heavy costs associated with them.

Sustaining the Movement for Human Rights and the Environment
The EarthRights Schools train new leaders to sustain a strong local and international movement in environmental and human rights protection, while our training of legal and judicial professionals helps ensure that the movement is supported by the rule of law.
### Financial Statement

<table>
<thead>
<tr>
<th>Revenues and Other Support</th>
<th>UNRESTRICTED</th>
<th>TEMPORARILY RESTRICTED</th>
<th>TOTAL</th>
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<tbody>
<tr>
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<td>UNRESTRICTED</td>
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<td><strong>FOUNDATION CONTRIBUTIONS AND FEES</strong></td>
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<td><strong>GIFTS FROM INDIVIDUALS</strong></td>
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<td><strong>NON-CASH CONTRIBUTIONS</strong></td>
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<td><strong>IN-KIND CONTRIBUTIONS</strong></td>
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<td><strong>GAIN (LOSS) ON SECURITIES</strong></td>
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<td><strong>MISCELLANEOUS</strong></td>
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<td><strong>Net Assets Released from Restrictions</strong></td>
<td>1,216,954</td>
<td>1,721,552</td>
<td>(2,938,506)</td>
</tr>
</tbody>
</table>

| **Total Revenues and Other Support** | 2,322,321 | 1,721,552 | (1,927,916) | 2,115,957 |
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, 2009. To briefly summarize this Statement: as of January 31, 2008, ERI has available $616,735 (under “Net Assets-Unrestricted”) to carry forward for general use in the next fiscal year.

The fund in the amount of $55,167 (under “Net Assets-Board Designated”) has been specified for emergency expenditures authorized by the Board of Directors. The temporarily restricted assets of $2,283,227 are earmarked for particular programs and are not available for any other use. The Daniel C. Clark Memorial Fund in the amount of $109,292 is restricted to support graduates of the EarthRights Schools.

<table>
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<th>Expenses</th>
<th>UNRESTRICTED</th>
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<td>Change in Net Assets</td>
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<td>(1,927,916)</td>
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<td>Net Assets, beginning of year</td>
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<td>55,167</td>
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<td>Net Assets, end of year</td>
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<td>$ 1,776,719</td>
<td>$ 464,603</td>
<td>$ 3,456,661</td>
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<table>
<thead>
<tr>
<th>Expenses</th>
<th>UNRESTRICTED</th>
<th>BOARD DESIGNATED</th>
<th>TEMPORARILY RESTRICTED</th>
<th>TOTAL</th>
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<td>Legal</td>
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<td>$__</td>
<td>$ 525,066</td>
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<td>Campaigns</td>
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<td>—</td>
<td>305,700</td>
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<td>EarthRights Schools</td>
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<td>Clark Memorial</td>
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<td>Management and General</td>
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<tr>
<td>Development</td>
<td>161,790</td>
<td>—</td>
<td>—</td>
<td>161,790</td>
</tr>
</tbody>
</table>

Expenses

 programme expenses

LEGAL | $ 525,066 | $__ | $__ | $ 525,066
CAMPAIGNS | 305,700 | — | — | 305,700
EARTH RIGHTS SCHOOLS | 405,311 | — | — | 405,311
CLARK MEMORIAL | 194,351 | — | — | 194,351
MANAGEMENT AND GENERAL | 131,499 | — | — | 131,499
DEVELOPMENT | 161,790 | — | — | 161,790

Total Expenses | 1,723,717 | — | — | 1,723,717

Change in Net Assets | 598,604 | 1,721,552 | (1,927,916) | 392,240

Net Assets, beginning of year | 616,735 | 55,167 | 2,392,519 | 3,064,421

Net Assets, end of year | $ 1,215,339 | $ 1,776,719 | $ 464,603 | $ 3,456,661
Ka Hsaw Wa
EXECUTIVE DIRECTOR
Chana Maung
ASIA OFFICE DIRECTOR
Katie Redford
U.S. OFFICE DIRECTOR
Marie Soveroski
MANAGING DIRECTOR
Nang Aung
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Mael Raynaud
COORDINATOR, BURMA ALUMNI PROGRAM
Maggie Schuppert
COORDINATOR, MEKONG ALUMNI PROGRAM
Adrienne Shaw
MAJOR GIFTS AND EVENTS COORDINATOR
Marco Simons
LEGAL DIRECTOR
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Prajak Srikhampa
COORDINATOR, BURMA ALUMNI PROGRAM
Yaowalak Sriakhampa
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Tong Teng
ADMINISTRATIVE ASSISTANT
Mael Raynaud
COORDINATOR, BURMA ALUMNI PROGRAM
Sandra Visbal
COORDINATOR, MEKONG ALUMNI PROGRAM
Victoria Wangai
ADMINISTRATIVE ASSISTANT
Jacqui Zalcberg
LEGAL FELLOW
Danny Dukes and Peggy Martinez
DUKES & GRAVES, ACCOUNTING SERVICES

EarthRights International would also like to thank our interns, volunteers, and partners: Daniel Aguirre, Arturo Carrillo, Miluska Carhuavilca, Yang Choehee, Naw Ehmu, Steve Epstein, Melissa Epstein, Jelson Garcia, Tyler Gianinni, Seng Herng, Phil Hoff, Kunh Htee, Philip Jablon, Eve de la Mothe Karoubi, Ta Mu La, Lee, Lily La Torre Lopez, Liz Mak, Brian McCartan, Maureen Quinn McGough, Ken McLean, Samantha Miller, Kate Moore, Ginger Norwood, U Thien Oo, Lauren Pappone, Pi Nok, Pi Pan, Saw Si Si, Kate Tillery, Nyein Tun, Yu Xiaogang and students at the University of Virginia, George Washington University and Harvard human rights legal clinics. We would like to give special thanks to the members of our legal teams!
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Tikvah Fund of Tides Foundation
Trocaire
Underdog Fund of Tides Foundation
Unitarian Universalist Service Committee
Wallace Global Fund
Rainbow over the Corrientes River in Peru.