



Peace & Justice Update
December 10, 2004
(Volume 10, Number 11)

The countries for the Peace & Justice Updates have been chosen as areas of focus at the Institute. The International Human Rights section is intended to focus on aspects of international law. For information on specific cases of human rights abuses, please visit www.hrw.org or www.amnesty.org. The Gender and Peace section highlights events in peacebuilding that pertain to gender and human rights.

Source information: Information presented in this update is condensed from wire and newspaper reports from Lexis/Nexis and from electronic sites on the World Wide Web. Complete bibliographical information is unavailable from these services, but every attempt has been made to properly cite information and give credit to source materials. This update is intended for use by IPJ staff and associates for informational purposes only. As the material in this update is condensed, and does not directly quote the primary source, information from the update should not be quoted.

Update subscriptions: Electronic subscriptions to the Peace & Justice Updates are free; simply send an email to updates@sandiego.edu and include the word "subscribe" in the subject line.

The Peace & Justice updates are written by the Fall 2004 interns at the Joan B. Kroc Institute for Peace & Justice at the University of San Diego. The interns are Bree Del Sordo (University of California, Santa Cruz), Leslie Gabrielson (University of Southern California), Joanna Haszek (The Poznan University of Economics, Poland), and Amy Super (University of California, Berkeley).

UPDATE SOURCE ABBREVIATIONS

AFP	=	Agence France Presse (www.afp.com)
AfricaFocus	=	AfricaFocus (www.africafocus.org)
AllAfrica	=	AllAfrica Global Media (www.allAfrica.com)
AI	=	Amnesty International (www.amnesty.org)
AFX	=	Asian Financial Times (www.indoexchange.com/afx)
Asian Tribune	=	Asian Tribune (www.asiantribune.com)
AP	=	Associated Press (www.ap.org)
BBC	=	British Broadcasting Corporation (news.bbc.co.uk)
BBC Monitoring	=	BBC Monitoring International Reports (www.monitor.bbc.co.uk/)
Borneo Bulletin	=	Borneo Bulletin (www.bornei-online.com/bb/thu/local.htm)
Colombo Page	=	Sri Lankan Online News (www.colombopage.com)
Deutsche Presse-Agentur	=	Deutsche Presse-Agentur (www.dpa.de)
EU	=	European Union (www.europa.eu.int)
Financial Times	=	Financial Times (www.news.ft.com)
Green Left Weekly	=	Green Left Weekly (www.greenleft.org.au)
Guardian	=	Guardian Unlimited Network (www.guardian.co.uk/)
Gulf News	=	Gulf News (www.gulf-news.com)
Hindu	=	The Hindu (www.thehindu.com)
Hindustan Times	=	The Hindustan Times (www.hindustantimes.com)
HRW	=	Human Rights Watch News (www.hrw.org)
ICBL	=	International Campaign to Ban Landmines (www.icbl.org)
ICC	=	International Criminal Court (www.icc-cpi.int)
ICG	=	International Crisis Group (www.crisisweb.org)
ICRC	=	International Committee of the Red Cross (www.icrc.org)
ICTR	=	International Criminal Tribunal for Rwanda (www.ictr.org)
IHT	=	International Herald Tribune (www.iht.com)
Independent	=	The Independent (www.independent.co.uk)
IRIN	=	Integrated Regional Information Network (www.irinnews.org)
Kantipur Online	=	Kantipur Online (www.kantipuronline.com)
Kathmandu Post	=	The Kathmandu Post (www.nepalnews.com.np)
Khaleej Times	=	Khaleej Times (www.khaleejtimes.com)
Latinnews Daily	=	Latinnews Daily (www.latinnews.com)
LA Times	=	Los Angeles Times (www.latimes.com)
Life Science Weekly	=	Life Science Weekly (www.newsrx.com)
Monitor	=	The Monitor (www.monitor.co.ug)
Nauruwire	=	Nauruwire (www.nauruwire.org)
Nepal News	=	Nepal News.Com (www.nepalnews.com)
Nepali Times	=	Nepali Times (www.nepalitimes.com)
New Kerala	=	NewKerala.Com (www.newkerala.com)
NYT	=	The New York Times (www.nytimes.com)
PANA	=	Panafrican News Agency (www.allafrcia.com)
Pakistan Press International	=	Pakistan Press International (www.pakistaninformation.com)
Press Trust of India	=	Press Trust of India (ptinews.com)
Reuters	=	Reuters (www.reuters.com)
Sinhalaya News	=	Sinhalaya News (www.news.sinhalaya.com)
UN News Center	=	UN News Center Homepage (www.un.org)
UNHCR	=	UN High Commissioner for Refugees (www.unhcr.ch)
VOA	=	Voice of America (www.voa.gov)
Xinhua	=	Xinhua News Agency(www.xinhuanet.com/english/index.htm)

UPDATE SUMMARY

GENDER AND PEACE

Women demand greater role in new Afghan government

UGREAT LAKES

BURUNDI

Voter registration ends; Security Council extends UN mission

DEMOCRATIC REPUBLIC OF CONGO

Civilians flee new clashes in eastern DRC

RWANDA

Gacaca courts begin trials

UGANDA

LRA makes new demands

GUATEMALA

Former army finance chief is arrested

INTERNATIONAL HUMAN RIGHTS

Landmine summit convenes; ICRC accuses U.S. of torture

NEPAL

UN mission to investigate disappearances

PAKISTAN

President meets with U.S. and British leaders

SIERRA LEONE

UN official travels to Liberia to discuss regional peacekeeping

SRI LANKA

Signs of war proliferate; Asylees protest for citizenship

GENDER AND PEACE

Women demand greater role in new Afghan government: A delegation of 50 women addressed a conference on “Women, Peace, and Security” in Afghanistan December 1 demanding greater representation of women in the Afghan cabinet after the inauguration of recently elected President Hamid Karzai. The women, led by Afghan Minister for Women’s Affairs Habiba Surabi, stated that since the fall of the Taliban regime women are free to demand equal rights at all levels, including the opportunity to participate in government. Presidential spokesman Javid Ludin addressed a press conference later that day saying that it had already been decided who would join the next Afghan cabinet, but he did not say how many of the new members would be women. During the Taliban regime, women were deprived of many rights, including receiving an education, ownership of property, and the right to get a divorce; during the elections held March 2004 women constituted 41 percent of the approximately 10.5 million Afghans that voted. (BBC Monitoring, December 4; Pakistan Press International, December 1, 2004)

GREAT LAKES

BURUNDI

Voter registration ends: The Chief of the UN electoral unit in Burundi issued a statement December 3 stating that approximately 65 percent of eligible voters registered for the country’s first democratic elections since 1993 during the registration period from November 20 to December 1. As of December 8 the National Independent Electoral Commission, which supervised the registration process in the country, had not confirmed the numbers. The deputy chairman of the main Tutsi-dominated party accused the authorities of illegal registration of people younger than 18 years of age, of people presenting documents that did not specify their nationality, and of foreigners. He confirmed that his party would file a complaint with the electoral commission to cancel the irregular registrations. There were also reports that many citizens, especially women in rural areas, were excluded from the registration because of delays in issuing and distributing new identity cards to the public. After extending the three-year transitional period for an additional six months due to the delayed adoption of a new constitution, the current government was to hold a referendum on a new constitution December 22 and presidential elections April 2005 as mandated by the 2000 Arusha Peace and Reconciliation Agreement that ended the 10-year civil war between the Hutu majority and the politically dominant Tutsi minority. (AP, December 3; IRIN, December 2, 2004)

Security Council extends UN mission: The UN Security Council extended the UN peacekeeping mission in Burundi (ONUB) December 1 for an additional six months until June 1, 2005. ONUB also confirmed its support for local authorities in investigating the massacre of 152 Congolese Tutsis at the Gatumba refugee camp in August 2004. The rebel group that refused to sign the cease-fire agreement with the government, the Palipehutu-Forces for National Liberation claimed responsibility for the attack. The UN established ONUB in May 2004 in order to support the implementation of the 2000

Arusha Peace and Reconciliation Agreement that ended the civil war in which more than 300,000 people were killed. ([AFP](#), [Reuters](#), [Xinhua](#), December 1, 2004)

DEMOCRATIC REPUBLIC OF CONGO

Civilians flee new clashes in eastern DRC: More than 2,000 civilians fled their homes December 4 after fighting erupted in the eastern province of North Kivu between former Rwandan Hutu extremists and unidentified military forces. According to the UN peacekeeping mission in DRC (MONUC) and Human Rights Watch, the unidentified soldiers were believed to be from neighboring Rwanda, although the Rwandan adviser on Congo officially denied December 3 that any Rwandan troops were currently inside eastern DRC. MONUC also reported that an assessment team sent to North Kivu met with local people who claimed to have witnessed fighting, looting, and burning of their villages by soldiers. Rwanda's President Paul Kagame warned DRC November 26 that his troops would invade if DRC and MONUC's joint operation would not disarm the 8,000 to 10,000 former Rwandan Hutu rebels responsible for carrying out the 1994 Rwandan genocide, who were hiding in the mountains of North Kivu. Their presence in eastern DRC brought Rwanda and DRC to war from 1998 to 2002, during which more than 3 million people died from war-related starvation and diseases. ([AFP](#), [AP](#), December 4; [BBC Monitoring](#), December 3, 5; [Reuters](#), December 4, 2004)

RWANDA

Gacaca courts begin trials: Spokesperson for the National Service for Gacaca Jurisdictions Charles Kayitana confirmed December 2 that the first trials in the country's gacaca genocide courts were to begin January 2005. Established in 2001 to speed up the genocide trials, the gacaca courts were based on both conventional courts and traditional community justice and were operating in the following stages: first identifying the victims, then identifying the suspects, and finally holding trials. Since 2003, 700 of the estimated 10,000 gacaca courts conducted pre-trial sessions, at which local residents gave testimony for and against local suspects who were to be tried in the communities where they were accused of perpetrating crimes. There are more than 80,000 genocide prisoners awaiting trials in Rwanda. The gacaca courts handle all cases of crimes against humanity except for the 10 percent of prisoners charged with planning, organizing, leading, and supervising the genocide; those prisoners were to be tried in conventional courts in Rwanda or at the International Criminal Tribunal for Rwanda established by UN Security Council in late 1994. The 1994 genocide, planned and carried out by the previous government, resulted in the deaths of approximately 800,000 Tutsis and Hutu moderates during a three-month period. ([AllAfrica](#), [Reuters](#), December 2, 2004)

UGANDA

LRA makes new demands: The government rejected the Lord's Resistance Army's (LRA) request for an unlimited cease-fire in time and area, after the extended November 22 seven-day cease-fire expired December 3. However, the Ugandan People's Defense Forces (UPDF) were still maintaining peace in the former designated cease-fire zone in Northern Uganda as of December 6. There were reports that some of the LRA soldiers moved into the cease-fire zones, but rebel commanders stayed close to the Uganda-Sudan border, outside of the cease-fire zones determined by the government. Joseph Kony, the

leader of LRA, who initially asked for a 100-day cease-fire, remained in southern Sudan, where the rebels have been based. The UPDF operations continued in areas outside the cease-fire zones, killing six LRA rebels December 1. The current dialogue between the government of Uganda and the LRA, mediated by the former Minister for Pacification of the North, Betty Atuku Bigombe, is an attempt to end the 18-year civil war that has killed more than 20,000 people and displaced approximately 1.6 million people in Northern Uganda. (Monitor, December 1; New Vision, December 3, 2004)

GUATEMALA

Former army finance chief is arrested: Retired General Enrique Rios Sosa, the army head of finance from 2000 to January 2004, was placed under house arrest November 30 and charged with corruption and fraud due to the transfer of \$115 million of state funds to the army. Rios Sosa, the son of ex-dictator Efraim Rios Montt, was the first member of the military to go before the judiciary since August 2004 when current President Oscar Berger's administration ordered an investigation to search for the country's missing funds. Guatemalan authorities were also holding in custody former Vice-President Francisco Reyes and began an investigation April 2004 against former Finance Minister Eduardo Weyman, who was suspected of defrauding \$4.8 million from the country's tax authority. The administration of President Oscar Berger, who won the second presidential election since the country's 36-year civil war ended in 1996, promised to bring to justice members of the former administration accused of corruption, including former President Alfonso Portillo, who has been in exile in Mexico since President Berger took office in January 2004. (AP, November 29; Latinnews Daily, December 1, 2004)

INTERNATIONAL HUMAN RIGHTS

Landmine summit convenes: The first review summit for the 1997 Mine-ban Treaty, which entered into force in 1999, was held in Nairobi, Kenya the week of November 29. On the opening day of the summit Ethiopia became the 144th country to ratify the treaty. The International Campaign to Ban Landmines (ICBL), a coalition of non-governmental organizations, monitors the implementation of the treaty. Just prior to the Nairobi summit the ICBL issued a 1,300 page report updating the status of landmines worldwide. The ICBL found that 65 member states had completely destroyed their mine stockpiles, totaling the abolishment of approximately 37.3 million mines, including 3 million that were directly removed from the earth. Nearly 200 million mines are presently warehoused by countries that are non-member states to the treaty. China continues to hold an estimated 110 million mines, while Russia has an estimated 50 million, and the U.S. has approximately 10 million. The report cited Russia and Myanmar (Burma) as the only two countries in the world actively deploying landmines. The ICBL also stated that there had been 42,500 new landmine casualties since 1999, yet since the landmine treaty became effective the number of casualties has been decreasing annually. The summit generated a 70-point action plan for the next five years, which included funding for the

victims of landmine incidences, the adoption of the treaty by all countries, and an increase in donor funding, which fell off in 2003. The use of landmines by any country breaches the Geneva Conventions on human rights. (BBC, November 28; HRW, ICBL, November 18; UN News Center, December 3; VOA, November 29, 2004)

ICRC accuses U.S. of torture: The International Committee of the Red Cross (ICRC) issued a confidential report July 2004 to the U.S. government based upon visits in June 2004 to the military detention facility at Guantanamo Bay, Cuba. The ICRC, based in Geneva, was organized in 1863 to assist victims of war. Their policy is to keep all reports confidential in order to maintain access to prisons. The New York Times obtained a memorandum in November 2004 that extensively quoted from the ICRC report released. The memorandum accused the U.S. military authorities of using psychological and physical tactics including consistent loud noise, exposure to severely cold temperatures, solitary confinement, and sexual humiliation to illicit information. It also stated that doctors were sharing medical information with interrogators, a practice that opposes the Hippocratic Oath, which requires doctors to keep all patient information confidential. The ICRC has been making visits to Guantanamo since January of 2002 and has been assisting the 550 detainees to secure basic human rights that are granted under the Geneva Conventions and the Convention Against Torture. (ICRC, NYT, November 30, 2004)

NEPAL

UN mission to investigate disappearances: In response to a rise in recent years in the number of people who have “disappeared” as a result of terrorist tactics on both sides of the Maoist conflict, the UN sent a fact-finding mission to Nepal December 8 to investigate the human rights situation in the country. It has been reported that 378 persons had gone missing from August 2003 to July 2004, a sharp increase over the previous six years, and that Nepal recently surpassed Colombia as the country with the highest number of people disappearing subsequent to being detained by government or rebel forces. In response to the UN mission, the government signed a Memorandum of Understanding with the Office of the UN High Commissioner for Human Rights, which lent governmental support to the international experts as well as the National Human Rights Commission in Nepal. Approximately 1,000 people were recently released from custody; however, at least another 300 are currently unaccounted for on the government side, and on December 5 Maoists were reported to have abducted 150 young people. Amnesty International (AI) has stated dissatisfaction with attempts at cooperation from both sides of the conflict since a published report in August 2003 detailed disappearances in the country; AI has since begun issuing open letters to draw urgency to the matter. The Maoist guerrilla insurgency has been in conflict with the government and has used intimidation of civilians as a tactic of war since 1996 to overthrow the constitutional monarchy in favor of a people’s communist republic; more than 10,000 lives have been lost as a result. (BBC News, Kathmandu Post, December 6, 2004.)

PAKISTAN

President meets with U.S. and British leaders: Pakistani President Pervez Musharraf met with U.S. President George Bush December 4 in Washington, D.C. to talk about a variety of issues, particularly bilateral relations between Pakistan and India, Pakistan and the U.S., and plans to fight terrorism. During the visit, Bush praised Musharraf's efforts to rid Pakistan of suspected al-Qaeda terrorists and for putting troops along the Afghan border where Osama bin Laden was thought to be hiding. After the White House visit, Musharraf flew to Britain where he met with Prime Minister Tony Blair December 7 and 8 for talks on terrorism, trade, and the situation in Kashmir. Following the terrorist attacks of September 11, 2001, Musharraf joined with the U.S. in the war against terror, providing intelligence and logistical support against the Taliban regime in Afghanistan. Pakistan also publicly supported the U.S. and Britain when they invaded Iraq in 2003. (BBC, Financial Times, December 5; Press Trust of India, December 4, 2004)

SIERRA LEONE

UN official travels to Liberia to discuss regional peacekeeping: The Special Representative of the Secretary General (SRSG) to the UN Assistance Mission in Sierra Leone (UNAMSIL), Daudi Mwakawago, traveled to Liberia December 3 to discuss regional peacekeeping with the heads of other peacekeeping missions in West Africa. The meeting was called at the request of the UN Security Council and was chaired by Ahmedou Ould-Abdallah, SRSG for West Africa and head of the UN Office for West Africa; it was also attended by Jacques Paul Klein, head of the UN Mission in Liberia, Albert Tevoedjre, head of the UN Operation in Cote D'Ivoire, and Jao Honwana, SRSG and head of the UN Office in Guinea-Bissau. The officials discussed integrating the multiple peacekeeping missions in the region as well as the progress and obstacles in individual countries, in particular Cote D'Ivoire and Liberia. In terms of Sierra Leone, attendees expressed approval of UNAMSIL's continued drawdown and handover of security to the nation's army and police forces, but at the same time discussed concern for the ongoing problems in the country. These problems were root causes of the conflict, and included widespread poverty, government corruption, and overwhelming unemployment and illiteracy, particularly among young people. Sierra Leone is rebuilding and recovering after a 10-year civil war which ended in 2002, leaving the country severely damaged and underdeveloped. (AllAfrica, December 3; BBC Monitoring, December 5; Deutsche Presse-Agentur, PANA, December 3, 2004.)

SRI LANKA

Signs of war proliferate: Tensions between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) increased in November 2004. When an LTTE flag was raised November 26 over the town of Trincomalee three-hundred Sinhalese citizens protested and rioted in the streets in order to disrupt a meeting of the Tigers. Police dispersed the crowd with tear gas, imposed a curfew on the area, and closed two

major checkpoints. The next day, LTTE leader Velupillai Prabhakaran, in his annual Martyr's Day speech, agreed to discuss peace negotiations only after his demands for an Interim Self-Governing Authority (ISGA) had been formally accepted. Prabhakaran concluded his speech by stating that the LTTE had reached their limit and threatened to resume the 20-year war. President Kumaratunga responded by stating that the government would only discuss the ISGA within the context of resolving the ethnic conflict. She also stated that the government would not return to war, even though the LTTE had killed seven government soldiers in the last two months. The parliament approved an eight percent increase for their 2005 military budget December 3, which already consisted of almost \$550 million. The Minister of Public Security told the parliament that the government is bolstering the military for any type of future event, without specifying the LTTE. Recognizing the deterioration of the situation, Erik Solheim, the Norway special peace mediator who brokered the cease-fire agreement, was scheduled to return to Sri Lanka December 13. A cease-fire agreement between the LTTE and the government of Sri Lanka was signed in February 2002, generating 6 rounds of peace talks that stalled in April 2003. Peace talks remain deadlocked as of December 2004. (AFP, November 29, December 6; Asian Tribune, November 27; BBC, November 27; Borneo Bulletin, November 29; Khaleej Times, December 5, 2004)

Asylees protest for citizenship: After years in an Australian detention camp 11 Sri Lankan asylum seekers went on a hunger strike the week of November 29 to protest their situation. They and many others had been denied refugee status by the Australian government. Thomas Keneally, author of Schindler's Ark which later became Stephen Spielberg's film "Schindler's List," held a vigil December 3 on behalf of the 11 asylum seekers. Keneally likened the detention centers to Nazi concentration camps. The expatriate Sri Lankans have appealed their cases to the Australian courts, but the verdicts have been delayed. If the courts deny them refugee status the asylees would face deportation back to Sri Lanka. Many refugees do not want to return in fear for their lives, yet the conditions in Australia are inhumane. The detainees complained that they were only given 45 minutes a week to visit with friends, and were constantly monitored by videotape including bathroom visits. From 1983, the start of the Sri Lankan Civil War, until 2001, more than 300,000 Tamil civilians fled the country. The Australian government holds that the war in Sri Lanka is over and considers the refugees to be illegal immigrants. The UN has stated that conditions in Sri Lanka are still threatening and that refugees should not return at this time. (ColomboPage, December 4; Green Left Weekly, December 1; Nauruwire, November 23; Sinhalese News, December 3; UNHCR, December 1, 2004)