



Peace & Justice Update
August 12, 2005
(Volume 12, Number 8)

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 peace-building 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 Summer 2005 interns at the Joan B. Kroc Institute for Peace & Justice at the University of San Diego. The interns are Sophie Besancenot (Institut d'Etudes Politiques, Paris), Merav Kweskin (Clark University, Massachusetts), Kathryn Marshall (University of California, Berkeley), and Sanaz Meshkinpour (University of California, Berkeley).

UPDATE SOURCE ABBREVIATIONS

AfricaFocus	=	AfricaFocus (www.africafocus.org)
AFP	=	Agence France-Presse (www.afp.com)
Aftenposten	=	Aftenposten (www.aftenposten.no/english)
AI	=	Amnesty International (www.amnesty.org)
AllAfrica	=	AllAfrica Global Media (www.allAfrica.com)
Angola Press	=	Angola Press (www.angolapress-angop.ao)
AP	=	Associated Press (www.ap.org)
Asian Tribune	=	Asian Tribune (www.asiantribune.com)
BBC	=	British Broadcasting Corporation (http://news.bbc.co.uk)
BBC Monitoring	=	BBC Monitoring International Reports (www.monitor.bbc.co.uk/)
Colombo Page	=	Sri Lankan Online News (www.colombopage.com)
Daily News	=	Sri Lanka Daily News (www.dailynews.lk)
EU	=	European Union (www.europa.eu.int)
Guardian	=	Guardian Unlimited Network (www.guardian.co.uk)
HRW	=	Human Rights Watch News (www.hrw.org)
HindustanTimes	=	HindustanTimes (www.hindustantimes.com)
ICC	=	International Criminal Court (www.icc-cpi.int)
ICG	=	International Crisis Group (www.crisisweb.org)
ICTR	=	International Criminal Tribunal for Rwanda (www.ictt.org)
Independent	=	The Independent (www.independent.co.uk)
IRIN	=	Integrated Regional Information Network (www.irinnews.org)
Kansas City Infozine	=	Kansas City Infozine (www.infozine.com)
Kathmandu Post	=	The Kathmandu Post (www.nepalnews.com.np)
LA Times	=	Los Angeles Times (www.latimes.com)
Monitor	=	The Monitor (www.monitor.co.ug)
MONUC	=	MONUC (www.monuc.org)
Nepal News	=	Nepal News.Com (www.nepalnews.com)
Nepali Times	=	Nepali Times (www.nepalitimes.com)
NYT	=	The New York Times (www.nytimes.com)
PANA	=	Panafrican News Agency (www.allafrica.com)
Oxfam Great Britain	=	Oxfam (www.oxfam.org.uk)
Reuters	=	Reuters (www.reuters.com)
SMH	=	Sydney Morning Herald (www.smh.com)
UN News Center	=	UN News Center Homepage (www.un.org)
UNHCHR	=	UN High Commissioner for Human Rights (www.unhcr.ch)
UNICEF	=	UN Children's Fund (www.unicef.org)
UNIFEM	=	UN Development Fund for Women (www.unifem.org)
VOA	=	Voice of America (www.voanews.com)
Xinhua	=	Xinhua News Agency (www.xinhuanet.com/english/index.htm)
WP	=	Washington Post (www.washingtonpost.com)

UPDATE SUMMARY

BURUNDI

Hundreds of refugees return as peace is restored at home; Following government land offer, IDPs end protests; World Bank offers \$1.5 billion in debt relief; CRS to distribute seeds to 70,000 families

COLOMBIA

Victims of paramilitary violence discovered in secret mass graves; Skirting legality issues, U.S. to aid in paramilitary demobilization; Colombia demands extradition of guerrilla trainers; Bush, Uribe united in the “war on terror”

DEMOCRATIC REPUBLIC OF CONGO

Continued fighting in the east increasing cause for concern; Annan urges Kabila to address the Ituri crisis; MONUC demands investigation of death of prominent human rights activist

GENDER AND PEACE

UNICEF declares Afghan women in need of assistance

INTERNATIONAL HUMAN RIGHTS

High prices and falling livestock value caused Niger food shortage, say analysts; Mali’s food shortage is being ignored, says aid agency; AU chairman appoints former Mozambican president as “special representative” to Zimbabwe

NEPAL

Maoist leader promises release of 52 RNA soldiers after recent clash, also assures cooperation with OHCHR; King has taken little movement towards democracy, says U.S. ambassador; Supreme Court decides against government in FM radio case, 15 stations begin broadcasting news; Supreme Court set to decide the constitutionality of RCCC

RWANDA

Survivors resent government’s decision to free genocide suspects

SRI LANKA

Debate over presidential election date continues; Accidental killing sparks murder of police superintendent

SUDAN

Calm resumes after last week’s outburst of violence; Kiir and the SPLM face challenges

UGANDA

Uganda calls for IGAD summit and mourns Garang in national ceremony; Museveni declares Garang’s death may not be an accident, international team investigates; Radio station closed in Uganda

BURUNDI

Hundreds of refugees return as peace is restored at home: With help from the UN High Commission on Refugees (UNHCR), 522 Burundians who fled to Rwanda in October 2004 returned home August 8. UNHCR and Iteka, Burundi's leading human rights organization, were monitoring the return and reintegration of the refugees to ensure that they were protected and welcomed back into their communities. The government offered to provide the returnees with food, kitchen utensils, and farming supplies to help them regain their livelihoods, and the African Development Bank (AfDB) was providing them with money to buy vegetable seeds. Most of the refugees had settled in Gikoho and Nyamure camps in Rwanda's Butare province. One woman refugee noted her delight at being able to return to her home country, saying, "We feel good about returning now that peace has been restored." After Burundi's 12-year long civil war came to an end earlier this year, the country began to restore peace through a series of democratic elections. (Reuters, August 8, 2005)

Following government land offer, IDPs end protests: After the Burundian government agreed to give them land on which to settle, the hundreds of internally displaced persons (IDPs) who had been demonstrating outside a government building in Bujumbura since July 25 agreed to end their protests. The protestors, representing 609 families, had been displaced since the start of Burundi's civil war in 1993. In 1997, Burundi's former president, Pierre Buyoya, announced on public radio that these IDPs were entitled to and would receive land. However, because there was no documentation of this announcement, the IDPs' claims to the land have been repeatedly denied. While the protestors appeared satisfied with the government's latest offer, which provided each of the families with land in Kinama neighborhood, many remained skeptical about government promises. An anonymous representative of the IDPs said, "We saw the land and it is large... However, we will only be totally satisfied when we get a letter [from the government] testifying that the land was really given to us." Burundi's civil war, which raged on for 12 years, left more than 200,000 dead and 550,000 displaced. The tiny nation is currently in the process of electing a president. (IRIN, August 3, 2005)

World Bank offers \$1.5 billion in debt relief: The World Bank announced August 4 that because Burundi had made the necessary economic reforms, international creditors would write off up to \$1.5 billion of its debt. Burundi is the 28th country to reach a decision point under the World Bank's Heavily Indebted Poor Countries Initiative (HIPC), a program begun in 1996 with the aim of ensuring that no poor country faces a debt burden it cannot manage. Most of the relief will cover debts Burundi owes to the International Development Association, the World Bank's no-interest lending body. Augustín Carstens, Deputy Managing Director of the International Monetary Fund (IMF) stated, "Burundi has made good progress in strengthening macroeconomic policy performance and deepening the structural reform agenda." However, Carstens warned, "Burundi's external debt situation will remain difficult even after debt relief, and strong economic policies, prudent debt management, and continued donor support... will be needed to ensure a sustainable external debt in the medium term." (UIRIN, August 5, 2005)

CRS to distribute seeds to 70,000 families: Catholic Relief Services Burundi (CRS) announced August 1 that it would provide more than 70,000 families with seed during the September-October planting season. CRS also announced that with the help of the UN Food and Agriculture Organization, it would use a subsidy program to inject more than \$500,000 into local

markets. The program offers seed vouchers to needy families who can then acquire seed from local traders. Twenty percent of those receiving vouchers had been recently displaced by fighting between the government and rebels. ([IRIN](#), August 5, 2005)

COLOMBIA

Victims of paramilitary violence discovered in secret mass graves: With dozens of families having come forward in recent months to report missing relatives, government and military officials estimated that hundreds of poor farmers may have been killed and secretly buried in the paramilitary terror campaign that began in the late 1990s. The victims were most likely kidnapped for their land, or because they were supporters of Colombia's leftist guerrilla movement, the Revolutionary Armed Forces of Colombia (FARC). For many years, families were too afraid to speak out or report the crimes, but with the arrival of a new military commander who has secured the San Onofre region, where most of the crimes seem to have taken place, many people have begun to come forward. Investigators have so far dug up 72 bodies in El Palmar, a farming region just outside of San Onofre often used as a local base for paramilitaries, and authorities were working to uncover five other recently discovered grave sites. Ivan Wilches, whose brother disappeared last year, said, "A lot of people here have disappeared—sons, fathers, mothers, brothers... Every day there were people killed. They would pull them out of houses, breaking down doors. They would all wind up dead." The recent discoveries highlighted the disappearances of more than 3,500 people in the last decade. While authorities have reportedly arrested 11 paramilitaries in connection with the crimes, the two suspected leaders of the campaign, Commander Edward Cobos and Lieutenant Rodrigo Mercado Pelufo, were expected to benefit from Colombia's new Justice and Peace Law, which offers reduced sentences in exchange for disarmament. Because they are not obliged to divulge the details of their crimes, and because the new law allows only 60 days to build cases, the suspected masterminds could serve sentences as short as two years. ([BBC](#), August 10, 2005)

Skirting legality issues, U.S. to aid in paramilitary demobilization: Despite a U.S. ban on "material support" to armed groups listed on the State Department's "terrorism list," President Bush has decided to help Colombia fund the dismantling of its right-wing paramilitaries. A secret legal opinion was passed by the Justice Department to clear the way for the president to participate in this demobilization program. While the decision was passed June 21, progress was stalled by members of Congress who believe that the demobilization bill was too lax on the ex-paramilitaries. This decision could have far-reaching implications beyond Colombia, allowing the U.S. government to participate in future efforts to disarm or negotiate with other banned "terrorists." The program, backed by Colombian President Alvaro Uribe, offers paramilitaries from the Self-Defense Forces of Colombia (AUC) job training in exchange for laying down arms. Congressional aides have estimated that Bush's contribution to the program could be as much as \$48 million next year and up to \$200 million throughout the next several years. The U.S. government listed the AUC as a "terrorist organization" one day before the September 11, 2001 attacks occurred. The Patriot Act, passed soon after the attacks, set out harsh penalties for anyone offering "material support" to known terrorists. Before the June 21 decision, many State Department officials had expressed their fear at facing criminal charges for participating in the Colombia program. ([Reuters](#), August 9, 2005)

Colombia demands extradition of guerrilla trainers: Colombia is demanding the extradition of three Irish men convicted of providing military training for Colombian rebels, who secretly returned to the Irish Republic last year while out on bail. Niall Connolly, Martin McCauley, and James Monaghan, suspected Irish Republican Army (IRA) members, were sentenced in Colombia in June 2004 to 17 years in prison for traveling on false passports and training members of the Revolutionary Armed Forces of Colombia (FARC). Colombia's Vice President Francisco Santos said Irish authorities have a "legal and moral obligation" to return the men, and called on Prime Minister Bertie Ahern to "demonstrate his country's commitment to the global fight against terrorism." While the two countries do not currently have an extradition treaty, Colombian police are believed to be preparing an extradition warrant for the three men. Monaghan, interviewed by the Irish state broadcasting company at a secret location, expressed his feeling that, "[sending us back to Colombia] would be very remiss." A Northern Ireland official stated, "This is a matter for the Irish authorities. If they enter the UK, an extradition request will be dealt with without delay." Santos was adamant that the international police system return the trio to Colombia, saying, "They have a judicial sentence over their heads and we sincerely hope they pay for it." (BBC, August 7, 2005)

Bush, Uribe united in the "war on terror": On August 4, U.S. President George W. Bush announced his plan to renew funding for Colombia's fight against drugs. After Colombian President Alvaro Uribe met with Bush late last week, the two declared themselves united in the war against terror. As Uribe said, "We have made progress and we are winning, but we have not won yet... We cannot leave this task half finished, we must take it all the way to the end." The U.S. has provided more than \$3 billion to Uribe's government through Plan Colombia, the U.S. and Colombian initiative designed to stem cocaine production and wipe out the Marxist insurgency which has been fighting the government since the 1960s. Nearly 80 percent of U.S. aid money has gone to Colombia's notoriously corrupt military and police force. Despite criticism from analysts who maintain that Plan Colombia has done nothing to address the problems which led to the creation of the leftist guerrillas or far-right paramilitaries, President Bush said he was certain that Bogotá's strategy to "reduce the illegal drug trade, revitalize Colombia's economy, and strengthen its democratic institutions" was working. Even after senior State Department officials stated their desire to reduce the government's anti-narcotics aid for Bogotá after Plan Colombia expires later this year, Bush stated, "We'll ask the Congress to sustain our commitment to follow-on programs for Plan Colombia so Colombia can build on its progress and win its war against the narcoterrorists." Last week, Secretary of State Condoleezza Rice certified that Colombia was "respecting human rights and distancing itself from paramilitary groups sufficiently to allow U.S. aid to be given to its military." One fourth of U.S. aid for the Colombian military is contingent on Colombia's human rights record. Each year, the U.S. government has approved the handover of funds. President Bush said he wanted the world to "hear loud and clear that Colombia is a nation of law and human rights and dignity." (Reuters, August 4, 2005)

DEMOCRATIC REPUBLIC OF CONGO

Continued fighting in the east increasing cause for concern: Heavy fighting between local Mai Mai militias and members of the former rebel movement, the Congolese Rally for Democracy-Goma (RCD-G), caused approximately 40 Congolese gunmen and 100 civilians to flee into neighboring Uganda. While it was unclear whether the RCD-G fighters had been integrated into

the national army or were still an independently armed group, a spokesman for the UN Mission in the DRC (MONUC) told IRIN that those fleeing were government troops. Lieutenant Chris Magezi, an army spokesman in western Uganda, reported that the fighting around Ishasa, a town bordering Lake Edward in North Kivu province, ended on Sunday. Magezi also reported that those injured in the fighting were treated in Uganda before they, along with the remainder of those who fled, returned home August 8. While the situation has calmed considerably, Ugandan troops are still on alert in case Ugandan rebel groups based in the DRC decide to take advantage of the chaotic situation and attack Uganda. Six Mai-Mai militiamen and two civilians were killed in the attack. While the DRC's civil war officially came to an end in 2003, clashes have continued in the eastern regions of the country, where the government has been unable to impose its authority over the numerous armed groups that regularly attack civilians and army camps. (IRIN, August 9; MONUC, August 8, 2005)

Annan urges Kabila to address the Ituri crisis: On August 8, UN Secretary-General Kofi Annan pressed President Joseph Kabila to develop a comprehensive plan for the reintegration of the violent Ituri district into the rest of the nation. “[The transitional government] has yet to take the necessary measures to extend its authority, particularly security and administrative services, throughout the district,” he said. Annan also chided the Democratic Republic of Congo's neighbors for allowing the flow of illegal arms into the region and for continuing to exploit the country's rich mineral resources, saying, “I strongly urge neighboring states to ensure that remaining militia groups are not allowed to use their territories as rear bases, safe havens, or as a supply route for illegal arms trafficking.” Armed gangs terrorize civilian populations and more than 50,000 people have been killed in Ituri since 1999. (Reuters, August 8, 2005)

MONUC demands investigation of death of prominent human rights activist: The UN Mission in the DRC (MONUC) called August 3 for an inquiry into the murder of Pascal Kabangulu, a well-known Congolese human rights activist. MONUC reported that the assassination occurred when the 10th Military Region, responsible for controlling South Kivu province, was without a high commander, but he said the details of the killing were unclear. Sonia Baker, MONUC's officer in charge of human rights inquiries, said, “There are various versions of the assassination but we need an inquiry to determine the circumstances and authors...” Human Rights Watch (HRW) reported that Kabangulu was killed July 31 in his Bukavu home by “three armed men in uniform who broke into his home, dragged him out of his bedroom, and shot him in front of his family.” Family members reported that just before his murder, the attackers stated, “We were looking for you and today is the day of your death.” Kabungulu was the Secretary-General of Heirs of Justice, a prominent human rights organization known for uncovering grave human rights abuses and war crimes in eastern DRC. Human rights organizations in the DRC have noted that violence against activists has been on the rise. This year, a growing number of human rights advocates have received death threats after denouncing human rights abuses by provincial authorities and some have been forced to flee the country. Human Rights Watch, Amnesty International, and Dublin-based human rights organization, Front Line, said of Kabungulu, “[He] was a highly regarded and courageous defender of human rights who gave hope to ordinary people affected by war and misery... killing a human rights defender means spreading fear across whole communities in Congo.” (HRW, August 1; IRIN, August 3, 2005)

GENDER AND PEACE

UNICEF declares Afghan women in need of assistance: Women and children in Afghanistan continue to face an “acute emergency” due to extremely high maternal and infant mortality rates according to the United Nations Children’s Fund (UNICEF). Afghan girls’ school enrollment rates are among the lowest in the world, and female illiteracy is 85 percent. UNICEF Regional Director for South Asia, Cecilia Lotse, declared after a week-long visit to the area that girls were “very vulnerable” as their enrollment in secondary school is less than ten percent. This figure has remained low despite recent increases in school attendance, because girls must help their widowed mothers in the home. Afghan women’s lack of proper schooling “represents a tremendous waste of human potential and a tremendous unfulfilled promise,” said Lotse. The legal marriage age is 16, and 40 percent marry before the age of 18, with a third of these having a child before their 18th birthday. Additionally, malnutrition plagues nearly half the country’s children. Afghan women die due to birthing complications at a rate of 1,600 for every 100,000 mothers, and in some areas this number reaches 6,000 out of 100,000. It is estimated that 20 percent of Afghan children die of preventable diseases before age five. Lotse emphasized the need for investments in girls’ education and women’s health care to ensure a promising future for Afghanistan. The Afghan government pointed out the new obstetric center and public schools in the southern city of Kandahar to exemplify their progress on the issue of women. (HindustanTimes, August 5; IRIN, July 13; UNICEF, August 4, 2005)

INTERNATIONAL HUMAN RIGHTS

High prices and falling livestock value cause Niger food shortage, say analysts: Analysts believe that high food prices and falling livestock value were the main reasons for Niger’s food crisis this year. Regional economists explained that each year food prices fall from September to December. Yet last year, food prices not only did not fall, but from January onward soared to unprecedented levels. Economists believe that traders, foreseeing a food shortage due to locusts, held on to food stocks in the fall. While the locusts affected some crops, most of the damage was done to livestock, a traditional bartering commodity. “In the bad areas it now takes two to three animals to buy the same quantity of food that previously cost just one,” said Salif Sow, regional representative of the Famine Early Warning Systems Network (FEWS NET). Many aid organizations have continued to blame donor countries’ lack of initiative to respond to the crisis. Until July, the WFP was extremely divided on the question of when it is worth the risk of upsetting food markets to distribute free food, given that food insecurity occurs each year. This year, an estimated 3.6 million out of a population of 12 million have been affected by food insecurity, while 2.5 million have been classified as extremely vulnerable. A UN Food and Agricultural Organization (FAO) ten-year study found that in any given year, 36 percent of children in Niger were underweight, 32 percent stunted by malnutrition, and 15 percent severely stunted. “Every year the levels of malnutrition in Niger pass over the emergency threshold,” said World Food Program (WFP) information officer, Marcus Prior, “In many senses I don’t think [the current nutrition crisis] is very new.” WFP officials have concluded that the biggest challenge facing Niger will be not this year or next years’ food crisis, but the ongoing challenge of extreme poverty. (IRIN, August 5, 2005)

Mali’s food shortage is being ignored, says aid agency: In a statement released August 3, British aid agency Oxfam appealed to the international community to stop the worsening food crisis in Mali. Likening the Malian crisis to that in neighboring Niger, Oxfam urged donors to assist the

estimated 1.1 million people in Mali before they reach a critical stage. “Donors have a window of opportunity. They can help to avert a major food crisis in Mali, but they must act now,” said Natasha Kofoworola Quist, Oxfam Regional Director for West Africa. However, in response to Oxfam’s appeal, Lansry Nana Yaya Haidara, a Mali government food commissioner, denied the validity of comparisons with Niger, claiming that Mali is facing a “particularly severe lean season.” The Sahelian belt that stretches from Mauritania to Chad and across northern Mali was affected by last year’s locust plague. Aid workers have classified the western district of Kayes, along with Mopti, Timbuktu and Gao on the Niger River, and Kidal in the northeast as particularly hard-hit by the food crisis. According to Haidara, food shortages have occurred on a yearly basis in these regions, where farmers always endure a lean season before the September harvest. Despite the varying definitions and debates about “food shortage,” “crisis,” and “famine,” photographs of hungry children in the media have prompted an increase in donor aid in response to the UN World Food Program (WFP) appeal of \$7.4 million; aid increased by 14 percent in July and 33 percent in August. Mali, Mauritania and Niger, are among the countries hit by last year’s drought and locust plague, pushing the already vulnerable populations into various stages of food shortage. (IRIN, August 3, 2005)

AU chairman appoints former Mozambican president as “special representative” to Zimbabwe: African Union chairman Olusegun Obasanjo appointed former Mozambican President Joaquim Chissano as a special representative to Zimbabwe. In a press conference announcing the decision, AU spokesman Adam Thiam was unable to give details on the exact nature or duties of Chissano’s position as special representative. The Zimbabwean daily, The Herald, reported August 10 that Chissano would act as mediator between President Robert Mugabe’s ZANU-PF party and the main opposition party, Movement for Democratic Change (MDC). However, Mugabe stated August 8 that he refused to hold further talks with the MDC, describing them as “stooges and puppets.” Chris Maroleng of the Pretoria-based Institute of Security Studies said, “as Chissano’s terms of reference are unclear, it is difficult to speculate what he would set out to do.” Maroleng also suggested that Chissano might have been appointed because Obasanjo could not devote enough time and attention to the Zimbabwean demolition crisis. Unofficial talks between ZANU-PF and the MDC have stalled and re-started several times since the controversial 2002 presidential elections. The current situation, in which over 700,000 people in Zimbabwe’s urban slums have been displaced in “Operation Restore Order” and “Operation Remove Trash,” have further exacerbated the rift between the two parties. (IRIN, August 10, 2005)

NEPAL

Maoist leader promises release of 52 RNA soldiers from recent clash, also assures cooperation with OHCHR: In a statement released August 10, Maoist leader Prachanda promised to release all 52 soldiers held captive since Sunday night’s clash between rebels and soldiers of the Royal Nepalese Army (RNA) at Pili security base camp in Kalikot district of mid-western Nepal. Prachanda also denied RNA allegations that Maoists shot 40 soldiers after taking them captive. According to RNA spokesman Deepak Gurung, out of the 180 soldiers initially thought to be missing, 111 have made contact with the RNA since the August 7 clash; 70 are still considered missing including the 52 that Maoists claimed to have captured. Maoist rebels apparently ambushed the base camp late Sunday night, where 200 security men and 100 civilian construction workers were building the Surkhet-Jumla section of the Karnali Highway. This is the first Maoist attack on the construction of the Karnali Highway since 2003. While the

Maoists have reported that 26 rebels died in the battle, there are no reports on civilian casualties. Ian Martin, the Nepal representative of the UN High Commissioner of Human Rights (UNHCHR), appealed to the rebels August 9 to respect international human rights when dealing with captives. In response to Martin's statements, Prachanda has said that all captives are being treated humanely and will be released at an appropriate time. The Maoist chief also pledged his party's commitment to helping the UN Office of the High Commissioner for Human Rights (OHCHR) in Nepal. "The OHCHR will be given unhindered access to any parts of conflict-affected zones in the country to investigate and monitor the incident sites and will allow meetings with the captives that are under our control," said Prachanda in his statement. While the Maoists have made a number of statements in the past regarding their willingness to cooperate with the UN and other international human rights bodies, the OHCHR just recently established contacts with the party's central levels. (BBC, August 10; Kantipur, August 8, 9, 10, 2005)

King has taken little movement towards democracy, says U.S. ambassador: U.S. Ambassador to Nepal James F. Moriarty has said that the palace has made little movement since May toward multiparty democracy. In a program organized by the Nepal Council for World Affairs and the American Center in Kathmandu August 9, Moriarty explained that an end to the state of emergency and the release of most political prisoners signaled some degree of progress, yet recent actions have shown that the palace has gone back on its stated goals to end corruption, fight terrorism, impose fiscal discipline and ensure good governance. How can the government say it is operating with good governance under the rule of law when the extrajudicial Royal Commission for Corruption Control's recent verdict looks more like a political vendetta than a serious exercise of judicial authority and when people who exercise their constitutional right to freedom of expression are imprisoned for sedition?" asked Moriarty. Moriarty went on to suggest that King Gyanendra should make the first move toward reconciliation between the palace and the political parties, and that the parties should welcome his initiative to fight the Maoists on a common front. Moriarty made his speech just one day after government spokesman Tanka Dhakal warned foreign diplomats of expulsion if they continued to criticize the Nepalese government. In reference to British Prime Minister Tony Blair's recent statement announcing the deportation from Britain of extremists, Dhakal said, "Even a developed country like Britain has said that it would expel foreigners who support terrorists." Ambassador Moriarty is one of many U.S. officials who have condemned the king's February 1 seizure of power as a major setback to democratic progress. Since the coup, the U.S. has halted all shipments of lethal military weapons to Nepal. (Kantipur, August 8, 9, 2005)

Supreme Court decides against government in FM radio case, 15 stations begin broadcasting news: A day after the Supreme Court issued an order to the Ministry of Information and Communication against seizing Nepal FM 91.8's license, 15 independent radio stations across the country began broadcasting news. Many more FM stations have stated they will resume news broadcasting within the next few days. Nepal FM 91.8 Managing Director Bishnu Hari Dhakal appeared in court August 9, along with a number of lawyers and advocates of the Save Independent Radio Movement (SIRM), asking the court to nullify a government ban on news broadcasts. The private radio station has been airing news for nearly a month; however, it received a letter August 3 from the Ministry of Information and Communication asking why the radio station should not be closed down for airing "illegal" news. The letter warned that Nepal

FM 91.8 could lose its operational license within a week. Since King Gyanendra imposed a state of emergency February 1, there has been a complete ban on private stations' news broadcasting. Even after the state of emergency was lifted April 29, the ban remained; only state radio was allowed to broadcast news, private stations could only broadcast entertainment. "The court decision upholds the right of the people," said Shiva Gaunle, Vice-President of the Federation of Nepalese Journalists. Radio producer Gopal Guragai urged FM stations to continue their pressure on the government since the court's decision is only an interim one. Nonetheless the court order was hailed as a historic decision by many of Nepal's leading journalists, lawyers, and human rights advocates. International Federation of Journalists and Reporters without Borders also welcomed the Supreme Court's decision in separate statements. Analysts have observed that banning news broadcasts is especially troubling because FM radios serve as the only means of communication between Kathmandu and the rest of the country. By maintaining a secure zone around Kathmandu and cutting the flow of communication between the capital and rural districts, the king has attempted to create an illusion of peace for the urban population, while the Maoist insurgency continues throughout the rest of Nepal. (ICG, February 9; Kantipur, August 9, 10, 11, 12; Reuters, August 4, 2005)

Supreme Court set to decide the constitutionality of RCCC: Nepal's Supreme Court ordered the Royal Commission for Corruption Control (RCCC) August 8 to provide the court with reasons as to why the RCCC took up a case already being considered by the Supreme Court. The case in question dealt with alleged irregularities in the distribution of state funds to party members by the then government of Sher Bahadur Deuba. According to Nepali law, a case considered in one court cannot be taken or even discussed by another institution, so as to prevent any influence on the case's judgment; the institution would be subject to contempt of court. Madhav Basnet, a Nepalese lawyer, filed a contempt of court case against the RCCC following the commission's verdict two weeks ago on former Prime Minister Deuba, sentencing him to two years imprisonment and a \$1 million fine. The Supreme Court has also registered a large number of petitions produced before the court that question the very constitutionality of the RCCC. Until now, the Supreme Court had rejected the petitions on the grounds that the actions of King Gyanendra cannot be directly questioned in court. The RCCC was established by the king soon after the February coup in order to investigate and try government officials accused of corruption. The commission has been condemned by Nepalese civic organizations and much of the international community as politically motivated. (Kantipur, August 8, 2005)

RWANDA

Survivors resent government's decision to free genocide suspects: On August 8, Rwandan genocide survivors issued a collective complaint against the government's decision to release some 36,000 inmates late last week, 90 percent of whom had confessed to playing some role in the 1994 genocide. While government officials have repeatedly guaranteed that the release was not a bid for amnesty, representatives and members from Ibuka, an umbrella organization of genocide survivors, stated, "their release will only serve to weaken the Gacaca courts as survivors will find these courts irrelevant." The Gacaca courts are local, community-based courts set up in 2002 to ease the heavy load on the country's national court system. Many survivors also felt that, as the primary stakeholders, they should have been consulted in the management of the genocide's aftermath. Francois Xavier Ngarambe, president of Ibuka, said that the release process was carried out with a high degree of secrecy. "Procedures were not

clear and on several occasions we were denied access to the lists of the suspects to be released, and factors based on to take such a decision,” he said. Ibuka has also alleged that some of those released were masterminds behind the genocide, saying, “Some of them are notorious *genocidaires* who committed such crimes as gang rapes and killings.” Many survivors feel that those released pose a significant threat to their safety. However, Rwanda’s Chief Prosecutor, Jean de Dieu Mucyo, denied Ibuka’s claims and accused the organization of lying about not being consulted. In 2003, approximately 24,000 prisoners were released by presidential decree, and another 3,000 were released last year. With as many as one in ten Rwandans facing charges relating to the genocide, the country is struggling to carry out justice and promote local and national reconciliation. ([AllAfrica](#), August 7; [Reuters](#), August 9, 2005)

SRI LANKA

Foreign minister shot dead: Sri Lankan Foreign Minister Lakshman Kadirgamar was assassinated August 12 in the capital city of Colombo. An unidentified assailant shot the minister close to his highly-secured home. Kadirgamar was rushed to the hospital and remained in intensive care until pronounced dead at age 73; he was part of the minority Tamil population and a close adviser to President Chandrika Kumaratunga. It has been approximately three and a half years since a cease-fire agreement was signed between the government and Tamil separatists, and despite numerous breaches, to date the ceasefire has held. ([BBC](#), August 12, 2005)

Debate over presidential election date continues: President Chandrika Kumaratunga asked the Supreme Court to rule on Article 129 of the constitution, which pertains to the timing of presidential elections. The main opposition party to the government’s United People’s Freedom Alliance (UPFA), the United National Party (UNP) led by Ranil Wickremesinghe, has started a petition campaign to force elections in December 2005 as opposed to December 2006. The UNP’s aim is to collect over one million signatures and hand over the petition to the election commissioner, who is to make the final decision. President Kumaratunga has argued that she started her presidential career in 1994 and was re-elected for a second six-year term, and should thus be allotted the full 12 years in office. However, others assert that the president’s second term began in December 1999 after she called for snap elections, and thus her term would end December 2005. President Kumaratunga claims that her term was extended by one year, until 2006, when she was formally installed in a second, and secret, swearing-in ceremony in 2000 at which the chief justice and foreign minister were the only ones present. In Sri Lanka a president can serve a maximum of two six-year terms. ([BBC](#), August 3; [ColomboPage](#), August 4; [Xinhua](#), August 8, 2005)

Accidental killing sparks murder of police superintendent: In a barber shop in the Inuvil area of Jaffna August 4, a soldier was arrested after his gun accidentally fired and killed a Tamil youth. In response, angry protestors led by the Liberation Tigers of Tamil Eelam (LTTE) burned tires and set fire to military vehicles. Riot police were sent to the scene, and Jaffna Superintendent of Police W.D. Charles Wijewardene tried to disperse the crowd. Later the superintendent’s body was found four kilometers away from the barber shop stabbed and mutilated. Eyewitnesses claim that three LTTE cadres captured Wijewardene, put him in a car, and drove off. The government-controlled areas in Jaffna were brought under a 32-hour curfew, but the curfew was lifted early because tensions had eased. President Chandrika Kumaratunga issued a statement

condemning the killings, offering her condolences, and calling for calm and restraint. Controversy has surrounded the incident because the Scandinavian Sri Lanka Monitoring Mission (SLMM) was called to the scene immediately as tensions grew, yet took one and a half hours to arrive from only four kilometers away. It was during that time that the LTTE led mobs to attack security forces. (Asian Tribune, August 5, 7; Aftenposten, ColomboPage, August 5, 2005)

SUDAN

Calm resumes after last week's burst of violence: Violence erupted in Khartoum after the announcement of John Garang's death, with frustrated southerners attacking Arab-owned shops while Arab gangs attacked in reprisal. At least 111 were killed in Khartoum and 19 others in the southern towns of Juba and Malakal. Human Rights Watch (HRW) released a report August 4 calling for the United Nations Mission in Sudan to carry out an independent investigation to determine whether the killings were organized or spontaneous. Joint government and Sudanese People's Liberation Army (SPLA) patrols intervened to restore calm. Jemera Rone, Sudan researcher for HRW said, "the Sudanese government's joint patrols with SPLA forces appear to have calmed Khartoum's suburbs, but an independent investigation of the events is vital to restore confidence on all sides." Lorena Brander, spokesperson for the International Committee of the Red Cross in Khartoum said that despite a great number of policemen in the street, the military has reduced its deployment and that "since [Thursday] morning, no incidents have been reported to us. The situation in Khartoum is calm, quiet." Speaking at Garang's burial Saturday, the new leader of the SPLM, Salva Kiir, called for calm. Kiir pledged his commitment to the peace accord, and called for a comprehensive peace that would also include the eastern and western regions of Sudan. Also on the occasion of Garang's burial, U.S. special envoy to Sudan Roger Winter expressed his optimism for the peace process. After 21 years of civil war, the government of Sudan and the Sudanese People's Liberation Movement had signed a peace agreement January 9 and Garang had been appointed Vice-President on July 9. (AFP, August 6; AP, August 7; HRW, August 4; IRIN, August 5 2005)

Kiir and the SPLM face challenges: Many clauses of the Sudanese peace deal had not yet been implemented and many issues are not settled. John Garang had not named the candidates to the government of national unity nor to the National Assembly. The southern government and joint committees were also due to be established August 9. "When these institutions are not yet there you cannot easily go forward because [the Sudanese People's Liberation Movement – SPLM] will work separately, the government will work separately. We have to do that together. We have to establish these committees," said Jan Pronk, speaking at Garang's burial. Other challenges include the disputes over the oil areas and disarmament of government-allied southern militias. UN envoy Jan Pronk urged new SPLM leader and Sudanese Vice-President Salva Kiir to push for a resolution over oil rich regions in central Sudan. "The problems are on the fringes of central Sudan," he said. The Abyei region, an oil-rich region, is contentions, and Arabs dispute the international commission's decision that it belongs to the South. Moreover, the ICG released a report August 9 over the challenges the SPLM has had with restructuring. The movement was highly centralized around John Garang, and lacked strong civilian structures. According to ICG, inner conflicts in the movement are likely without Garang's strong hand and outstanding political skills. Kiir, John Garang's long-time friend and deputy was chosen last Monday as his

successor and was sworn in on Thursday. ([AFP](#), August 7, 8; [Allafrica](#), August 9; [IRIN](#), August 8, 2005)

UGANDA

Uganda calls for an IGAD summit and mourns Garang in a national ceremony: Following John Garang's death, Uganda has called an emergency Intergovernmental Authority on Development (IGAD) summit, set to take place around August 20. The IGAD, composed of east African member states, monitored the peace process that led to the Comprehensive Peace Agreement signed January 9 by John Garang and President Omar al-Bashir. The IGAD's agenda is an evaluation of the regional situation after Garang's death and a follow-up on the peace process. In Uganda, a national ceremony was held in Kampala's Independence Square on Thursday to commemorate the death of Garang and the seven Ugandans who died in the helicopter crash (there were 14 casualties—six Sudanese were killed in addition to Garang). The bodies were identified by a team of 11 experts led by Ugandan Internal Affairs Minister Ruhakana Rugunda, who flew to the crash site August 5. Ugandans who died in the crash were: Col. Peter Nyakairu, the President's chief pilot; Capt. Paul Kiyimba, the co-pilot; the chief of Protocol at State House, Samuel Bakowa; the jet officer, Lt. John Munanura; the flight engineer Maj. Patrick Kiggundu; Lillian Kabaije an air hostess and Corporal Hassan Kiiza, a Presidential Guard Brigade (PGB) signaler. Ugandan foreign minister in charge of international affairs, Okello Oryem reported that August 11 was declared a national holiday. On Friday, President Yoweri Museveni went to the town of Yei in southern Sudan to pay his last homage to Garang. However, Museveni did not attend the funeral of Garang in Juba on Saturday, saying he was too grieved. Museveni and John Garang were long time friends and allies. On July 31, Garang died after a visit to Museveni when his helicopter crashed at the border between Uganda and Sudan. ([IRIN](#), August 3, 2005)

Museveni declares Garang's death may not be an accident, international team investigates: On Friday, President Yoweri Museveni shook international opinion by saying that Garang's death may not have been an accident. "Some people say accident, it may be an accident, it may be something else," Museveni told mourners in Yei. Sudanese officials found the declaration misplaced, since the international team set up to investigate has not yet given out any results. Museveni had decided to create a panel of experts to investigate the crash, and a U.S. team joined them for technical assistance, led by the U.S. National Transportation Safety Board (NTSB), an independent federal agency with experience in investigating civil aviation accidents. The team also included officials from Kenya, Britain, Russia and the United Nations. In related news, reports released by the Kenyan daily [New Times](#) said that the Russian-built Ugandan presidential helicopter was not airworthy and had been involved in more than six crash accidents eight months ago. The Ugandan opposition daily [The Monitor](#), reporting on a parliamentary committee discussion, quoted MP Aggrey Awori as saying "This helicopter had structural problems. It was unfit to fly at night." Army Spokesman, Lt. Col. Shaban Bantariza dismissed the information. Bantariza also dispelled the allegation that the LRA was behind the crash. "LRA rebels have no technology to shoot down the ultra-modern presidential chopper. The crash wasn't in their area of operation," he said. Many conspiracy theories have been advanced since Garang's death. ([AFP](#), August 6, 8; [AllAfrica](#), August 4, 5, 2005)

Radio station closed in Uganda: A radio station was closed on Thursday August 11 for broadcasting a talk show debating the circumstances of Garang's death. Uganda's Media Council accused the radio station KFM, which belongs to the same company as the opposition daily The Monitor, of "offending the minimum standards" of the broadcast law. President Yoweri Museveni had warned that publishing conspiracy theories about Garang's death was inappropriate, even stating "Now, any newspaper which plays around with regional security, I will not tolerate it. I will just simply close it, finish, the end." On Friday, the well-known journalist Andrew Mwenda who hosted the show was being held and interrogated, but Ugandan police refused to give details about the nature of the interrogation process. Peter Mwesige, Mwenda's employer, said that he was waiting for new developments. Media freedom advocates unanimously condemned the radio stations closure. "Silencing a radio station is a serious action that aggravates problems rather than resolving them," stated Reporters without Borders. The Committee to Protect Journalists (CPJ) called for the government to re-open KFM immediately. Uganda Journalist Association (UJA) believes the Broadcasting Council abused its power. The National Institute of Journalists of Uganda stated that limiting press freedoms undermines security more than the station's comments. At a time when a recent referendum has ostensibly sought to reform Ugandan politics in favor of multi-party democracy, such an arbitrary decision worries Ugandans. Museveni is one of the few leaders who has publicly expressed doubts that the crash was an accident. (BBC, AFP, August 12, 2005)