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# Sacred water that sustains all life

*In the January-February 2005 issue of NewsNotes we began a reflection on water, a basic right and critical issue in these times. The Maryknoll Office for Global Concerns finds the debate about water permeating many dimensions of our work for social justice, peace and the integrity of creation. As the Permanent Forum on Indigenous Issues convenes at the United Nations in New York from May 16-27, we thought it appropriate to hear from indigenous peoples their reflections on "sacred water that sustains all life." The following is excerpted from their declaration during the Third World Water Forum in Kyoto, Japan, March 2003. The entire text is available at <http://www.treatycouncil.org>.*

## **Relationship to water**

We, the Indigenous Peoples from all parts of the world assembled here, reaffirm our relationship to Mother Earth and responsibility to future generations to raise our voices in solidarity to speak for the protection of water. We were placed in a sacred manner on this earth, each in our own sacred and traditional lands and territories to care for all of creation and to care for water.

We recognize, honor and respect water as sacred and sustains all life. Our traditional knowledge, laws and ways of life teach us to be responsible in caring for this sacred gift that connects all life.

Our relationship with our lands, territories and water is the fundamental physical cultural and spiritual basis for our existence. This relationship to our Mother Earth requires us to conserve our freshwaters and oceans for the survival of present and future generations. We assert our role as caretakers with rights and responsibilities to defend and ensure the protection, availability and purity of water. We stand united to follow and implement our knowledge and traditional laws and exercise our right of self-determination to preserve water, and to preserve life.

## **Conditions of our waters**

The ecosystems of the world have been compounding in change and in crisis. In our generation we see that our waters are being polluted with chemicals, pesticides, sewage, disease, radioactive contamination and ocean dumping from mining to shipping wastes. We see our waters being depleted or converted into destructive uses through the diversion and damming of water systems, mining and mineral extraction, mining

of groundwater and aquifer for industrial and commercial purposes, and unsustainable economic, resource and recreational development, as well as the transformation of excessive amounts of water into energy. In the tropical southern and northern forest regions, deforestation has resulted in soil erosion and thermal contamination of our water.

The burning of oil, gas, and coal, known collectively as fossil fuels is the primary source of human-induced climate change. Climate change, if not halted, will result in increased frequency and severity of storms, floods, drought and water shortage. Globally, climate change is worsening desertification. It is polluting and drying up the subterranean and water sources, and is causing the extinction of precious flora and fauna. Many countries in Africa have been suffering from unprecedented droughts. The most vulnerable communities to climate change are Indigenous Peoples and impoverished local communities occupying marginal rural and urban environments. Small island communities are threatened with becoming submerged by rising oceans.

We see our waters increasingly governed by imposed economic, foreign and colonial domination, as well as trade agreements and commercial practices that disconnect us as peoples from the ecosystem. Water is being treated as a commodity and as a property interest that can be bought, sold and traded in global and domestic market-based systems. These imposed and inhumane practices do not respect that all life is sacred, that water is sacred.

When water is disrespected, misused and poorly managed, we see the life threatening impacts on all of creation. We know that our right of self-determination and sovereignty, our traditional knowledge, and practices to protect the water are being disregarded violated and disrespected.

Throughout Indigenous territories worldwide, we witness the increasing pollution and scarcity of fresh waters and the lack of access that we and other life forms such as the land, forests, animals, birds, plants, marine life, and air have to our waters, including oceans. In these times of scarcity, we see governments creating commercial interests in water that lead to inequities in distribution and prevent our access to the life giving nature of water.

*Indigenous rights and the peoples' Plan of Action will be included in the July-August issue of NewsNotes.*

## Unocal settles lawsuit over Burma pipeline

*Unocal has settled a human rights lawsuit that accused the U.S. oil company of complicity in forced labor, rape and murder. The abuses were allegedly committed in the mid-1990s by soldiers providing security for Unocal's natural gas pipeline in southern Burma. The suit was filed on behalf of 15 Burmese villagers in Los Angeles County Superior Court in 1996.*

Monetary terms of the settlement were not made public. However, EarthRights International says the financial settlement will help the plaintiffs develop programs to improve living conditions, health care and education, and will protect the rights of people from the pipeline region. The settlement closes several cases filed by two groups of plaintiffs in California and federal courts.

EarthRights International is a nonprofit, nongovernmental organization that helps defend human rights and the environment.

The Unocal case was brought under the U.S. Alien Tort Claims Act of 1789. It alleged that the company knew or should have known the Burmese army was committing human rights abuses while providing security for the \$1.2 billion pipeline project in Southeast Asia.

Plaintiffs in the suit, who lived in a remote region near the pipeline, said they were forced to work on the project with little food or rest despite the intense tropical heat. Soldiers assigned to guard the pipeline were accused of killing the baby of one worker who escaped from forced labor, and raping a girl and her great-aunt.

The plaintiffs, fearing for their safety, live in hiding and filed suit in the U.S. as John and Jane Does to shield their identities.

Unocal said that no forced labor was used on the pipeline project and that it wasn't aware of any of the violent acts the soldiers allegedly committed.

Unocal is one of four investors in Burma's Yadana pipeline, which has a 30-year contract to deliver 525 million cubic feet of natural gas per day to Thailand.

California Superior Court Judge Victoria Chaney refused a Unocal motion for dismissal last September, clearing the way for a jury trial after eight years of litigation. Richard Herz of EarthRights, co-counsel for the plaintiffs, said at the time, "There is abundant evidence that the Burmese military, Unocal's project partner, forced villagers to perform hard labor against their will and committed widespread human rights

violations for Unocal's benefit."

Unocal had argued the case should not proceed in light of the court's earlier ruling that Unocal subsidiaries in the project were separate entities from Unocal. Chaney rejected that argument, holding that her prior decision "does not preclude [the plaintiffs] from proving defendants controlled specific aspects of the Yadana project to an extent beyond that permissible by a mere owner."

The suit was the furthest along of about three dozen cases that charge corporations in U.S. courts with alleged crimes in other countries in violation of international treaties. Its outcome was being closely watched in the U.S. and abroad. "This will have a ripple effect on cases around the world," said Bama Athreya, deputy director of the Washington-based International Labor Rights Fund, a public interest law organization.

Other U.S. companies facing similar lawsuits include Exxon Mobil Corp. in Indonesia; Fresh Del Monte Produce Inc. in Guatemala; ChevronTexaco Corp. in Nigeria; and Occidental Petroleum Corp., Coca-Cola Co. and coal miner Drummond Co. in Colombia.

Business lobbying groups contend that cases dealing with overseas disputes don't belong in U.S. courts. The Bush administration maintains that the lawsuits make it difficult to conduct foreign policy.

Robert Benson, a Loyola Law School professor who specializes in international human rights law, said Unocal's decision to settle indicates that the company "wanted to avoid a trial where humble villagers get on the stand and talk about rape and murder."

Paul Hoffman, co-counsel for the plaintiffs, said the case serves as a warning. "This is an important decision," he said, "not only because it allows Unocal to be held liable for abuses committed overseas, but also because it tells other multinational corporations that go into business with repressive dictatorships that they are responsible for their partners' human rights violations."

The settlement is probably one of Unocal's last major actions as an independent oil company. Pending approval by its shareholders and federal authorities, Unocal will be acquired by ChevronTexaco Corp., the nation's second largest oil company, for about \$16.4 billion. Unocal has been considered an attractive takeover target for years, largely because of its natural gas in Asia and oil in the Gulf of Mexico. Unocal earned \$1.21 billion last year, nearly twice its profit of the previous year.

## Philippines: Mining Act is constitutional

*The Philippine Supreme Court has ruled that the country's Mining Act is constitutional, giving the go-ahead for an expected surge in foreign investment in mining. The decision reverses a ruling by the Court in January 2004 that said foreign-led mining fell afoul of constitutional provisions forbidding foreign ownership and control of the country's resources.*

Indigenous and environmental critics have described the 1995 Mining Act as a legal instrument that essentially sells the country's sovereignty over managing its own resources. The Mining Act allows the government to enter into Financial or Technical Assistance Agreements (FTAA) with mining companies for the extraction of the country's mineral resources.

The Court's decision came against a backdrop of fiscal crisis, with the government arguing that mining resources were crucial to addressing its fiscal woes. President Gloria Macapagal-Arroyo authored the Mining Law a decade ago when she was a senator. During her presidency, her administration has been characterized by growing debt, a widening budget deficit and falling tax collections.

Government expectations of the Mining Act are high. Arroyo said the country's mineral worth of more than \$840 billion is more than enough to erase the government's budget deficit and other fiscal woes for years to come.

Trade and Industry Secretary Cesar Purisima said the government hopes to attract \$6.5 billion in mining investments over the next six years and export some \$3.1 billion worth of minerals annually. The government claims that new and expanded mining projects should generate \$490 million in tax revenues and employ 34,800 workers, besides providing more than 200,000 indirect jobs.

However, anti-corporate mining groups have denounced the government's mining policy. The B'laan tribal groups filed a petition under the La Bugal Tribal Association in 1997 challenging the constitutionality of the Mining Act. The Supreme Court upheld the constitutionality of the Mining Act on December 1 in a 246-page decision – the longest ruling in the court's 104-year history. In February it denied a motion for reconsideration.

Anti-mining activists say billions of pesos have been lost in potential tax revenue as a result of incentives to mining firms under the Mining Act. They say that, while the president might be hoping that sustain-

able mining will prove to be a fiscal savior, Arroyo is courting disaster by opening up many mining sites while leaving local populations to pay for any negative impacts.

Critics warn that policies associated with the Mining Act will allow mining corporations to secure their investments while evading their social responsibility. They say the country is not even assured of increased tax revenues, since the government can collect taxes from companies only after the company has earned its capital. This, critics say, can take seven years – or enough time for mining firms to under-declare their profits or simply pull out and claim “unstable investment climate” or other reasons.

About 23 mining projects are included among the government's Investment Priority Projects. These afford a range of special incentives including six-year tax holidays, three-year tax holidays for expansion projects, a 10-year exemption from export taxes and other fees, and exemption from corporate income tax. In short, critics say, the government's mining policy allows mining firms to fully repatriate their earnings, including any excess capital, during their first decade of operation and even beyond.

In January 2004 the Supreme Court held that the Mining Act was unconstitutional because it allows foreign control of the country's natural resources through FTAA's. In reversing itself last December, the Supreme Court said “the Constitution should be read in broad life-giving strokes.”

Public interest groups and people's organizations say the Supreme Court's reversal opens the country to potential disaster since the government's mining policy expands perks and incentives to mining companies. The Mining Act allows foreign mining firms the right over use of water resources, the right to classify mining lands, and the right to displace communities in the right-of-way of exploration projects.

This has been the experience of indigenous groups around the country, such as the Subanon people, who have been calling attention to the recent militarization of their areas as a result of mineral operations by the Canadian company Toronto Ventures, Inc.

Communities have also expressed concerns that rushing the approval of mining permits will reduce the ability of the Department of Environment and Natural Resources to review the environmental and social responsibility records of mining firms before they are allowed into the country.

## Thailand: Burmese democracy activists targeted

*Human Rights Watch (HRW) said a plan of the Thai government to require Burmese refugees to move into camps along the Burmese border would undermine efforts to promote human rights and democracy in Burma. HRW said the forced relocation of Burmese refugees to camps was a clear effort by Thailand to improve relations with the military junta in Rangoon.*

Thai authorities say those who fail to register at the camps – including officially recognized refugees – will be arrested and deported to Burma. They also say those who do not register will no longer receive protection or assistance from the UN High Commissioner for Refugees (UNHCR) in Thailand, and they will be barred from resettlement abroad. However, HRW says many deportees would likely face mistreatment or even imprisonment in Burma.

The plan called for all Burmese refugees in Thailand to move to camps along the Burmese border by March 31. A month later there were no details from Thailand on its implementation. However, the UNHCR and relief organizations expressed concern about the difficulty of reaching all urban Burmese and refugees in Thailand – who live under constant threat of arrest and deportation, and thus frequently move from place to place – by March 31.

Human Rights Watch says the purpose of the government policy, which affects some 3,000 Burmese refugees, is to destroy the small but vocal Burmese pro-democracy movement based in Thailand. It urged the U.S., the UN, the European Union and others who promote democracy in Burma to try to persuade the Thai government to reverse its decision.

“The Thai government seems happy to have Burmese in the country to provide the cheap labor that is one of the backbones of the Thai economy, but only so long as they keep quiet,” said Brad Adams, Asia director for Human Rights Watch. “It has tried and failed to intimidate activists into silence. So now it is moving activists into what are little more than open detention centers.”

International law allows restriction of a refugee's freedom of movement and choice of residence only when necessary, for example for national security. However, the Thai government has presented no evidence that recognized refugees in Thailand have caused any problems that would require it to put all such persons into virtually closed camps, HRW says.

The nongovernmental human rights organiza-

tion says rules barring residents from using mobile phones or the Internet in the rural camps indicate the real reason for requiring the refugees to move. The rules would make it difficult for the refugees to communicate their concerns about events in Burma to the outside world. They would also be unable to convey information about potential security problems in the camps, which are located near the often volatile Burma border.

Since Prime Minister Thaksin Shinawatra took office in 2001, the Thai government has promoted better business and political relations with Burma's State Peace and Development Council ahead of individual rights, HRW says. Thailand regularly deports as many as 10,000 Burmese migrants a month to Burma.

After the 1990 crackdown by the Burmese military on democracy activists, including the National League for Democracy (NLD) and its leader, Daw Aung San Suu Kyi, many Burmese democracy activists fled to Thailand for safety.

Previous Thai governments allowed Burmese activists to reside in Thailand and carry out their pro-democracy and human rights activities. Cities such as Bangkok, Chiang Mai and Mae Sot, with their proximity to Burma and their modern telecommunications infrastructure, became the center of Burmese pro-democracy activities.

Although Thailand is not a party to the UN Refugee Convention, HRW says it is nonetheless bound to respect the principle of customary international law called non-refoulement, which prohibits the return of an individual to a state where he or she is likely to face persecution.

In May 2004, Thai authorities arrested and detained 34 pro-democracy activists, including a three-year-old child, for staging a peaceful protest in front of the Burmese embassy in Bangkok. The protest marked the 14th anniversary of the 1990 Burmese election, won by the NLD. The Thai government backed down from its plan to deport the group to Burma only after intense pressure from the human rights and international community.

In 2003 Thaksin was clearly displeased when Burmese protestors – including some recognized refugees – demonstrated in front of the Burmese embassy in Bangkok after an attack May 30 on Aung San Suu Kyi. Thai police arrested and detained 26 Burmese demonstrators – including two children – after two separate rallies.

# Vietnamese appeal Agent Orange case dismissal

*Attorneys for the Vietnamese plaintiffs whose lawsuit against U.S. chemical manufacturers of Agent Orange was dismissed have appealed the ruling. The class action lawsuit on behalf of some four million Vietnamese claimed that U.S. chemical companies committed war crimes by manufacturing Agent Orange for military use during the Vietnam War.*

U.S. District Court Judge Jack B. Weinstein threw the case out March 10 in Brooklyn. He said the allegedly toxic defoliant and similar U.S. herbicides used during the Vietnam War could not be considered poisons banned under international rules of war, even though they may have had comparable effects on people and land.

He also said allegations that the chemical caused birth defects and illness had not been proved, largely because of a lack of large-scale research.

The lawsuit was the first effort by Vietnamese plaintiffs to seek compensation for the effects of Agent Orange, which was laden with the highly toxic chemical dioxin and has been linked to cancer, diabetes and birth defects among both U.S. veterans and Vietnamese soldiers and civilians. U.S. aircraft sprayed more than 21 million gallons of the chemical between 1962 and 1971 in an attempt to destroy crops and remove foliage used as cover by communist forces. The Vietnamese plaintiffs had sought compensation from pharmaceutical firms including Monsanto, Dow Chemical and Hercules Inc.

Thousands of pages of legal arguments had been filed in the case as international law experts argued whether Agent Orange should be considered a "poison" that was barred during warfare by international law.

Defense attorneys said the companies should not be punished for following what they believed to be the legal orders of the nation's commander-in-chief. They also argued that international law generally exempts corporations, as opposed to individuals, from liability for alleged war crimes.

Tran Xuan Thu, general secretary of the Vietnam Association for Victims of Agent Orange, said an appeal was filed April 7 in Brooklyn "because the ruling by the U.S. federal judge was irrational." He also said lawyers were compiling data on another 300 victims of Agent Orange that would be added to the appeal.

Research in southern Vietnam has found concentrations of TCDD dioxin (one of the two most toxic members of the dioxin family) in soil samples from the Bien Hoa air base as high as 1.2 million parts per trillion. Typical urban soils in the U.S. are less than 10 parts per trillion TCDD.

It is extremely difficult to decontaminate humans or the soil of dioxin. The World Health Organization warns that, once it has entered the body, "it is there to stay due to its uncanny ability to dissolve in fats and to its rock-solid chemical stability."

The Vietnamese Red Cross has registered an estimated one million people it says were disabled by Agent Orange. The Vietnamese government has said the U.S. has a moral responsibility for damage to its citizens and environment but has never sought compensation for victims.

U.S. veterans of the Vietnam War have also gone to court, claiming that exposure to Agent Orange had caused cancer, birth defects and other health problems. In 1984, after years of court battles, seven American chemical companies paid out \$180 million to settle a class action lawsuit by U.S. veterans. While the U.S. government claims there is no direct evidence linking dioxin with the veterans' illnesses, about 10,000 Vietnam War veterans in the U.S. receive disability benefits related to Agent Orange exposure.

Weinstein had also presided over the cases brought by U.S. service personnel. He said at the time the veterans would have difficulty proving a link between their health problems and Agent Orange. Some scientists say a link would be easier to prove today.

The U.S. has begun to acknowledge the problem. After a dump at the Robins Air Force Base in Georgia was found to have stored Agent Orange, it was capped in five feet of clay and sand, and it has been the subject of a half dozen investigations. Scientists have also found that dioxin is a byproduct of many ordinary industrial processes, and the U.S. Environmental Protection Agency has concluded that it is a Class 1 human carcinogen.

What a terrible irony that then-Secretary of State Colin Powell told the UN Security Council in 2003 that, "in the history of chemical warfare, no country has had more battlefield experience with chemical weapons since World War I than Saddam Hussein's Iraq."



## North Korea: Trade expo planned to boost economy

North Korea planned to host its biggest-ever international trade expo in May in Pyongyang to give its struggling economy a boost. China's official Xinhua news agency quoted North Korean officials as saying they hoped more than 300 companies from Europe and the U.S. would participate in the trade fair May 16-19 in the North Korean capital. "Pyongyang describes its policy as 'economic adjustment,' but we think it is a sort of open-door policy," a Beijing official was quoted as saying.

South Korea estimates the economy in the North grew 1.8 percent last year after a decade of decline. However, Seoul says surging demand in North Korea has also triggered steep inflation since the tentative introduction of economic reforms in mid-2002.

One Chinese official compared the expo to a trade event held in 1979 in Beijing when China was moving to open its economy to the outside world. "By holding that event in Beijing, we could encounter foreign technology and goods and get opportunities to begin joint business with foreign firms," the official was quoted as saying.

Citing sources at North Korea's embassy in Beijing, Xinhua said more than 200,000 people were anticipated at the international fair. Foreign companies were

expected to showcase their products and hold trade negotiations with Pyongyang officials over North Korean export goods including ginseng and pine mushrooms, it said.

Meanwhile, the Unification Ministry in Seoul said "[i]t is difficult to make an economic recovery without assistance and cooperation from the outside, so (North Korea) needs to take an active position on inter-Korean cooperative projects." Last December the Koreans marked the start of production at a joint industrial complex in Gaeseong, North Korea. Seoul hopes the fledgling project will benefit both nations' economies while reducing tensions along their heavily fortified border.

Despite gradual reforms, Pyongyang retains tight control over trade and investment. Over the past two years, however, it has begun to allow some private ownership, partially scrapped its food rationing system, and instituted wage increases and profit incentives to stimulate the economy.

South Korea estimated the food supply in the North improved in 2004 after the fall harvest rose 1.4 percent to over 4.3 million tons from 2003. However, the amount still fell about two million tons short of what was required to feed the country's 22 million people, it said.

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## U.S.: Faith-based groups respond to Minutemen

*The Border Working Group, which includes the Maryknoll Office for Global Concerns, crafted a statement in April in response to the "Minutemen," a group of self-appointed sentinels along the U.S.-Mexico border. The Minutemen's stated objective is to detect "illegal" border crossings, as they believe that the Border Patrol is not well-equipped enough or organized enough to control the migrant flow. Excerpts follow:*

As churches and faith-based organizations, we are compelled to respond to the actions of the "Minutemen" in southern Arizona. Their intent to corral and harass the migrants they encounter is an affront to internationally protected rights and to our nation's history of hospitality. Law enforcement officials have been properly charged with the role of monitoring immigration along our Southern border. Any attempt to usurp these duties is inappropriate.

We understand that many of those participating in this project are heavily armed. With the history of past vigilante activity along our Southern border, we are concerned that illegal abuses may occur. ...

As Christians, we believe that we are called to welcome the stranger. We recognize the gifts that migrants bring to our communities. Those who sacrifice in order to assure the survival of their families are to be admired and applauded.

We pray that soon we will live in a world where migrants do not face hatred and misunderstanding and where they will not be forced to risk their lives in order to enter a country that benefits greatly from their presence. We call for the creation of a receptive environment for migrants through comprehensive immigration reform and ask Arizona law enforcement officials to take action to prevent militia groups from breaking the law and harming migrant families.

## Colombia: New atrocities, failing policies

*By some measures, the conflict in Colombia shows signs of improving. Local government figures indicate significant drops in the overall numbers of murders and kidnappings in recent years, and U.S. State Department figures show some decline in the number of acres planted with illicit crops. Some paramilitary elements have been demobilized. This, however, is only one side of the Colombian coin—and not the most significant one. As the recently released “Blueprint for a New Colombia Policy” insists, deeply troubling trends make it plain that things are not going well, that U.S. policy vis-à-vis Colombia is failing, and that “a fundamental re-thinking is urgently required.” The following article was written by Tom Bamat, a member of the Maryknoll Lay Mission Association.*

Crafted under the leadership of the Latin America Working Group (LAWG), the Center for International Policy, Washington Office on Latin America (WOLA) and the U.S. Office on Colombia, “Blueprint for a New Colombia Policy” benefited from the input of a score of organizations, including the Maryknoll Office for Global Concerns. It expresses grave concern about increased human rights violations committed by the military, continued army-paramilitary collaboration, continuing attacks on human rights defenders coupled with a persistence of impunity for rights abusers, and widespread arbitrary arrests in the country. It notes that there is no legal framework guaranteeing justice, truth or reparations in the paramilitary demobilization process; that there are indications of growing rather than diminishing cocaine availability and use in the U.S.; and that no viable military solution to Colombia’s internal armed conflict is anywhere in sight.

The conflict in Colombia continues to be the most serious one in the Americas. Since 1990, some three million people have been uprooted from their homes by the fighting and fumigation, and the number is rising. Colombia has the third highest population of internally displaced individuals in the world, after Sudan and Angola. A disproportionate percentage of them are indigenous.

Colombian participants in last year’s gathering of the Catholic Peacebuilding Network at the University of Notre Dame explained in some detail how people of faith are working at all levels to bring peace to this South American country. Church leaders have been frequent mediators in talks between government and other armed actors. Christians have nurtured local communities of resistance to the fighting, organized an

annual Week for Peace, supported initiatives like the Peace and Development Program in the Magdalena Medio region, and created diocesan “Mutual Help Groups.” They have sponsored mobile peace training efforts, collected and disseminated reliable data on human rights violations, engaged in conflict analysis, and accompanied beleaguered grassroots peacebuilders. Still, says Martha Inés Romero of Catholic Relief Services-Colombia, “we need a general mobilization of civil society and churches around a common agenda.”

The cruel massacre and dismemberment on February 21-22 of eight civilians from the San Jose de Apartado peace community in northwest Colombia, including community peace leader Luis Eduardo Guerra and three small children, has shed new light on both the valiant efforts of grassroots peacemakers and the continued, brutal violation of human rights. The San Jose community holds the Colombian military responsible, and is demanding a serious investigation. A broad coalition of U.S. solidarity and religious groups sponsored vigils on the San Jose de Apartado case between April 26 and Mothers’ Day, May 6. Among other things, they are demanding that the U.S. State Department hold up certification that Colombia has met the human rights conditions necessary to receive U.S. aid.

The Bush administration is seeking fiscal year 2006 aid at the same FY2005 level of \$700 million, with 80 percent still going to military and police aid. Colombia remains the greatest recipient of U.S. foreign assistance outside the Middle East. There is, sadly, no suggestion that the administration is asking serious and long overdue questions about the failing militaristic policies of “Plan Colombia,” which has been in effect since 2000 and has now reached its official expiration date.

### **Faith in action:**

Call or write members of Congress to let them know you want a new U.S. policy on Colombia. Call for a full and transparent investigation to ensure that the perpetrators of the San Jose de Apartado massacre, and other massacres, are brought to justice and that the Colombian military break its longstanding links with abusive paramilitary forces. See the LAWG website for action alerts: [www.lawg.org](http://www.lawg.org).

Support faith-based initiatives that work to strengthen the efforts of Colombians who are working for peace in their country. See Catholic Relief Services website for more information: [www.catholicrelief.org](http://www.catholicrelief.org).

## Bolivia: Social unrest continues

*In early March, Bolivian President Carlos Mesa submitted his resignation to Congress, asserting that he was unable to govern a country that was paralyzed by 57 different road blockades and buffeted by diverse and sometimes contradictory demands.*

Mesa said that the blockades would quickly isolate Bolivia's largest cities with inevitable shortages of food, fuel, and other essential items. He had particularly harsh words for Congressman Evo Morales, leader of the Movement for Socialism (MAS), and for Abel Mamani, president of the Federation of Neighborhood Boards (FEJUVE) and leader of the protests against Aguas de Illimani in El Alto.

The night he announced his resignation, thousands, largely from the urban middle class, came to the Plaza Murillo outside the heavily guarded presidential palace to demonstrate support for Mesa. Congress unanimously rejected his letter of resignation.

According to the Andean Information Network (AIN), one of the main issues creating friction is the demand that 50 percent of oil and gas profits go to Bolivia as royalties instead of Mesa's proposal of 18 percent royalties and 32 percent in taxes. Critics of the Mesa bill maintain that the legislation does not guarantee that Bolivia will receive the full percentage. Analyst Tom Kruse notes that taxes are subject to international arbitration and future international trade agreements that could allow international fuel companies to reduce their payments to Bolivia.

AIN continues, "Mesa has successfully shed his reputation as a weak leader, who promised everything to all parties, without being able to follow through. In a culture accustomed to blockades and other means of pressure in the absence of traditional democratic avenues to meet its needs, Mesa staged his own social protest, and is now viewed as stronger.... [H]is maneuver has pushed Evo Morales, coca growers, campesinos, trade unionists and other key groups into much more radical positions. As a result, the possibility of conflict resolution through dialogue appears even more distant..."

"Battle lines have been drawn, once again, according to traditional alliances — the executive and traditional parties vs. more radical, historically-excluded social sectors. MAS, the largest trade union (the Bolivian Workers' Union, COB), campesinos led by Felipe Quispe Huanca and seven other popular groups announced a coalition to continue protests and blockades on March 9. Fearing that his move had backfired, Mesa

publicly apologized to Evo Morales, prompting an announcement from Morales that negotiations with the government still may be possible. It remains unclear whether Mesa's bold political gamble will permit Bolivia to move forward as a nation or further polarize an already profoundly-divided society."

Another major issue prompting social protest is privatization of water in El Alto. Leaders of FEJUVE expressed their concerns in a recent letter to the World Bank, the Inter-American Development Bank, and the German bank group, KfW. In part, the letter said:

*We are writing as representatives of more than 800,000 residents from the City of El Alto in Bolivia, who for more than eight years have challenged and acted to overturn the privatization of drinking water in the city of La Paz and El Alto, due to their negative consequences for our community and our rights as citizens. ...*

*The aim of this letter is to show the grave mistakes that have been made in the process of privatization, to call for reflection and ask - in both a respectful but very firm way - that international aid should not be conditioned on the continued involvement of the private sector in the provision of drinking water either by Suez or any other private company in El Alto or La Paz. ...*

*The privatization of the Municipal Water and Sewage Authority (SAMAPA) for La Paz and El Alto was part of the conditions imposed by the World Bank, IADB, and IMF on Bolivia in negotiations on external debt relief in 1996. ...*

*Before SAMAPA was privatized, the water rates were dollarized. In 1996, the rates increased between 21 percent and 51 percent in different categories. At the same time as the awarding of the contract, rates rose again by 19 percent. In the eight years of privatization, rates rose 35 percent in Bolivian pesos due to the devaluation of our national currency. ...*

*We in FEJUVE El Alto believe that a public company with strong social accountability is the best way to ensure efficiency, transparency and profitability....*

*Bolivia is going through difficult times. Continuing to insist on the privatization of water will contribute to the instability of democracy in Bolivia. The only way we can help democracy consolidate and develop in Bolivia, will be when you are prepared to learn from your mistakes and make a real reversal.*

For information, contact the Andean Information Network at [www.ain.org.bo](http://www.ain.org.bo) or [paz@albatros.cnb.net](mailto:paz@albatros.cnb.net).

## Ecuador: Political turmoil

*An urgent alert from human rights groups in Ecuador on April 20 described violence in the streets of Quito perpetrated by campesinos (called out by President Lucio Gutierrez) who came into the city carrying machetes, pistols and other weapons and by police who attacked a large, peaceful demonstration moving toward the presidential palace. A woman was run over by a military vehicle; a journalist was killed -- asphyxiated by tear gas; and a 14-year old girl lost her eye from the impact of a tear gas bomb. Over 200 people were wounded or asphyxiated by tear gas.*

Shortly thereafter, word arrived that the people had ousted Gutierrez from the presidency. That night, in a private session with the majority of the Ecuadorian Congress in attendance, Vice President Alfredo Palacio was named the new president of Ecuador. In his first speech as president, Palacio said "the people of Ecuador, particularly the people of Quito, decided to end the dictatorship, immorality, arrogance, terror, and fear."

When Gutierrez tried to leave Ecuador by plane, the people occupied the runways of the international airport to stop his escape.

The situation in Ecuador has grown progressively more unstable since November. On December 8, Gutierrez and a government-aligned majority bloc in Congress replaced Ecuador's 31 Supreme Court judges in a simple majority vote that violated the nation's Constitution. The president faced a broad political backlash for replacing the judges, with large-scale protest marches calling for his resignation and multiple international organizations condemning the move. National newspapers ran regular editorials denouncing the court purges; and daily vigils were held outside the Supreme Court building.

In early March, a coalition of ten Ecuadorian human rights groups called for the government and the attorney general's office to investigate shootings and threats against Gutierrez' opponents. In less than three months there were 20 attacks on critics of the current regime.

Physical violence occurred on the floor of Congress during several sessions, including on March 23 when police fired tear gas to clear out opposition lawmakers who refused to leave after a legislative session that cut short a debate on candidates for attorney general and on March 30, with opposition and pro-government

lawmakers hurling yells, insults, water, and plastic bottles at one another. The issue again was the attorney general post. (source: NotiSur 4/1/05)

In mid-April, Gutierrez closed the Supreme Court, provoking another series of demonstrations that ultimately led to a change in the presidency.

A recent Washington Office on Latin America briefing paper, "Outside the Rule of Law: Ecuador's Courts in Crisis" provides helpful background: "On November 9, 2004, the Social Christian Party (PSC) initiated impeachment proceedings in the Congress against President Gutiérrez on allegations of illegal use of public funds to finance his party's political campaigns. The impeachment bid was supported by the Democratic Left (ID) and by Pachacutik, the political arm of the national indigenous federation. However, other congressional representatives forged a new coalition in support of the president based on mutual interests and they successfully blocked the impeachment. Emboldened by this victory, the new coalition and the Gutiérrez administration set

their sights on a political takeover of Ecuador's judiciary...

"For decades, Ecuador has been largely controlled by the Social Christian Party (PSC), representing the elite of the country. In 2004, the PSC, led by the powerful ex-president León Febres Cordero, declared political war on President Gutiérrez's administration and his party, the Patriotic Society Party (PSP). But Gutiérrez and congressional allies ultimately turned back an impeachment bid led by the PSC....

"The new majority was originally composed of the president's small party, the PSP; the Popular Democratic Movement (MPD); the Socialist Party; the Roldosista Party of Ecuador (PRE); and the New Party for National Action (PRIAN). Of the five parties, the PRE and the PRIAN wield the most power nationally.

... "Immediately after the ousting of the sitting judges on the Supreme Court, there was a public outcry across the country by professional legal organizations, the national association of mayors, national and local chambers of commerce, national leaders of the Catholic Church and major national media. The dismissed justices, in coordination with the law school of the Catholic University of Ecuador ..., presented a petition to the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS). The



nongovernmental organization Justices for Life also worked with the Catholic University to present a petition to the UN High Commissioner for Human Rights (UNHCHR), requesting that the UN Special Rapporteur on the independence of judges and lawyers conduct an *in situ* assessment of Ecuador's judiciary.

"In the meantime, many Ecuadorian citizens have attempted to hold the Gutiérrez administration and the Congress accountable for their actions. Shortly after Congress purged the Supreme Court on December 9, a coalition of legal, civic and human rights organizations held a wake in Quito for the 'rape and murder' of the Ecuadorian constitution. The wake took place over a number of days, featured presentations by legal and political experts, and concluded with a public funeral

held outside the Congress."

For additional information, see the websites of La Comisión Ecuémica de Derechos Humanos (CEDHU) [www.cedhu.org](http://www.cedhu.org) and the Washington Office on Latin America (WOLA) [www.wola.org](http://www.wola.org).

### **Faith in action:**

Write to Ecuadorian officials calling for a prompt and transparent investigation of threats and violence against Gutiérrez' opponents: Dr. Alfredo Palacio, Presidente de la Republica, Palacio de Carondelet, Quito, Ecuador; and Dr. Mauricio Gandara, Ministerio de Gobierno y Policia, Ministerio de Gobierno y Policia, Quito, Ecuador.

## **Guatemala: Poverty, crime, drugs, mass migration**

*The following article was written by Maryknoll Sister Dee Smith, who lives and works in Guatemala.*

Coatepeque is a town of 85,000 people, situated only 30 minutes from the town of Tecún Umán which borders with Mexico. Since the beginning of the year, over 50 people have been murdered violently on the streets of Coatepeque. Of these, 75 percent are youth under the age of 30 and, according to official reports, members of the ever-growing number of gangs found in the region.

However, when one begins to scratch the surface of the public explanations, a much grimmer picture emerges. There is talk of social cleansing, drug wars, vengeance for family crimes during Guatemala's 36-year civil war and the increasing poverty found all around in this region. A culture of "blame the victim" pervades and the indifference and apathy towards these crimes leaves one wondering where it will all end.

During the height of the civil war, when both Efraín Ríos Monté and Lucas García were presidents, there existed a clandestine group of paramilitaries called the "G2" who were responsible for many extrajudicial executions and helped the repressive government keep the streets clean and crime free. They "ruled by fear," and in some cases the people of the towns applauded their efforts to make the places safe in the night. Coatepeque is suffering from the same situation in the present day. Talking to a young man who works in the public works department, who is

called out to murder scenes at all hours of the day and night, one soon comes to realize that these deaths are not random. "Jose" tells me that the police are the last to arrive on the scene and are incredibly ignorant of what has just taken place. He speculates, with his experience and informants, that the G2 hire members of one group of *maras* (gangs) to kill members of the other group so that they can blame it on gang rivalry. Then they pass to the other side and repeat the horror.

President Oscar Berger seems to have lost his direction and is more concerned now with pushing through the ratification of the Central America Free Trade Agreement (CAFTA) than developing social programs to combat the poverty, crime, drug trafficking and massive migration out of the country.

Coatepeque reflects the ills of the country at this time. There is little for the future of the youth other than to try to reach the U.S., albeit illegally and strewn with dangers. For young men, there is the lure to join a gang and begin the buying and selling of drugs; for young women, there is the lure of prostitution. Land around Coatepeque, which once supported prosperous coffee growing, is now being carved up into small lots and offered to the public at outrageous prices while the landless continue to struggle for their rights. A close look at Coatepeque mirrors the systemic spiral into abject poverty befalling Guatemala at this time in its history and violence, exploitation and the false promises of CAFTA will only compound the situation.

## El Salvador: "I will rise again"

*They came from all over the world to honor Archbishop Oscar Romero, but none were more articulate about their love for Monseñor and their desire to walk in his footsteps than were the Salvadoran people themselves. On the 25th anniversary of his assassination, Romero's lasting impact was evident and a source of hope for the pilgrims who travelled there to celebrate his legacy. Marie Dennis, director of the Maryknoll Office for Global Concerns, participated in a delegation to El Salvador organized by the Religious Task Force on Central America and Mexico, Pax Christi USA and the Share Foundation. There were 140 delegates from the U.S. in that group alone. Her reflections follow.*

Romero was a prophet, yet he always insisted the people were his prophet. He listened to the Word that they spoke so clearly to him. He learned to live precariously with the heart of the poor, with their hopes and joys in mind, their sorrows and anguish, and he walked with them as he helped them discern the way ahead. *If they kill me*, he said, *I will rise again in the Salvadoran people.*

The base communities from the Baja Lempa; the cooperative in Santa Ana; the women's organization from Chalchuapa; the students carrying an enormous banner of Monseñor as the official celebration of his 25<sup>th</sup> anniversary began; the thousands of ordinary people who gathered at the Jesuit University to reflect with the best of Latin American theologians; the young

people at Generacion XXI creating space for gang members and youth at risk to *be themselves and claim life*... these are the people in whom Monseñor promised to rise.

Those few with whom we had the privilege to spend some time shared their own stories readily. Like all Salvadorans, they were profoundly affected by the war. At the memorial wall in San Salvador, as we remembered all the martyrs of El Salvador, they spoke of loved ones disappeared, murdered, and of fear. "We were on the run for four years after they destroyed our village – with eight children," said the old woman now caring for her invalid husband. But she spoke with pride and great strength. After a few months in a center for the displaced in San Salvador they had chosen to join a cooperative. Nearly 20 years later she could look back on years of hard work that bore good fruit for her family – a tiny house, a little land and a real community of support.

But for her - as for most Salvadorans - the struggle goes on. El Salvador's economy never recovered from the years of war, devastating earthquakes in 1986 and 2001 and Hurricane Mitch. Post-conflict right-wing administrations moved decisively in a neoliberal free market direction, discarding the rural economy and embracing an influx of *maquiladoras* that provided some low-paying jobs until they began to move toward lower cost labor markets elsewhere. El Salvador's principal export is her people, whose hard work in the U.S.

and elsewhere has enabled them to send home remittances now adding up to over \$6 million per day. The "safety net" they provide for local communities is paid for in families painfully separated, terrifying treks across borders and lives lived in perpetual fear of deportation. Now Salvadoran grassroots communities see another threat on the near horizon: the Central American Free Trade Agreement (CAFTA). They believe that CAFTA will put the final nail in the coffin of small farms, small businesses, access to essential medicines and basic services – and any measure of economic self-determination that remains available to them.

### **Faith in action:**

Contact your members of Congress and ask them to vote against the Central America Free Trade Agreement. For more information, see <http://www.tradejusticeusa.org>.

In July 2002, a federal jury found that Salvadoran Generals Carlos Eugenio Vides Casanova and Jose Guillermo Garcia ignored massacres and other acts of brutality against civilians during the war in El Salvador. Now living in the United States, the generals were sued by Carlos Mauricio, Neris Gonzales, Dr. Juan Romagoza, Jorge Montes, Francisco Flores and Maria Guardado in 1997 for torture suffered between 1979 and 1983. Despite the 14-year delay, U.S. District Judge Daniel Hurley allowed the case to go forward, siding with the plaintiffs who argued that the generals created an atmosphere of dictatorship, torture and repression.

Recently, a federal appeals court reversed the \$54.6 million verdict against the two. The victims' attorney, James Green, said he would either request a rehearing before the appeals court or ask the U.S. Supreme Court to hear the case. For update see the Center for Justice and Accountability website at [www.cja.org](http://www.cja.org).

## Africa: Security threat or global partner

*Some predict that 2005 will be a decisive year for Africa. There is hope that the peace accord in southern Sudan will begin to take root. The long transition to peace in Burundi may finally come to completion. However, the crises in Darfur and the eastern Democratic Republic of the Congo continue to call for a concerted international response. Maryknoll Fr. Dave Schwinghamer, who spent many years as a missionary in Africa, wrote the following article.*

During 2005 several important international meetings will focus attention on Africa's desperate economic situation. The G-8 Summit, the UN Special Summit on the Millennium Development Goals and the WTO Ministerial Conference will all examine what effect global economic policies such as debt relief and development assistance are having on the lives of millions of African people.

These global conferences exemplify the growing international attention given to Africa since the turn of the millennium. Nowhere is this new interest in Africa seen more clearly than in the foreign policy initiatives of the present U.S. administration.

This new interest in Africa has its roots in the growing reliance of the U.S. economy on imported oil. As the National Energy Policy (known as the Cheney Report) made clear in May 2001, U.S. energy security is linked not only to its domestic supplies but also to its international supplies. By 2002, 15 percent of the oil imported into the U.S. came from Africa. This amount is expected to grow to around 20-25 percent by 2015. As a consequence of this growing need for African oil, the U.S. has announced publicly, in July 2002, that African oil is of "strategic" national interest. In plain language this means Africa's oil is a resource that requires protection by U.S. military force, if necessary.

A clear example of the wider concern about Africa by U.S. policymakers can be found in a report of a bipartisan advisory panel created by Congress to generate innovative recommendations on how to strengthen U.S.-Africa policy. On February 2, 2004 the results of the panel's work were presented to then-Secretary of State Colin Powell in a document entitled "Rising U.S. Stakes in Africa." The numerous recommendations contained in this report reflect a growing consensus in the U.S. government that Africa is steadily becoming vital to U.S. national interests.

The main thrust of "Rising U.S. Stakes in Africa" is the belief that in the post-September 11 world, Africa

has assumed a "strategic" place in U.S. foreign policy. Such a new stance towards Africa had already emerged in the September 2002 "National Security Strategy of the U.S." In this controversial document, the disease, war, and desperate poverty of Africa are considered to be a threat to not only the human dignity of the people of Africa, but also to the United States' strategic priority of combating global terror.

In the view of the authors of "Rising U.S. Stakes in Africa," the shift towards viewing Africa in a more "strategic" manner requires a consequent shift in policies, programs, human skills and finances — in other words, increased investment in Africa and an increased U.S. presence on the ground. These new priorities for Africa make it imperative that the government develop a single, coherent strategy towards Africa.

The seven separate chapters of "Rising U.S. Stakes in Africa" attempt to spell out in detail a wide range of initiatives in energy policy, financial sector development, and countering the threat of terrorism. Thrown in for good measure are recommendations on crisis diplomacy, AIDS prevention, and an action-strategy for post-conflict Sudan — written before the current crisis in Darfur.

Other constituencies and groups — including faith-based organizations — have also expressed a new concern about Africa. In the U.S. one of the first groups to speak out about the crime of genocide in Darfur was the Jewish community. The U.S. Catholic bishops have spelled out a vision of solidarity with Africa that in many important respects clashes with the national security perspective and strategies of current U.S. foreign policy.

Solidarity with Africa flows from the courage displayed by African people in responding to the daunting challenges and persistent obstacles that they face in their struggle for integral human development. Such courage calls for a meaningful response by citizens of the United States. In the view of the bishops, this response flows from our nation's history, our affluence, our political power and our leadership role in the world, and not simply from our vulnerability to terrorists or our ever increasing need for imported oil. Solidarity is a moral obligation and not just a policy option.

If our relationship with Africa is to be based on something more than narrow national self-interest, then the principles of mutuality, respect and accountability — the fundamentals of solidarity — must also be taken into account.

## Zimbabwe: Post-election "reforms"; hunger continues

*Despite avoiding the much-feared violence that has preceded many of its previous elections, Zimbabwe's recent parliamentary elections did not earn accolades for being free and fair. Archbishop Pius Ncube of Bulawayo was said to have remarked that at least this time only 800,000 deceased persons cast their votes. But what will be the priorities for the new parliament? Zimbabwe faces a looming food crisis which the Famine Early Warning Systems (FEWS) categorizes as critical. The government-led land reform program continues to move forward, but there are indications that the commercial food production sector is facing major hurdles. What was once called the food basket of Southern Africa is now in serious need of foreign assistance. The following article was written by George Corrigan, intern with the Maryknoll Office for Global Concern.*

Zimbabwe's ruling ZANU-PF, the party of President Robert Mugabe, secured a two-thirds parliamentary majority in the March 31 elections. Most analysts believe the party plans to use its majority to change the constitution and create a second chamber as well as an office of prime minister. Soon after the elections, Mugabe indicated that he wanted to revisit aspects of the draft constitution of 2000. Among its recommendations was the creation of a senate made up of traditional leaders, retired politicians and other eminent Zimbabweans, as well as a new post of prime minister. Members would likely be appointees. Despite intense lobbying by the government, the draft constitution was rejected in a referendum in 2000. The current attempt can only be considered an effort to entrench ZANU-PF's rule through the appointment of loyalists to crucial legislative bodies. Many consider that the current constitution already gives the president too much power and the ability to manipulate the election process.

As a sign of the disillusionment, Archbishop Ncube, the most outspoken Zimbabwean critic of Mugabe's government, called for a "new Moses" to lead the country out of the abyss into which the Mugabe regime has led it. Archbishop Ncube said that a popular uprising against Mugabe was unlikely because of a number of factors already in place. The most qualified leaders, not already co-opted by the government, have already left Zimbabwe, joining a 3.4 million strong diaspora. Those who remain have to manage in circumstances of 400 percent inflation and 70 to 80 percent unemployment, where two-thirds of all children do not attend

school, and there are chronic shortages of food and other essentials. Any leader, advocate or partisan, would be subject to harassment by the CIO, the rightly feared secret police, or by government-sponsored militias. Added to this is the fact that half the population is under 15 and three-quarters of all Zimbabweans had never known any leader but Mugabe.

The Mugabe government is perhaps best known for its fast-track land reform when white commercial farmers were removed from their farms to make way for black settlers. The program has suffered from unintended consequences. New black, commercial farmers who benefited from the land reform program are now hamstrung by a lack of labor to work their fields. An estimated 300,000 farm workers were displaced during the government's accelerated land reform. Only a small number of the workers remained on the land because of the poor wages being offered by the new farmers, who themselves were struggling to get on their feet. Some laborers preferred to return home, while others sought employment in nearby towns or took up illegal gold panning.

Denford Chimbwanda, chairman of the Grain and Cereal Producers' Association, acknowledged that the already fragile Zimbabwean agricultural sector could face further havoc as the maize and wheat that had already matured are now rotting in the fields because the new commercial farmers could not get enough labor to harvest their crops. Most of the displaced farm workers preferred to work two or three times a week, as some of these laborers now also own their own plots, which require their attention.

The minimum monthly wage for a general farm worker is currently Zim \$169,000 (about US\$28), but according to the latest report by the Consumer Council of Zimbabwe, an average family requires Zim \$1.5 million (US\$248) a month to live on. Given the rates of internal inflation, climbing food prices, accompanied by a partial paralysis of the commercial food sector, farm workers are attending to their own needs.

Meanwhile the World Food Program (WFP) and its NGO partners continue to assist approximately 1.6 million people. Despite protests by the Zimbabwean government, the Famine Early Warning System (FEWS) stands by its estimate that at least 5.8 million Zimbabweans - almost half the population - remain in need of food aid.

A survey in 10 districts across Zimbabwe has recorded alarmingly high levels of malnutrition among

children. Interviews conducted by the country's Food and Nutrition Council, in collaboration with the Ministry of Health and Child Welfare, showed stunting or chronic malnutrition levels as high as 47 percent among children aged from six months to 59 months coinciding with high prices for the staple food, maize. High rates of wasting or acute malnutrition were noted in the southern provinces of Matabeleland (Archbishop Ncube's homeland area).

Despite warnings from the humanitarian community that last year's harvest would not be the bumper crop predicted by the government and aid would be

required, Mugabe famously told Britain's Sky TV: "We are not hungry, why foist this food on us? We don't want to choke." At the beginning of March, however, Mugabe admitted there was a problem. He said the country would need to import food for an estimated 1.5 million people in need, in seven of the country's nine provinces - a substantially lower estimate than the 5.8 million people FEWS NET said required aid.

Some agencies believe that now that a parliamentary majority has been secured, the new parliament and the administration will attend to the alarming food insecurity in the country. We can only hope.

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## African cotton farmers seek trade justice

*During April's Global Week of Action for Trade Justice, Oxfam America brought Mary Robinson, former president of Ireland, former UN High Commissioner for Human Rights and now director of Realizing Rights: The Ethical Globalization Initiative, together with Br. David Andrew, director of the National Catholic Rural Life Conference, Bishop Jean Gabriel Diarra of Mali and others to address the impact of U.S. agricultural subsidies on impoverished countries. Looking through a human rights lens at the process of globalization, Robinson called the current terms of trade a human rights violation for preventing poor governments from living up to their human rights commitments.*

Increased dumping in recent years of agricultural products, including wheat, soybeans, corn, cotton and rice, at prices below the cost of production has had a devastating impact on poor country agriculture, which is "vital for food security, rural livelihoods, poverty reduction and generating foreign exchange," according to the Institute for Agriculture and Trade Policy (IATP).

Pressure to reduce rich-country subsidies that enable dumping increased in March when the World Trade Organization (WTO) issued its final ruling that U.S. subsidies were causing significant price suppression of world cotton prices and that U.S. current payments to cotton farmers were illegal.

The U.S. currently spends as much as \$16 billion each year on agricultural subsidies which only one-third of all U.S. farms are eligible to receive.

According to the IATP ([www.iatp.org](http://www.iatp.org)), dumping is caused by oversupply and uncompetitive markets. In the past, there were tools, such as grain reserves and set aside programs, designed to help U.S. farmers control supply and maintain some degree of market power.

Most of those tools were stripped away under the 1996 Farm Bill. Today, there is significant overproduction in major commodities, which drives down prices. Foreign competition exacerbates the global glut.

Farmers in poor countries are hurt because dumped exports push them out of local markets and eliminate their ability to export. Poor countries facing hunger are particularly vulnerable if their farmers are pushed off the land. As domestic production falls, these countries become dependent on the fluctuating prices and availability of imports.

The largest commodity traders, able to buy inputs and commodities at extremely cheap prices, are the biggest beneficiaries of dumping. Most major agribusiness firms now have facilities in all the major agricultural exporting and importing countries including Brazil, China, Australia and India. Nearly all of these companies have seen their profits skyrocket in recent years.

The recent WTO ruling will have profound political implications beyond the case of the U.S. and cotton. Some of the findings in the cotton case are also relevant for other farm programs in the U.S. Commodities like soybeans, rice, oilseeds or grains could be targeted by future WTO cases because they do not comply with the GATT rules on agriculture.

The Bush administration's 2006 budget submitted to Congress proposes reduction in these subsidies by setting new upper limits on payments. But the outcome in Congress is uncertain.

### **Faith in action:**

Write to your senators expressing support for a more just agriculture policy. For more information, go to the website of the National Catholic Rural Life Conference, [www.ncrlc.org](http://www.ncrlc.org).

## Sudan: Deteriorating security impedes aid

For over six months, global relief organizations such as the World Food Program (WFP), the UN Office for the Coordination of Humanitarian Affairs (OCHA), USAID, as well as NGOs such as Oxfam, Doctors Without Borders and Save the Children, have been monitoring and reporting the looming famine that threatens the Darfur region of Sudan. Yet, during March and April the security situation in Darfur continued to deteriorate, as did the ability of the world body to provide food and humanitarian relief. The following article was written by George Corrigan, intern with the Maryknoll Office for Global Concern.

On March 20, the *New York Times* carried an insightful piece titled, "Beyond the Bullets and the Blades." While the article reported on the war zone in eastern Congo, it revealed that "[h]orrible though the genocidal spasms in Rwanda and the aerial bombings in Sudan have been, the vast majority of those who die in African war zones are not done in directly by warriors." The article notes that the "first killer is flight" – desperately poor people are driven from their subsistence living into even more hostile environments where, for every one combat-related death, there are 62 non-combat related deaths. Almost 50 percent of the deaths are typically children under age five; 25 percent are women age 15 and older. They die from malnutrition, respiratory disease and diarrhea, measles, meningitis, tuberculosis and undiagnosed fevers. As goes the security situation, so goes the ability of the world body to provide food and humanitarian relief.

Emblematic of the security situation in Darfur are what Jan Pronk, UN Secretary General Special Representative for Sudan, and the staff of the UN Advanced Mission in Sudan (UNAMIS) call the systematic attacks by rebel movements and *janjaweed* forces upon humanitarian relief operations. At the same time, *janjaweed* forces continue to attack segments of the civil population. In a savage, daylong attack on April 7, militia forces rampaged through the village of Khor Abeche in the southern part of Darfur, "killing, burning and destroying everything in their paths and leaving in their wake total destruction." ("Joint Statement by the African Union Mission in Sudan and UNAMIS" April 7, 2005). The attack is described by the UN and AU missions as "savage," "pre-meditated," and ultimately a function of "deliberation official procrastination" by the Government to Sudan (GoS) that prevented the deployment of AU observers who might have been able to forestall the clearly impending attack.

Jan Egeland, UN Under-Secretary for Humanitarian Affairs, has sounded an ominous warning of the coming evil which will consume innocent lives during a famine in Darfur: "Some are predicting three million, some are predicting four million, some are predicting more than that, of people in desperate need of life-saving assistance, whose lives will be at stake, as we approach the hunger gap in mid-year [May to October]." Each month the WFP is experiencing a 15-20 percent decline in food deliveries even as overall agricultural production remains essentially paralyzed because of insecurity – and meanwhile food reserves continue to fall.

In early April, the WFP announced that, for the first time since major emergency operation for Darfur began, a drastic shortage of funds will force it to cut rations for more than one million people living in the western region of Darfur. Starting in May 2005, WFP will have to cut by half the daily ration. This is a last resort to help stretch current food supplies through the critical months of July and August, the region's traditional lean months, when food needs become most acute.

In some places in Darfur, deteriorating nutritional conditions are already in evidence. Studies have revealed high malnutrition rates among the under-five population, with a global acute malnutrition (GAM) rate of 25.2 percent and a severe acute malnutrition (SAM) rate of 4.3 percent.

In the midst of insecurity, interrupted and cancelled food relief operations, shortfalls in donor funding, the WFP and supporting NGOs also have to deal with the approaching rains which will render roads impassible.

"The basic lesson of earlier crises like Bosnia, Kosovo and Rwanda" is that food relief operations are not, Egeland said, "a substitute for political and security action."

### **Faith in action:**

The House of Representatives passed an FY2005 emergency supplemental appropriations bill that includes \$150 million in emergency food aid for Sudan. While this funding is welcome, urgent needs require additional resources. The Senate Appropriations Committee forwarded a bill that includes \$182 million for Sudan and \$150 million in food aid for Sudan and other food emergencies. Use the link on the Catholic Relief Services' website to send a letter to your members of Congress to let them know that this aid is critical for Sudan. Go to <http://capwiz.com/catholicrelief/home/>.

## U.S. abstention sends Darfur to the ICC

*The UN Security Council voted 11-0 to refer the situation in Darfur to the International Criminal Court (ICC). The UN resolution passed after the U.S., China, Algeria and Brazil abstained from voting.*

The action March 31 set a precedent for international law. It was the first time a case had been referred to the ICC through the Security Council. Proponents of the Court said the action demonstrated that the ICC is the only legitimate international body able to deal with genocide, war crimes and crimes against humanity when a state fails to do so.

As many as 20,000 persons in Darfur are estimated to have died as the Security Council debated the issue for two months. The U.S. opted not to vote on the resolution to make clear its continued opposition to the ICC. At the same time the administration was consistent with its own pronouncement last summer that genocide was taking place in the western Sudan.

The U.S. has refused to ratify the Rome Statute, which brought the ICC into being. The U.S. says it fears politically motivated charges could be brought against its citizens through the Court.

The U.S. said it favored other options with respect to Darfur, including an ad hoc international tribunal such as the Rwanda Tribunal in Tanzania. However, a

UN Commission of Inquiry judged that an ad hoc tribunal for Darfur was likely to prove “unduly time-consuming and expensive,” and it recommended that the Security Council “immediately refer the situation of Darfur to the International Criminal Court.”

The ICC referral came two days after a resolution that marked the first substantive Security Council action on Darfur after nearly two years of conflict. The resolution widened an embargo on armed groups in Darfur to include the Sudanese government, which will now need approval from a new Security Council committee to bring weapons into the vast western region.

It also demanded the government abide by an April 2004 ceasefire and stop carrying out offensive military overflights in Darfur. It would impose an asset freeze and a travel ban on those who violate the sanctions or are responsible for the overflights.

Meanwhile, Senators Sam Brownback (R-KS) and Jon Corzine (D-NJ) introduced the Darfur Accountability Act of 2005 (S 495) in March. The bill calls on the U.S. to support the expansion of the 2,000 member African peacekeeping force, to impose focused sanctions on the government of Sudan, and to press the UN Security Council to impose sanctions on “perpetrators of crimes against humanity in Darfur.”

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## Israeli high school students protest occupation

*Several dozen high school students from the Tel Aviv area have sent Prime Minister Ariel Sharon a letter signed by some 300 of their peers protesting Israel's occupation of the West Bank and the Gaza Strip.*

“The occupation has corrupted Israel, turning it into a militaristic, racist, chauvinistic and violent society,” the students write. “Israel is wasting its resources on the perpetuation of the occupation and repression in the territories, while hundreds of thousands of Israelis live in shameful poverty.”

Besides Sharon, the letter was sent March 13 to Education Minister Limor Livnat, Defense Minister Lt. General Shaul Mofaz, and Lt. General Moshe Yaalon, Israeli Army Chief of Staff.

“We are here to [bring an] end to the occupation and bring freedom, security and peace to all Israelis

and Palestinians,” the students explain on their website (<http://www.shministim.org/>). “We refuse to take part [in] the occupation, which is against our basic values. ... We believe there is another way.”

The students blame the occupation for “a massive infringement of the right to life,” citing land confiscation, destruction of homes and public buildings, arrests and killings without trial, hunger, collective punishment and denial of medical assistance.

They also say the occupation jeopardizes the security of the state and its citizens. “True security will only be accomplished by ending the occupation, dismantling the wall of Apartheid around the Palestinians and striving for a just peace agreement between the state of Israel and the leadership of the Palestinian people as well as the Arab world,” the students write.

## Middle East: Ecumenical center calls for divestment

*An ecumenical center in Jerusalem has called for selective divestment by churches to help bring an end to Israel's occupation of the West Bank and Gaza and to human rights violations on both sides of the conflict.*

The Sabeel Ecumenical Liberation Theology Center released the statement "A Nonviolent Response to the Occupation: A Call for Morally Responsible Investment" on March 20.

International humanitarian law forbids confiscating land, harming innocent civilians, employing collective punishment and using torture, Sabeel says. "From the standpoint of faith, we believe that we must recognize and name the evils that are facing the peoples of Israel-Palestine on both sides of the conflict. ... Such a stand leads us to responsible stewardship in the investments we make as individuals, churches, institutions and corporations."

The statement says Christians must not support or enable unjust policies. "Earning money through investment in companies whose products and services are used in such a way as to violate International Law and human rights is equivalent to profiting from unlawful acts and from the oppression of others," it declares.

Shareholders cannot avoid legal or moral responsibility once an issue has been brought to their attention, the statement adds. "To the extent they cannot prevail on the other shareholders and the management to end their evil practices, they must disinvest and seek other investments that are more in line with their beliefs."

"Currently a system of international economic support for the occupation exists as multinational corporations build franchises in the occupied territories, supply military goods, and provide material for the construction of the settlements and Separation Wall," the statement says. "Around the world people are beginning to speak of selective divestment from Israel as a method of creating the change that is needed."

Sabeel urges churches to consider various economic options. These include withholding or withdrawing investments from companies on moral grounds, promoting corporate accountability at shareholder meetings, or setting up alternative investment funds that promote justice and peace.

Sabeel recommends a model of selective divestment as advocated by the World Council of Churches, the Presbyterian Church USA and the Episcopal Church (USA). It asks churches to put pressure on corporations to divest from business activities that, for example,

promote the occupation or support groups that commit violence against innocent civilians. If such pressure is ineffective, Sabeel asks churches to "divest from companies and corporations that do not respond and comply with morally responsible investment."

Sabeel recognizes that churches might come under pressure to "back down or dilute their divestment strategy to an extent that would make it ineffective." As Christians, however, "we have to ask ourselves if statements are all that we can give as help to resolve this conflict. It is time to take a clear stand for human rights and dignity. ... Too many precious children of God, Palestinians and Israelis, have been lost due to our unwillingness to forthrightly address the moral issues."

The statement says the mainline churches in the West have maintained a fairly balanced position vis-à-vis the Palestine/Israel conflict. "On the one hand, they have always affirmed Israel's right to exist," it says. "On the other hand, they have been clear that Israel must withdraw from all territories that it occupied in the 1967 war and allow the establishment of an independent Palestinian state."

"...It is important to note," the statement adds, "that our call for morally responsible investment is specifically focused on companies directly involved in illegal practices in the Occupied Territories and not in Israel itself."

Sabeel also expresses concern about "the delegitimization of International Law that Israel models when it ignores the International Court of Justice, the Geneva Conventions and United Nations resolutions. The potential for these institutions and laws to resolve conflicts is weakened globally when one party chooses to selectively ignore its rulings."

Sabeel notes that trade and foreign investment bolstered South Africa's apartheid economy at its peak, even as the state spent increasingly more on internal repression and external aggression. However, the regime gradually found itself isolated.

Quoting South African Archbishop Desmond Tutu, Sabeel says, "The end of apartheid stands as one of the crowning accomplishments of the past century, but we would not have succeeded without the help of international pressure – in particular the divestment movement of the 1980s. ... Similar moral and financial pressures on Israel are being mustered one person at a time. If apartheid ended, so can this occupation, but the moral force and international pressure will have to be just as determined."

## New hope for U.S. ratification of the CRC

*A recent U.S. Supreme Court decision may pave the way for the U.S. to ratify the UN Convention on the Rights of the Child. The following article was written by Jennifer Betz, who is working for a year with the Maryknoll Office for Global Concerns in New York.*

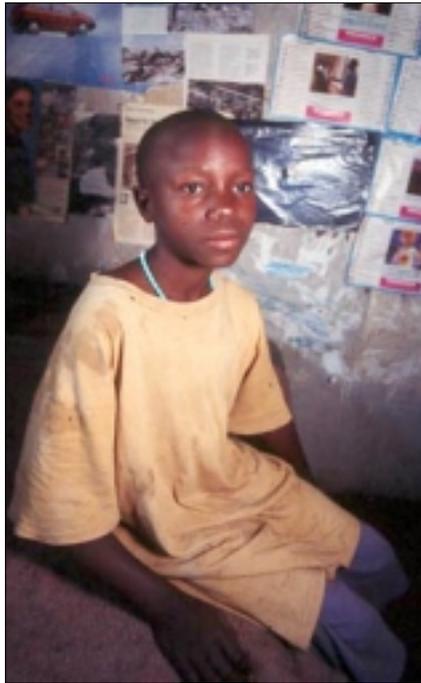
On March 1, in a 5-4 decision, the Supreme Court delivered a crucial decision for the rights of children and youth when, in light of the 8th and 14th amendments, it barred the death penalty for juveniles. The court did not go so far as to reverse an earlier decision from 1989 when a 5-4 decision had left the death penalty for juveniles intact. Rather, the majority argued that changing public attitudes had led them to now declare the practice unconstitutional even though it was still constitutional in 1989.

With the new vote, Justice Anthony M. Kennedy reversed his decision from 1989 and sided with the majority. In the majority opinion, he noted a consistent change in public attitudes in that 30 states either bar executions for juveniles or bar executions altogether. He noted this rejection of the death penalty for juveniles in the majority of the states, the infrequency of its use (only Texas, Oklahoma, and Virginia have executed juveniles in the last 15 years), and the consistency in a trend towards abolition (Five states have raised or established the minimum age of 18 for the death sentence since the 1989 *Stanford vs. Kentucky* ruling).

The majority opinion also cited international opinion and international law. Since 1990 only seven countries have executed juvenile offenders: China, Democratic Republic of the Congo, Iran, Nigeria, Pakistan, Saudi Arabia, and Yemen. However, even in the last 15 years, all seven of these countries have either banned the death penalty for juveniles or the government has renounced it publicly; the Supreme Court's majority opinion stated "our determination that the death penalty is disproportionate punishment for offenders under 18 finds confirmation in the stark reality that the United States is the only country in the world that continues to give official sanction to the juvenile death penalty...The opinion of the world community,

while not controlling our outcome, does provide respected and significant confirmation for our conclusions."

The majority opinion also cited Article 37 of the UN Convention on the Rights of the Child (CRC), which every country in the world has ratified except for the U.S. and Somalia, which does not currently have a recognized government. Article 37 contains a specific prohibition on capital punishment for crimes committed by persons under 18. Though Article 37 also bans life imprisonment without possibility of release for crimes committed by persons under the age of 18, the prohibition of the death penalty for juveniles was the primary impediment to the possibility of U.S. ratification of the treaty. Now that the practice has been declared unconstitutional, there is hope that the United States will join the international community in ratifying the treaty



*Photo of Kenyan boy by Sean Sprague, courtesy of Maryknoll Fathers & Brothers*

The CRC grants children freedom from violence, abuse, and abduction; protection from hazardous employment and exploitation; adequate nutrition; adequate health care; free compulsory primary education; equal treatment regardless of gender, race, or culture; access to leisure, play and culture; and the freedom to express opinion and thought in matters affecting them. The Convention neither usurps parental rights nor state sovereignty.

Rather, it engages all governments, communities, and individuals in priorities that facilitate laws, policies, and programs that foster the wellbeing of children "in the spirit of peace, dignity, tolerance, freedom, equality, and solidarity." (Preamble to the Rights of the Child)

### **Faith in action:**

For more information please see the United States Fund for UNICEF website: <http://www.unicefusa.org>. Click on the "Take action" button, and then choose "Contact your elected officials." Find the alert titled "Child rights." Please call and write your senators and ask for their support of U.S. ratification of the Convention on the Rights of the Child.

## Aid needs overhaul to help poorest nations

*Two international aid agencies have urged an overhaul of aid programs so that assistance can be better directed toward its primary goal: the elimination of poverty.*

Oxfam and ActionAid report that just one-fifth of aid actually goes to the very poorest countries, and only half of that is spent on health, education or other services that could be instrumental in ending poverty. In addition, much of the aid is “spent in the donor countries on overpriced and inappropriate goods and services.”

The two organizations released their report, “Millstone or Milestone? What rich countries must do in Paris to make aid work for poor people,” just before international aid ministers met March 2-3 in Paris to discuss ways to make aid more effective. The complete report can be found at <http://www.oxfam.org>.

The current aid system is marked by “muddle and hypocrisy, dithering and stalling, with the world’s poor cast unwittingly in the role of fall guys,” says Patrick Watt, ActionAid policy officer. The report warns that failure to reform the international aid system could undermine hopes of reaching the UN Millennium Development Goals, whose targets include halving global poverty by 2015.

Donors tie about 40 percent of aid to the purchase of goods and services from the donor country, the report says, noting that “Italy and the USA are among the biggest culprits, spending upwards of 70 percent of their aid on their own companies.” More importantly, the report adds, “tying is hugely wasteful, inflating procurement costs by up to \$7 billion a year – money that could be better spent reducing poverty.”

Bureaucratic issues are involved as well. The report says Senegal had to contend with more than 50 World Bank missions in 2003, or one per week. In the same year Vietnam hosted more than 400 donor missions from more than 20 agencies – half of which have more than 40 active projects each in the country. In 2002-2003 the Tanzanian government hosted 275 donor missions.

A growing number of aid agencies and transactions adds another complication. “There are 35,000 aid transactions a year, 85 percent of them worth less than \$1 million. Each comes bound in red tape,” the report says. “The past half-century has witnessed the proliferation of official donors, out of all proportion to any

increases in aid, creating an increasingly confused situation where the costs of coordination have steadily grown as the benefits to any single agency have diminished.”

The report criticizes what it calls a “scattergun approach” to distributing aid, “with some countries and sectors getting the lions’ share (the donor ‘darlings’), and others getting the scraps (the donor ‘orphans’).” For example, Nicaragua received \$178 in aid per person in 2001 while Niger, at a similar income level, received just \$22 per person.

The report also criticizes disbursement shortfalls. “There is a consistent gap between what donors promise, and what they deliver,” the report says. “For Africa, actual disbursements fall short of projections by 14 percent for program aid, and 26 percent for project aid. Aid also tends to arrive late, with one quarter of aid arriving over six months late.”

The report also criticizes donors for a lack of transparency. It says donors do a poor job of disclosing conditions, disbursements, or impacts of their activities. In Zambia, for example, more than three quarters of donor agencies fail to notify the government about their actual disbursements of aid.

The report also criticizes donors for applying aid conditions such as trade liberalization or privatization of essential services, often with devastating results for the poor. In Ghana, for example, \$100 million in World Bank assistance was withheld because the government failed to privatize municipal water. The UK followed suit, withholding \$13.5 million of its aid, and leaving two million urban Ghanaians waiting for clean water.

“To make aid an instrument of deep and lasting change, donors must agree to do some simple things to improve its efficiency and accountability,” the report says. “First and foremost, they need to spend aid where it’s needed, on poverty reduction – rather than channel it to their own consultancy and infrastructure industries, and geopolitical allies.” It adds that cutting red tape, using countries’ own systems and procedures, delivering what is promised on time, and practicing greater transparency would also help transform the impact of aid on poverty.

“The need for these changes is well understood,” the report concludes. “So far, it is political commitment rather than analysis that has been in short supply.”



*Photo of Bangladeshi boy by Fr. Bob McCahill, courtesy of Maryknoll Fathers & Brothers*

# The year ahead for nuclear disarmament

*On March 11, an Interfaith Consultation on Nuclear Disarmament was convened in Arlington, VA. Representatives from different faith traditions discussed today's nuclear danger and identified three important areas on which to focus attention in 2005: the "Bunker Buster" weapons system, the Nuclear Nonproliferation Treaty, and the 60th anniversary of the bombing of Hiroshima and Nagasaki. The following article is written by Tim O'Connell, a Maryknoll lay missionary.*

## **The "bunker buster"**

The Bush administration has once again requested funds for the Robust Nuclear Earth Penetrator. This so-called "bunker buster" would enhance the U.S. nuclear capability by allowing it to deliver nuclear warheads deep under ground in order to attack buried targets.

Pressure from across the political spectrum helped to eliminate funding for the bunker buster last year. Enhancing the U.S. nuclear arsenal would send the message that nuclear weapons are useful and usable. It would inspire proliferation and undermine global human security.

The bunker buster can be defeated again this year, but Congress needs to hear from you. For email access to your Congress member and talking points for your letter visit the legislative center on the Friends Committee for National Legislation's (FCNL) website at [www.capwiz.com/fcnl/](http://www.capwiz.com/fcnl/).

## **Nuclear Nonproliferation Treaty**

The Review Conference for the Nuclear Nonproliferation Treaty (NPT) will take place from May 2-27 at the UN in New York. The NPT, which entered into force in 1970, is the bedrock of international nonproliferation efforts. It commits the nuclear weapons states to eliminate their nuclear arsenals, while the non-nuclear weapons states agree to forego developing or acquiring nuclear weapons. It also obligates signatories to share peaceful nuclear technology.

Review conferences occur every five years in order to evaluate the effectiveness of the NPT and to strengthen it if possible. In 1995, signatories agreed to extend the NPT indefinitely. In 2000, they agreed to 13 practical steps to nuclear disarmament. Unfortunately, chances of significant agreements this year are slim.

The NPT faces several challenges. North Korea has withdrawn from the NPT and claims to have produced a small number of nuclear bombs. India,

Pakistan and Israel have nuclear weapons but remain outside the treaty. Unsecured nuclear material, especially in Russia, presents the potential for proliferation to terrorists and other states. In addition, the majority of signatories contend that the nuclear weapons states (U.S., Russia, China, France, and United Kingdom) have no intention of honoring their commitment under the NPT to work towards nuclear disarmament.

Can the NPT be altered and strengthened to deal with these challenges and will the signatories agree? Possibly. Unfortunately, it appears that the U.S. is the major obstacle to agreement. Some U.S. policymakers believe they can better pursue nonproliferation goals through agreements outside the NPT that allow the U.S. more flexibility in dealing with proliferation threats. The U.S. can make or break this Review Conference.

As of this writing it is unclear how the conference will unfold. Some experts warn that if the conference ends in disarray, without a consensus statement, signatories could lose confidence in the NPT, causing it to collapse. If this happens, they fear the emergence of several new nuclear powers as states try to keep pace with regional rivals. Conference delegates will work hard to avoid this outcome, as will nongovernmental organizations that will hold informational and strategy sessions throughout the conference. Visit [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org) for a calendar of events.

## **60th anniversary of bombings of Hiroshima and Nagasaki**

August 6 and 9, 2005 will mark the 60th anniversaries of the U.S. atomic bombings of Hiroshima and Nagasaki, Japan. As the NPT faces new challenges and the nuclear powers work to enhance and/or maintain their nuclear capabilities, it is essential to use this moment to remember the past and raise awareness of today's nuclear danger.

In the words of Pope John Paul II, "To remember Hiroshima is to commit oneself to peace. To remember what the people of this city suffered is to renew our faith in man [sic], in his capacity to do what is good, in his freedom to choose what is right, in his determination to turn disaster into a new beginning."

Visit [www.abolitionnow.org](http://www.abolitionnow.org) for a list of commemoration events around the country. The list includes a national gathering co-sponsored by Pax Christi USA and the Nevada Desert Experience. For more information visit [www.paxchristiusa.org](http://www.paxchristiusa.org).

# U.S. should lead the struggle against landmines

*The U.S. should re-consider ratifying the Land Mine Treaty of 1999 if it wants to be a leader in eliminating landmines. The U.S. takes a different approach from the treaty, also known as the Ottawa Convention. However, the U.S. drew criticism for its absence from the first five-year review conference of the convention held last November in Nairobi.*

While 144 nations are signatories to the treaty, landmines continue to devastate human lives. They kill or maim 40 persons daily, or upwards of 15,000 each year. The U.S. State Department estimates that 60 million deployed landmines pose a threat to civilians in more than 60 countries.

Provisions of the treaty include: ending the production and use of anti-personnel landmines, clearing mined areas of anti-personnel mines within ten years, destroying mines in national stockpiles within four years of the treaty entering into force (which occurred in 1999), educating populations about the risks from landmines, and providing rehabilitation for landmine survivors.

In March 2004 the White House disavowed President Clinton's earlier pledge that the U.S. would stop using land mines by 2006 if a suitable substitute were developed. Instead, the administration said it would stop using non-self neutralizing anti-vehicular and anti-personnel land mines by Dec. 31, 2010, and would destroy its stockpile of non-detectable (non-metallic) mines.

There are major differences between the Ottawa Convention and the U.S. position. The Ottawa Convention bans anti-personnel mines, but it permits anti-vehicular mines. The permitted mines are more powerful, and they can be made with little or no metal to help avoid detection. They can remain lethal for decades after emplacement.

The U.S. policy would ban both anti-personnel and anti-vehicular landmines that are nonmetallic. However, it would permit mines with timing mechanisms intended to self-destruct in 30 days or less.

In 1999 the U.S. ratified a separate international instrument: the Landmine Protocol of the Convention on Conventional Weapons. The U.S. Campaign to Ban Landmines criticizes the protocol for allowing a 10 percent failure rate on self-destruct mechanisms. The protocol calls for a backup deactivation feature so that "no more than one in one thousand activated mines will

function as a mine 120 days after emplacement," but critics are skeptical of achieving even that level of reliability.

A larger issue is that the U.S. stockpiles 10.4 million anti-personnel mines and 7.5 million anti-vehicular mines, representing the world's third largest stockpile. Landmines do not distinguish between military and civilian targets, putting large populations at risk. The lack of U.S. support for the Ottawa Convention gives other nations an excuse not to sign, and a variety of political factors and strategic alliances ensure that landmines could remain a weapon of choice for some time.

For example, the demilitarized zone between North Korea and South Korea and the border between India and Pakistan are heavily mined. All four countries have the capacity to produce large numbers of mines, and their huge neighbor China is estimated to hold 110,000 million landmines, or more than half the world's stockpile. However, U.S. policy seems primarily driven toward keeping the dialogue alive over North Korea's nuclear program, and preventing a renewed India-Pakistan conflict that might turn nuclear, than limiting landmine use.

Sub-Saharan Africa presents a paradox. While the region has the greatest land mine problem – 40 million mines remain buried – only one country in the region, Somalia, has not signed the Land Mine Treaty. That eight countries in sub-Saharan Africa — Angola, Burundi, Chad, Democratic Republic of the Congo, Eritrea, Senegal, Sudan and Uganda – continue to struggle against the use of landmines stands as a stark testimony to failed leadership.

The U.S. and the rest of the world must take greater notice of this preventable disaster. Overall donor contributions for mine action have declined, in particular to countries such as Cambodia and Vietnam, where the problem is most severe. And while nations provided \$1.35 billion for mine clearance between 1999 and 2003, contributions to assist victims have decreased even as the number of victims keeps growing. Monitors estimate that one-quarter of all landmine victims each year are children.

For more information on the various factors and alliances that maintain landmine use, see "The Landmine Web," written by Col. Daniel Smith, USA (Ret.) in the December 2004 issue of *Foreign Policy in Focus*.



*Mine detector in Afghanistan*

## UN: Millennium Ecosystem Assessment report released

*On March 30, the Millennium Ecosystem Assessment (MA) Synthesis Report was released in preparation for the Millennium+5 Summit, which will be held in September. Prior to its release, each part of the report was scrutinized by independent scientists and other experts to ensure accuracy in its findings.*

The report describes the four and a half year Millennium Ecosystem Assessment (MA), which brought together the efforts of more than 1,360 experts from 95 countries to assist those decision makers who will participate in September's summit. The experts' more complete findings on a variety of subjects — the condition and trends of ecosystems; scenarios for the future; possible responses; and assessment at a sub-global level — will be released as technical chapters, 30 to 200 pages in length, grouped around those four main themes.

In anticipation of the experts' findings, which are still in draft form, the board of the MA released a statement entitled "Living Beyond Our Means: Natural Assets and Human Well-Being," written for non-specialist readers. This statement, along with the rigorous study on which it is based, should make clear the urgency and add power to the conclusions set forth for study and action by all sectors involved, government, private and civil society.

To alert NGOs and the Commission on Sustainable Development-13 about the Millennium Assessment Synthesis Report, the following short article was compiled by the Earth Values Caucus.

"The recently released Millennium Ecosystem Assessment (MA) Synthesis Report specifically states that the ongoing degradation of the ecosystem services is a road block to the Millennium Goals. [Ecosystem services are the benefits that people obtain from ecosys-

tems. These include food and water; flood and disease control; spiritual, recreational, and cultural benefits; and nutrient cycling that maintain the conditions for life on Earth.] There is enough evidence for experts to warn that ongoing degradation of 15 of the 24 ecosystem services examined is increasing the likelihood of potentially abrupt changes that will seriously affect human well-being. One most pertinent to CSD-13 is fresh water which is now well beyond levels that can sustain current, much less future demands. This includes sudden changes in water quality, and appearance of "dead zones" along the coasts. Thus any progress achieved in addressing the goals of poverty and hunger eradication, improved health, and environmental protection is unlikely to be sustained if most of the ecosystem services on which humanity relies continue to be weakened.

"The over-riding conclusion of this assessment is that it lies within the power of human society to ease the strains we are putting on nature services of the planet, while continuing to use them to bring better living standards to all. Achieving this, however, will require radical changes in the way nature is treated at every level of decision-making and new ways of cooperation between government, business and civil society. The future now lies in our hands" states the MA Board of Directors in their statement, "Living Beyond Our Means: Natural Assets and Human Well Being."

Following are recommended readings: Synthesis reports; "Living Beyond Our Means: Natural Assets and Human Well-Being: Statement of the MA Board"; Overview of the Millennium Assessment - Directory of Authors; and a popularized version of the Synthesis Report. The documents are available at <http://www.millenniumassessment.org>.

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## U.S.: Two celebrations for workers' rights

In early March, the Coalition of Immokalee Workers (CIW), after a three-year boycott and hours of negotiations, reached an agreement with the Taco Bell Corp., a division of Yum! Brands, to address the wages and working conditions of farmworkers in Florida's tomato industry. One aspect of the settlement was that Taco Bell set up a pact with a number of its tomato suppliers, who are the farmworkers' employers, to pass a penny-per-pound payment directly to the workers. For more information on the agreement and victory

celebration, go to <http://www.ciw-online.org/news.html>

At the end of March, 25 students at Jesuit-affiliated Georgetown University in Washington, D.C. ended an eight-day hunger strike when officials agreed to provide a "living wage" for all of the school's employees, including contract workers. The hunger strike was the final strategy of the Georgetown Living Wage Campaign, which was began back in 2001. For more information, go to <http://studentorgs.georgetown.edu/solidarity/lw/main.html>

## Beijing+10: Challenges to implementation

Ten years after the World Women's Conference in Beijing, the 49th Session of the UN Commission on the Status of Women (CSW) last March reviewed and appraised the implementation of the Beijing Platform for Action (BPFA). UN regional commissions identified poverty and violence as the main obstacles to implementation.

A short declaration reaffirming the BPFA and 10 resolutions were adopted during the CSW. Concentrating on a simple review of implementation of the Beijing agreements was a wise measure. The global community gathered at the UN (and in other fora) is adept at writing profound declarations that, if realized, would move our world toward social justice, peace and the integrity of creation. Documents and agreements are not lacking, but there is a significant gap with implementation. Since the Beijing gathering in 1995, there has been a worldwide mobilization against the UN's agenda for the advancement of women, an agenda which promotes respect for women's basic rights and their inherent dignity.

NGOs and the five UN regional commissions stressed that the major obstacles to the BPFA implementation are poverty and violence. In its report on the BPFA implementation, the Women's Environment and Development Organization's (WEDO) gave a negative assessment, noting that "few measures have been taken to address the root cause of violence." Regarding poverty, southern NGOs pointed out that women need economic empowerment and expressed special concerns regarding the trend of trade liberalization. Other problems mentioned as working against the agenda's implementation were increasing fundamentalism, HIV/AIDS and natural disasters.

The U.S. delegation attempted to include an amendment to specify that the "BPFA does not create any new international rights and that they do not include the right to abortion" so as to prevent that the Beijing documents be used to "promote abortion as a human right worldwide." A petition with half a million signatures from around the world accompanied the proposal. Only the Holy See supported the U.S. position, causing U.S. Ambassador Ellen Sauerbrey to withdraw the proposal. The vast majority of delegates rejected the proposal on the grounds that such provisions in favor of abortion are not part of the BPFA.



Trafficking in women and girls took an important place in the Beijing+10 deliberations. This issue created another controversy because the U.S. resolution emphasized the trafficking in relation with prostitution and sex tourism and targeted the supply side instead of demand. The NGOs' perspective was to emphasize the demand, and to point out that human trafficking is also related to forced labor and in clear relationship with the devastating effects of extreme poverty.

For further implementation of the BPFA, some key reflections from Beijing+10 are:

- Mainstreaming women at national and global level needs new strategies. In fact, funds have decreased in this area. NGOs expressed that the past 10 years have seen little change and some backlash against the expansion of women's rights.
- Women's participation in government needs more affirmative action. Parliamentary representation by females increased only from 11 to 15 percentage points since Beijing.
- Women need to work more effectively with the media; mass media gives little attention to the lower status and victimization of women. Greater attention to this issue is indispensable for the advancement of women.
- The gap between laws and policies must be closed. The machinery for implementation at national levels is weak. "Governments have failed to turn the Platform into action."
- The work at the grassroots level must be reinforced; for the first time, NGOs stressed the need to win men's support for gender equality.
- It is crucial to increase awareness that, in many ways, poverty has eliminated many gains that have been made by women.
- Working on the BPFA from within the Millennium Development Goals (MDGs), as advised by the UN, was controversial among NGOs. For Phoebe Asiyo, chair of the Women's Political Caucus, this could succeed because "governments are more comfortable about the MDGs that they ever were about the Beijing Platform." For others, the targets of the MDGs regarding the women's agenda are less ambitious and this strategy may dilute progress.

For more information, visit: [www.cyberdialogues.org](http://www.cyberdialogues.org), [www.wedo.org](http://www.wedo.org) and [www.un.org/womenwatch/daw/Review/english/background.htm](http://www.un.org/womenwatch/daw/Review/english/background.htm).

## UN takes action on human rights and business

*From Union Carbide in Bhopal, India, to Shell Oil in Nigeria, corporations have a history of acting in ways that violate basic human rights. In response, a number of voluntary initiatives to address corporate human rights abuses have been developed over the past thirty years. While an important first step, these voluntary standards often lack international legitimacy, have no independent monitoring and do not provide adequate accountability mechanisms. Very few codes refer to human rights, and if they do, it is only in general terms.*

A new international effort attempts to address what the Office of the High Commissioner of Human Rights (OHCHR) calls “the gap in understanding what the international community expects of business when it comes to human rights.”

Written in consultation with unions, business and NGOs, the UN Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights (UN Norms), were adopted by the UN Human Rights Commission’s Sub-Commission on the Protection and Promotion of Human Rights in August 2003. The Norms provide a comprehensive document that can be used by human rights advocates, companies and governments and referred to by national and international tribunals.

The UN Norms address the human rights responsibilities of businesses within their ‘spheres of activity and influence.’ These responsibilities include: ensuring equal opportunity and non-discrimination; not violating or benefiting from the violation of the security of persons; protecting workers’ rights, including freedom from forced labor and exploitation of children, safe and healthy working environments, adequate remuneration and freedom of association; avoiding corruption and maintaining transparency; respecting economic, social and cultural rights; and ensuring consumer protection, public safety, and environmental protection in business activities and marketing practices, including observance of the precautionary principle. The UN Norms also outline potential steps for implementation and enforcement.

The UN Norms are not an international treaty to be ratified; therefore, they are not legally binding on states or corporations. But for the most part, the UN

Norms draw on existing human rights law and principles.

A large group of non-governmental organizations from developed and developing countries support the Norms. Business institutions such as the International Chamber of Commerce (ICC) strongly oppose them, ignoring the fact that a few large corporations agreed to “road test” the Norms. The ICC accused the Norms of “privatizing human rights” and showing a “negative attitude towards business.”

Some governments, such as the United States, object to the norms by arguing that international human rights law pertains only to states, not to “non-state actors” such as companies, and that companies should simply comply with the law, which it was up to governments to enforce.

This spring, the UN Commission on Human Rights met to consider the UN Norms and the report that it requested from the Office of the High Commissioner for Human Rights (OHCHR). The report noted: “There is a growing interest in discussing further the possibility of establishing a United Nations statement of universal human rights standards applicable to business.”

On April 19, the Commission adopted a resolution requesting the UN Secretary General to appoint a special representative on the issue of human rights, transnational corporations and other business enterprises. The vote was 49 to 1, with the U.S. opposing the resolution.

According to the Human Rights Working Group of the Interfaith Center on Corporate Responsibility, the resolution “creates space for further work on the initiatives related to business and human rights, including the UN Norms, though the Norms are not mentioned specifically. The Human Rights Working Group will continue to encourage companies to ‘road-test’ the UN Norms and look for opportunities to engage in the process that will be established by the Special Representative on Business and Human Rights.”

*For more information, see these websites:*

- UN Norms on the Responsibilities of Transnational Corporations: Go to <http://www.ohchr.org>, and search for “norms on the responsibilities”; you will be given several options to read the entire document.
- International Network for Economic Social and Cultural Rights: <http://www.escr-net.org>
- Business and Human Rights Resource Centre: <http://www.business-humanrights.org>



*Photo by Sean Sprague, courtesy of Maryknoll Fathers & Brothers*

## Resources

1. **“Fair Trade is Peace”:** This is the theme of World Fair Trade Day 2005, an international celebration of fair trade, with events organized worldwide. On and around **May 14**, International Fair Trade Association (IFAT) member organizations based in 60 countries, along with fair trade shops and networks, will host events with campaigning and lobbying - all with the aim of promoting fairer trade with marginalized and small scale producers in the majority world. For more information on World Fair Trade Day, go to [www.wftday.org](http://www.wftday.org)
2. **Interfaith Worker Justice National Conference:** This gathering, **May 22-24**, will bring together people of faith at North Park University in Chicago to become more effective in efforts to improve wages, working conditions, and benefits for workers in our society. Speakers include Auxiliary Bishop Gabino Zavala (president of Pax Christi USA), and Ms. Kim Bobo. Contact Interfaith Worker Justice for more information: 773-728-8400; [www.interfaithworkerjustice.org](http://www.interfaithworkerjustice.org)
3. **Memory, Prophecy, Hope: The Legacy of the Central American Martyrs:** This symposium will be held **June 14-17** at Rivier College, Nashua NH, to remember the martyrs of Central America, and to celebrate the 25<sup>th</sup> anniversary of the Religious Task Force on Central America and Mexico. What lessons are learned from the lives and deaths of the martyrs, from 25-plus years of solidarity? Through communal reflection, presentations, academic papers, films and celebrations we will explore the themes of memory, prophecy and hope. Fees vary depending on credit levels. (Non-credit: \$145.) Housing and meal prices vary. For more information, call 603-897-8485 or email [akubick@rivier.edu](mailto:akubick@rivier.edu)
4. ***Through a Glass Darkly: The U.S. Holocaust in Central America:*** Thomas R. Melville has written this extensive and vivid account of the work of Maryknoll Father Ron Hennessey, who served in Guatemala for decades. The book parallels Fr. Hennessey's work in Guatemala with the U.S.'s policies toward that country at that time, policies which led to the suppression and death of thousands of Guatemalans. 650 pages. ISBN: 1-4134-6966-3 (softcover). For information, contact Xlibris Press at 888-795-4274 or go to [www.xlibris.com](http://www.xlibris.com).
5. **Many Stories, One Vision for a Nuclear-Free World:** In this 60<sup>th</sup> anniversary year of the U.S. atomic bombings of Hiroshima and Nagasaki, Pax Christi USA and the Nevada Desert Experience will host a shared gathering, **August 4-7**, at the University of Nevada-Las Vegas. Workshop leaders include Janet Chisholm; John Dear, SJ; and Bishop Steven Charleston, a Native American Episcopal bishop. Training will be provided in conjunction with the Saturday evening witness at the Nevada Test Site. For information, contact Pax Christi USA at 814-453-4955 or go to [www.paxchristiusa.org](http://www.paxchristiusa.org)
6. **A Secure America in a Secure World:** Published by Foreign Policy in Focus's (FPIF) Task Force on Terrorism. This study, authored by John Gresham, builds on FPIF's earlier articulations of a strategy to combat terrorism. This updated piece explains the way the current administration has failed in its approach to combat terrorism, and it gives a new framework to defend and promote democracy. 50 pages. \$10. Contact the Institute for Policy Studies for information: 202-234-9382; [www.ips-dc.org](http://www.ips-dc.org) or [www.fpif.org](http://www.fpif.org)
7. **Blueprint for a New Colombia Policy:** This 24-page publication explains the failures of Plan Colombia, and provides specific suggestions for an alternative U.S. policy. Also includes a chart of military and police assistance programs to Colombia. A joint publication of the Latin America Working Group (LAWG) ([www.lawg.org](http://www.lawg.org)), the Washington Office on Latin America (WOLA) ([www.wola.org](http://www.wola.org)), the U.S. Office on Colombia, and the Center for International Policy (CIP) ([www.ciponline.org](http://www.ciponline.org)). For copies, contact LAWG at 202-546-7010.
8. **Build a Better World: Africa:** This new children's curriculum from Church World Service (CWS) can be used at camp or Sunday school settings. Four sessions feature hope-filled stories of African children, related Bible stories, hands-on activities and take-home sheets. 24 pages, with 17"x22" poster containing a map of Africa on the back. Up to ten copies are available at no charge; 11-99 copies are \$1/each; over 100 copies are \$0.75/each. Contact CWS: 800-297-1516; [www.churchworldservice.org](http://www.churchworldservice.org); [info@churchworldservice.org](mailto:info@churchworldservice.org)