

# Maryknoll Office for Global Concerns

# NewsNotes

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international peace and justice issues*

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 It is advised that constituents either use email or fax, or send mail to Congresspersons' home offices, rather than to the Washington, D.C. office.*

## A good neighbor in the global community

When the law scholar asked Jesus, “Who is my neighbor?” (Luke 10:29), Jesus responded with the parable of the man beaten by robbers, the good Samaritan who cared for him, and the two other men who ignored the beaten man. Jesus ended his teaching with the question, “Which of these three, in your opinion, was neighbor to the robbers’ victim?” The scholar answered, “The one who treated him with mercy.” Jesus said to him, “Go and do likewise.” (Luke 10: 30-37)

During 2006, each issue of *NewsNotes* has begun with a reflection on what it means to be a good neighbor and what it would mean for the United States to become a global good neighbor. Perhaps the good Samaritan question in this regard would be, “How could the ones who robbed and beat the man and left him for dead become good neighbors to him?”

The gospel and Catholic Social Teaching have a great deal to say about this. Jesus tended to the wounds and brokenness of those he encountered on his journey (the lepers, the blind, the crippled, the women), but he addressed as well the wound-causing injustices woven into the fabric of his own society: the exclusion of women, the concentration of power and wealth, the abuse of religious practice. Tending to and speaking up are both part of being a good neighbor.

Maryknoll missionaries live and work in 38 countries around the world – often in the poorest and most marginal communities where people work hard for a life of dignity and balance on the edge of survival. They accompany the search for water and firewood, for food and education, for medicine and decent work. Their experience – and especially that of their impoverished friends – is the primary lens through which we can identify the ways in which the rich and powerful can become good neighbors in an age of globalization.

Despite its potential for cross cultural understanding and the building of right global relationships, the downside of globalization as it is presently organized is devastating. Moral theologian Bryan Hehir says that globalization has a logic of its own,

but lacks ethics of its own. Too often, it is driven by a set of values that puts profit and growth in a primary position; created needs over real needs; speculative investment over investment in a real economy; control and efficiency over participation.

Furthermore, in the process of shaping globalization, power is concentrated in very few hands.

Most important decisions are being made by powerful nations, institutions, corporations and individuals to benefit a minority of the global population. The United States itself and many U.S. individuals and companies are at the top of the list.

The first step toward becoming a good neighbor is to stop being a bad neighbor.

This would entail

a major revision of the fundamental objectives of U.S. trade policy, U.S. national security policy, U.S. policy toward multinational cooperation, U.S. energy policy, and on and on. For the U.S., now moving about the world as “empire,” to become a global good neighbor would be a huge undertaking, but we seek nothing less.

In 1971 the Synod of Catholic Bishops gathered in Rome from around the world wrote, “It fully appears to us that work for justice and participation in the transformation of the world are constitutive to the preaching of the Gospel.” In that same year Pope Paul VI called us to action for justice. Much water has gone over the dam since 1971 – the reality of the world we live in has profoundly changed. So has the response required of faithful people. But the essential message remains the same: we cannot claim to proclaim the Word of God unless that proclamation is intrinsically linked with efforts to move our broken world toward a global community in which all human beings can live lives of dignity in right relationship with each other and the rest of creation.

That global community needs the United States to become a good neighbor.



*Maryknoll lay missionary Bertha Haas (left) with neighbors in Tanzania; photo by Marie Dennis*

## Africa: Forced evictions continue

*In Africa, the process of urbanization is faster than in any other region of the world. In sub-Saharan Africa, an estimated 72 percent of the urban population lives in slums while in North Africa the figure is 28 percent.*

UN Secretary-General Kofi Annan has stated that the “build-up of slums and informal settlements occurs in large part because of policies and exclusionary practices that deny public services and basic facilities -- including water, sanitation, health and education -- to informal settlements” and that “evictions and demolitions are not the answer to the challenges of rapid urbanization. We must have pro-poor, participatory urban development -- with respect for human rights and in accordance with international law.”

Yet, in 2005 Zimbabwe attracted international attention by its campaign of forced evictions that violated the rights of an estimated 700,000 people. Elsewhere in Africa, according to Amnesty International and the Geneva-based Centre on Housing Rights and Evictions (COHRE), the practice of forced evictions has reached epidemic proportions, with more than three million Africans forcibly evicted from their homes since 2000.

Although the practice of forced eviction has been recognized as a gross violation of human rights under international law and, in particular, by the African Commission, governments throughout Africa continue to forcibly evict hundreds of thousands of people from their homes each year. Many of these evictions are accompanied by further rights violations, including the use of excessive force by those carrying out the evictions, such as arbitrary arrests, beatings, rape, torture and even killings.

For example, an estimated two million people have been forcibly evicted from their homes and many thousands have been made homeless since 2000 in Nigeria. More than 12,000 people were forcibly evicted from Dar Assalaam camp in Sudan in August 2006, resettling them in desert areas without access to clean water, food and other essentials. Currently, there are over four million internally displaced persons in Sudan. In Luanda, the capital of Angola, at least 6,000 families have been forcibly evicted and had their homes demolished since 2001. In Kenya approximately 70,000 people have been forcibly evicted from their homes in forest

areas since 2005, while at least 20,000 people have been forcibly evicted from neighborhoods in or around Nairobi since 2000. In Ghana over 7,000 people were made homeless when they were forcibly evicted from the Digya National Park in March and April 2006. At least 300 families in Equatorial Guinea have been removed from their homes since 2004, when the government embarked on a program of urban regeneration in Malabo and Bata.

Under international human rights law, including the African Charter, which has been ratified by member states of the African Union, evictions can only be considered as lawful if they are deemed necessary in the most “exceptional circumstances.” If such “exceptional circumstances” exist, then certain procedural protections and due process requirements have to be adhered to, including that States must ensure, prior to any planned evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with affected persons. In any event, eviction shall not result in rendering individuals homeless or vulnerable to the violation of other human rights. Governments are legally obligated to ensure that adequate alternative housing and compensation for all losses is made available to affected persons.

Amnesty and COHRE have called on African governments to implement a positive human rights-based approach to urban housing, including making concrete commitments to:

1. Develop a human rights-based framework for upgrading slums and informal settlements which secures opportunities for genuine community participation and forms part of a plan to achieve progressively the full realization of the right to adequate housing for all.
2. Develop guidelines and laws to prevent and remedy forced evictions and declare a moratorium on all evictions from slums and informal settlements until such time as human rights-based housing legislation and policies are adopted.
3. Develop innovative communal and individual land tenure schemes that guarantee a degree of security of tenure to all immediately and establish and implement plans to provide affordable serviced land for low-income housing development.
4. Prioritize the poor and other vulnerable groups, including those living in informal settlements, in the allocation of financial, technical and

other resources for the progressive fulfillment of housing and related rights. These rights consist of the provision of sufficient safe and affordable water, sanitation and other essential services.

5. Allow rapid and unimpeded access to victims of forced evictions by local and international humanitarian organizations where the state is unable

or unwilling to provide humanitarian assistance.

For additional information see AfricaFocus Bulletin, Oct. 6, 2006 ([www.africafocus.org](http://www.africafocus.org)) and recent press releases from the Centre on Housing Rights and Evictions ([www.cohre.org](http://www.cohre.org)) and Amnesty International (<http://www.amnesty.org>).

## Sudan: Education suffers in southern Sudan

*When there is war, there is no development. In the 50 years of civil conflict between the Christian South and the Muslim-dominated government in Khartoum, southern Sudan's infrastructure has been destroyed. During the war, economic, health and education systems collapsed. The following article was written by Lago Gatjal Riaka, an intern with the Maryknoll Office for Global Concerns, who is originally from Sudan.*

Education is the key to the future, therefore perhaps the most destructive tool that an enemy can use to punish civil society is to destroy its educational system. That is what the Islamic regime did to the southern Sudanese during the war. Now, illiteracy is one of southern Sudan's most pressing problems. The New Sudan Centre for Statistics and Evaluation estimates that "88 percent of adult women and 63 percent of men in the region are illiterate."

In 1999, Christian Mission Aid wrote, "Seventy percent of school age children in South Sudan do not receive an education of any sort, nor has there been any formal education for the last 17 years or more." Most of the schools built in southern Sudan in the last 50 years were built by missionaries. When the civil war broke out, these schools were destroyed by the government to punish the southern Sudanese.

A 2006 USAID report states that "only 20 to 30 percent of children in South Sudan are enrolled in primary school." A recent UN report says "only about 500 girls and 2,000 boys complete primary education every year in southern Sudan, the lowest rate in the world." Since the infrastructure was destroyed, most of the classes in southern Sudan are taught outside under trees or in the open.

As a young boy living in southern Sudan I witnessed the destruction of buildings by government planes. The only safe place for school children was outside of the buildings.

During the war, most of the schools were closed; the University of Juba was moved to Khartoum due to the insecurity in the South. Every Southerner pursuing a university education during the war had to go to Khartoum. Most did not find scholarship assistance, and often were recruited into the army to fight their brothers in the South.

South Sudanese students were given two choices: attend the well-funded Arabic schools where Southerners were assimilated into Islamic society or attend badly-funded English schools in Khartoum. Southerners who attended Arabic schools could pursue a university education, but Southerners who ended up attending English schools had to serve in the military for two years or more before they could pursue their university education. Many students who went into the military were killed in the front lines; few came back to attend university after their service.

The Comprehensive Peace Agreement (CPA), an agreement signed last year by the Sudanese People's Liberation Movement/Army (SPLM/A) and the Sudanese government, brought hope to southern Sudan. After 50 years they have the chance to read and write and they see education as their future.

According to the *Sudan Tribune*, the Government of Southern Sudan's Ministry of Education "has contracted [a] Sudan-based construction company to renovate Juba University" in Juba, its original location before the war.

The CPA gives the southern Sudanese new opportunities. In 2011, they will vote either to remain a part of a united Sudan or to separate. But the task before them is a huge one. Southern Sudan is starting from zero and will depend in large part on the government in Khartoum for help in rebuilding its educational system, including everything from classrooms, school supplies and other educational facilities to teacher training and support.

## E. Africa: Lake Victoria, an ecological challenge

*The following article was written by Frank Breen, MM, a Maryknoll priest who lived for many years in East Africa and who recently investigated the environmental situation of Lake Victoria.*

Lake Victoria is in geological terms a very recent lake, originating about 30,000 years ago. During the last ice age, 14,000 to 10,000 years ago, Lake Victoria may have completely dried up.

Lake Victoria is also a shallow lake, averaging only about 130 feet deep. Eighty-five percent of its water intake comes from rainfall; conversely, 85 percent of its water loss is due to evaporation, as it is located on the equator. The September 18, 2006, issue of *The East African* reported that the recent rainy season, April to June, failed to improve water levels in the lake. The net gain was only 4.5 inches.

In February, Lake Victoria's water level was the lowest since 1923, and had dropped over five feet since 2002. Thirty-five percent of this water loss is attributed to excessive water release through the two huge hydroelectric dams in Jinja, Uganda, where the lake spills over into the Nile River. The current dry season will negate whatever small gains in water level accrued earlier this year. Whether this year's short rains (November to December) and next year's long rains (April to June) will be sufficient to restore water levels is impossible to predict.

The capacity of the two dams is 300 megawatts (MW). However, they are at present only generating 135 MW, and will be immediately reduced to 120 MW. Uganda's Ministry of Energy expects that it will have to reduce generation to between 80 and 90 MW before the end of this year.

The primary cause of the low water level is the terrible drought that occurred in East Africa in 2005-06. However, this has been greatly exacerbated by human actions, primarily increased outflow after a second dam was built in Jinja, and also by reduced inflow due to degradation of the wetlands surrounding Lake Victoria.

In 1954 it was agreed that Lake Victoria's long-term outflow should not exceed 1,700 cubic meters per second. After construction of the second dam, this outflow was increased by 35 percent to 55 percent. Almost everyone, including the World Bank which funded construction of the second dam, realizes now that this heightened outflow is unsustainable.

Uganda's plans to offset reduced electricity generation are to increase geothermal production in the short-term, and to construct two dams along the Nile River north of Lake Victoria, which hopefully will be ready by 2010. Allegations of graft, though, are delaying construction of the geothermal plant.

Lake Victoria is facing other environmental problems, such as chemical pollution from factories and eutrophication caused by fertilizer run-off from farms, especially the enormous tea plantations in the highlands north and east of the lake.

Another ecological disaster has been the extinction of some 200 species of indigenous haplochromine fish found nowhere else. This is attributed to the introduction of the Nile perch in the 1950s by the British colonial government. This was done with good intentions to increase commercial fish production for indigenous fishermen, but has proven to be a prime example of the risk of introducing alien species to a different environmental system. From 1978 to 1981 the perch went from five percent of biomass in Lake Victoria to 80 percent, and all species of the haplochromine genus of fish disappeared. Haplochromines are one of several types of cichlid fish endemic to the great lakes of central Africa. They are an example, in evolutionary terms, of rapid speciation from very few ancestors.

Compounding the extinction of fish has been recent over-fishing of the perch by indigenous fishermen, including catching the young with illegal nets (called "birdnets"). Education by local nongovernmental organizations and government officials, plus efforts to raise fishermen's incomes, are seen as ways to ensure the industry will remain sustainable.

If the water levels in the lake are restored, scientists hope to re-introduce about 40 species of haplochromines, now breeding in aquariums in Europe and the U.S., back to several gulfs of Lake Victoria, with nets at the gulfs' entrances to protect them from the perch. Haplochromines are not a commercial fish, but were the food of the indigenous people living around the lake for centuries.

Even in geologic terms Lake Victoria is a fragile lake. Recognition of human activity exacerbating its fragility has spurred both local and international actors to take concentrated efforts to prevent Lake Victoria from becoming another example of a great lake dying – such as already happened to Lake Chad in north central Africa.

## Africa: Priority to understand, respect, respond

*At a recent conference in Germany, Peter Henriot, SJ, from Zambia challenged those present, the Christian churches and his brother Jesuits, to make Africa a priority through clear understanding, committed respect and efficient response. "Priority is cognitive (intellectual), affective (emotional) and effective (operational). It has to do with what we do with our heads, our hearts and our hands."*

First, he said, there is need to make an option for a priority of understanding, an intellectual grasp of what actually is occurring in Africa today and why it is occurring, with emphasis on the historical impact of Europe upon Africa's development or mal-development. Slavery, colonialism and neo-colonialism have had "immense consequences on the present situation of Africa and on its potential to move into the future in a truly human fashion." These historical factors do not explain everything, but you cannot explain anything unless you honestly take into the framework of your understanding: 1) the physical and psychological trauma of slavery, when millions of the strongest and the healthiest of Africans were savagely exported to be used simply as input into the development of other peoples on other continents; 2) colonialism which imposed a model of development on the continent that primarily benefited outsiders, not Africans; and 3) neo-colonialism, the economic structures of trade, aid, debt and investment, the political structures of global power alignments, the cultural structures of communication and entertainment – the unjust network of globalization – that have marginalized Africa.

Fr. Henriot also emphasized the need for "an accurate understanding of the impact of the Cold War on Africa's development, when decisions were made to support certain governments, dictatorial and corrupt as they may have been, because of how they could be allied to the West's global strategic and military concerns. [W]e must understand the design and consequences of the structural adjustment programs imposed ... by the World Bank and the IMF ... reform that forgot, or systematically ignored, that development is first and foremost about people."

Second, there is a need for a priority of respect. We must promote a recognition of the dignity and worth of fellow human beings, a valuing of their contribution to global civilization, a rejection of whatever is demeaning of their experience, including

the always negative picture of Africa as a place of disease, collapsing states and violent conflict. The "very sad and very painful situations of great poverty, great sickness and great conflict" do not tell the whole story of Africa and are not "a truthful representation of the life, vitality, joy, hard work, dedication, ingenuity, resilience, hope and faith of [most] African people ... such imaging of the people of Africa is degrading, demeaning, disrespectful. And we in civil society, the churches, ... should cooperate together for an option of respect to be shown the African people. For it is only with a focus on the positive ... that we can effectively deal with the problems, the predicaments."

As examples, he cites positive results in Zimbabwe's response to HIV/AIDS and innovative programs working with AIDS orphans; Liberia's election of a strong woman president; and peaceful electoral transitions that occur regularly in Botswana or recently in Tanzania and Benin.

Third, he underscored the need for a priority of response, meaning the effective mobilization of justice, of structural change, toward meeting the needs of Africa in our world of today, addressing the deeper structural causes of the impoverishment of Africans. "It is significant that the Millennium Development Goals list a series of targets to be met by 2015 to deal with the sufferings of those who are poor .... The first seven of these goals address immediate national problems: cut by half the number of those facing desperate poverty and acute hunger, assure universal primary education for all children, address gender disparities, cut back infant and maternal mortality rates, curb the spread of HIV/AIDS and malaria, deal with environmental challenges such as scarcity of water and slum dwelling.

"But the eighth goal deals with the ... relationships within which the other goals will [or will not] be met. This goal calls for a genuine global partnership, the promotion of greater cooperation among nations with special concern for fairer deals for poor countries in trade, aid, debt, new technologies, etc.

"... [R]esponse as a priority will mean an option for promoting structural justice campaigns, now more necessary than ever before. Why? Because the war on terrorism is already taking precedence in so many decision-making circles over the war on poverty, or, better expressed, the promotion of integral, sustainable human development."

## Uganda: Peace process needs more support

*For two decades, the Lord's Resistance Army (LRA) has waged a brutal war against the Uganda government and the Acholi people of Northern Uganda. It is difficult to understand this war without understanding its root causes, dating back to the British rule in Uganda which created a divisive political climate between northern and southern Uganda. The following article was written by Maryknoll intern Lago Gatjal Riaka, who is originally from Sudan.*

The British created an "inside" status for both northerners and southerners in Uganda. Northerners were known by the British as fighters, and southerners as politicians and business people. A report by the Uganda Conflict Action Network writes about a British-created "post-independence North-South divide in Uganda, where the two regions competed for power and prestige." In the years since the British left the country, power has been controlled by either northerners or southerners. A serious imbalance of power led to the rise of the LRA under Joseph Kony after Yoweri Museveni, the current president of Uganda, rose to power in 1986 under the National Resistance Movement (NRM).

The war between the Uganda government and the LRA has lasted for two decades without either side claiming victory. According to Pax Christi Netherlands, a section of the international Catholic peace movement working in the war-torn region of Northern Uganda, the region's conflict "is one of the greatest humanitarian disasters worldwide. In terms of civilian displacement (1.8 - 2 million), Uganda ranks fourth after Sudan, DRC, and Colombia." Since the war started in 1986, one million lives have been lost and millions have been displaced.

The LRA includes many abducted children who are forced to kill against their will. According to the Uganda Conflict Action Network, "at least 30,000 children have been abducted by the LRA" and forced to carry out acts of terror, including

killing innocent people, kidnapping young boys into the military, abducting young girls, mutilations (including cutting off hands), and a mass displacement of the civilian population, driving them into refugee and internally displaced persons (IDP) camps.

The people who have suffered the most in this conflict are the Acholi of Northern Uganda, who have been terrorized by LRA rebels for not supporting the rebels' cause, based on Kony's purported intention to rule Uganda under the Ten Commandments. LRA activities in Northern Uganda include burning villages and kidnapping, which raises fear among the Acholi people and causes them to leave their villages for IDP camps inside Uganda.

Until recently, the international community has turned a blind eye to this situation. Jan Egeland, UN undersecretary-general for humanitarian affairs, told the BBC, "I cannot find any other part of the world that is having emergency on the scale of Uganda that is getting so little international attention." (Uganda Conflict Action Network)



Peace negotiations between the Ugandan government and LRA rebels began in July this year in Juba, the capital of southern Sudan, mediated by the government of southern Sudan (see *NewsNotes*, September/October 2006). This process is bringing hope to the people of Northern Uganda who have been terrorized by the LRA rebels for 20 years. In September, the International Crisis Group (ICG) reported that, as a result of the ceasefire signed by the government and the rebels in July, "the peace talks in Juba between the Lord's Resistance Army (LRA) and the Uganda government have made surprising progress."

However, the LRA was supposed to assemble in two camps in southern Sudan before the peace process could continue. This turned out to be problematic due to the deep lack of trust between the Uganda government and the LRA rebels. The LRA rebels claimed that while they were assembling,

government troops were being deployed around the two camps in case the peace process collapsed in Juba, so that government troops could easily target the LRA rebels. The LRA rebels withdrew from the camps.

Since then, both sides have blamed each other for conspiracy, miscalculation and bias. An international investigation and the involvement of the government of southern Sudan will be necessary to bring the two sides back to the table.

A huge challenge to the peace process has been the indictment issued by the International Criminal Court (ICC) against Kony and his top commanders. Some believe the indictment complicates the peace process because Kony and his commanders say they won't come out of the bush, fearing that they will be arrested by the ICC. According to international organizations involved in the negotiations in Juba,

Kony and his deputies have declared repeatedly that they will not come out unless the ICC lifts the indictment. Many international organizations, including the ICG, Pax Christi Netherlands and Pax Christi International, recognize the importance of justice, but they also believe that arresting Kony at this moment could put the peace process in Juba at risk. Many hope the ICC will lift the indictment or suspend it for a year and see if there is any progress in the peace process.

The ICG reported on September 13 that the government of southern Sudan has received "limited support from Pax Christi, the Swiss government" and other international organizations. But additional political and financial involvement by the international community in the peace process in Juba is crucial.

## Bolivia: Long-standing miners' protest grows

*The following is based on an article in the online magazine, Upside Down World, [www.upsidedownworld.org](http://www.upsidedownworld.org), written by April Howard and Benjamin Dangl.*

A violent conflict between tin miners in Huanuni, 280 kilometers south of La Paz, revealed some of the long-term effects of the privatization of the Bolivian mining industry and provided a glimpse of the historical conflicts facing the new government of President Evo Morales. In a two-day skirmish, miners associated with a variety of cooperatives, or "cooperativists," fought with unionized miners over the contents of Posokoni Hill, which produces close to 10,000 metric tons of tin per year, almost five percent of world production. With world tin prices six times higher than in 2004, tensions between the two groups have grown tremendously.

One outcome of Bolivia's 1952 revolution was the nationalization of mines in which the worker-run Bolivian Mining Corporation (COMIBOL) took over 163 mines that had been owned principally by three wealthy families. The 29,000 miners became workers for COMIBOL as part of the powerful

union, Central Obrera Boliviana (COB), where they received steady paychecks and some benefits, an improvement from the pay-per-production system.

In 1985, Bolivia was hit by two economic disasters: The price of tin plummeted to almost a third of its previous value, and Harvard professor Jeffrey Sachs came with a plan to save Bolivia from crippling inflation and guarantee its payments to the International Monetary Fund (IMF). While successful in controlling inflation, the plan, together with falling tin prices, greatly increased unemployment – more than 27,000 miners lost work. Coincidentally, while miners were losing their jobs, demand for cocaine was growing in the U.S. and Europe, opening new economic possibilities in coca growth. Many miners went to the Chapare region to raise coca and build the strong movement of *cocaleros*, while others went to the expanding city of El Alto, where they helped organize neighborhood associations.

As tin prices began to rebound in the mid-1990s, many miners returned to their home towns, where most of them joined cooperatives due to the fact that COMIBOL was not hiring more workers. Despite their name, most of these cooperatives are



*Photo of Bolivian miners from [www.southamericanpictures.com](http://www.southamericanpictures.com)*

very hierarchical in structure with a small elite making most decisions and taking most of the profits. The neoliberal governments passed a series of laws and decrees that favored these cooperatives over COMIBOL. The growth of these cooperatives was so great that today more than 80 percent of miners are cooperativists.

In the case of Posokoni Hill, the majority of its tin deposits were sold by Hugo Banzar's government to Allied Deals PLC in 2000 for only \$501,123 with the promise that the company would invest \$10.25 million within two years. COMIBOL owned the rest of the hill. As was usual in many privatization schemes, Allied Deals failed to fulfill its commitments in the contract and eventually went bankrupt leaving a debt of almost \$95 million to COMIBOL.

The British firm Grant Thornton UK LLP (GT) was responsible for selling off the assets of Allied Deals (which had changed its name to RBG Resources PLC). At the January 2006 negotiations in London, representatives of four miner cooperatives offered \$1.1 million to buy Allied Deals/RBG's shares in Posokoni. But the deal has been refuted by COMIBOL, which has stated that by not fulfilling its part of the contract and due to its debt with COMIBOL, Allied Deals/RPG had no right to sell any shares.

The dispute over this "sale" of the shares eventually exploded into the two days of violence in October. Tensions had increased in the preceding months and the federal government had intervened 16 times, but the two sides were never able to resolve their differences. Both sides had supported Morales' election and expected the government to support them, but the administration's decision was to urge the miners to come to their own resolution. As it became clear that the government was not going to handle the situation, miners took things into their own hands.

A full investigation is being conducted about the occurrences as no one is clear what exactly happened. Both sides claim that the other started the violence. While most of the at least 16 deaths and more than 60 injuries were caused by thrown dynamite, at least seven people appear to have been killed by sniper bullets of a caliber used only by the military. The greatest destruction was caused when cooperativists rolled a tire filled with dynamite



Mine entrance at Posokoni; photo from [www.ceciamericas.org](http://www.ceciamericas.org)

down the hill at unionists. The dynamite hit a store containing other explosives, starting a chain reaction that destroyed 39 other buildings, leaving almost 100 families homeless.

A tense peace has been declared to allow both sides to bury their dead, but the underlying conflict remains. In a possible sign of which

side the government is leaning toward, Morales removed Mining Minister Wálter Villarroel, a cooperativist, and replaced him with José Guillermo Dalence, a former COB member. In response, cooperativist miners declared the end of their political support for Morales. On October 19, after protests by Bolivian and British activists at their headquarters, Grant Thornton agreed to nullify the agreement with the cooperatives on the grounds that it should never have been reached.

A preferred solution for the government would be to re-nationalize the mines that have been privatized, prolonging the life of the mines. A multi-institutional report shows that if the tin reserves in Posokoni are "rationally exploited," they could last up to 30 years. The cooperatives work on a much more haphazard schedule with everyone trying to remove the most tin possible. COMIBOL leaders claim that if left to the cooperatives, the mine would last only two years. This is no doubt an exaggeration, but still points toward the advantage of government ownership. The experience of trying to increase government control over oil and gas production has shown that the government may be technically incapable of taking on such a large endeavor as well as lacking the necessary infrastructure and capital. Many also don't think that the government should be responsible for paying the debts of transnational corporations that have taken advantage of weakly enforced contracts.

The Morales government is trying to rectify hundreds of years of serious social and economic inequalities through the Constitutional assembly, land reform, new methods of coca eradication, and alternative international trade policies. With so many initiatives, it appears that the government had been trying to put the mining issue on a back burner, but this recent violence and other simmering conflicts between miners show that the already thinly stretched government must also find a resolution to this long-standing conflict as well.

## Peru: Opposition to free trade agreement

*The U.S.-Peru Free Trade Agreement is likely to be considered by Congress during their “lame duck” session this November. The following statement in opposition to the agreement was released at the end of October by members of the Interfaith Working Group on Trade and Investment, a coalition of which the Maryknoll Office for Global Concerns is a member. See [www.tradejusticeusa.org](http://www.tradejusticeusa.org) for more information.*

The U.S.-Peru Free Trade Agreement (U.S.-Peru FTA), like CAFTA before it, is a manifestation of the failed “one-size-fits-all” model that does not live up to the principles of trade justice. Therefore the trade pact must be rejected. As people of faith, we believe that international trade and investment systems should respect and promote the dignity of the human person, ensure the development and well-being of people in all nations, foster gender and racial equity and lead to environmental sustainability. However, the U.S.-Peru FTA will not bring us closer to these goals. We oppose the U.S.-Peru FTA, and urge you to vote no when it comes before Congress.

Peru is engaged in a delicate reconciliation process after decades of armed conflict and the country remains burdened by high levels of poverty and a growing gap between rich and poor. In a desperate attempt to gain support for the U.S.-Peru FTA, the U.S. Trade Representative is claiming the trade pact will lead to increased democratic stability in the region and curb cultivation of coca and trafficking of cocaine. Based on our experience with NAFTA and CAFTA we think the opposite is true. The U.S.-Peru FTA will cause lost livelihoods in rural communities, reduce access to life-saving medicines and perpetuate the global “race to the bottom” for workers and environmental protection. The U.S.-Peru FTA as currently negotiated, will not bring stability or development to the region!

We are especially concerned that a U.S. vote for the trade pact is likely to take place outside public scrutiny during a lame-duck session of Congress after the November elections. The Peruvian legislature approved the FTA during its own lame-duck session between elections and taking office.



If passed the U.S.-Peru FTA will:

- Threaten small farmers by lowering Peru’s tariffs on agricultural products, making the country vulnerable to cheap subsidized imports from the U.S., which would effectively wipe out local farmers—as happened to the 1.3 million who have been displaced in Mexico since NAFTA passed 12 years ago. This is of particular concern in a country working to curb coca production.

- Threaten indigenous peoples by opening the way for large pharmaceutical and agribusiness corporations to patent traditional knowledge, seeds, and life forms. This opens the door to bio-piracy of the biogenetic wealth of the Andean-Amazon region and threatens the ecological, medicinal and cultural heritage of indigenous peoples.

- Exacerbate the root economic, political and social inequalities which could lead to increased drug production while doing nothing to address consumption issues in the North.

- Threaten public health through the FTA’s intellectual property provisions, which restrict access to life-saving medicines through unnecessarily long patents and data-protection provisions that impede the production of generic and more affordable alternatives. According to Doctors Without Borders, after the first five years of the trade deal, between 700,000 to 900,000 people are expected to be excluded from receiving medicines.

- Threaten women, children and the poor through provisions promoting the privatization and deregulation of essential services such as water, healthcare and education. As these services become less accessible, women and the poor would have to make up for increases in prices of these services in order to ensure adequate health, education and food conditions for themselves and their families, increasing their workday within and outside the home.

- Threaten U.S. and Peruvian sovereignty through undermining the ability of governments at all levels to enforce vitally important domestic procurement policies in order to create space for foreign competition. Moreover, the establishment of additional secret trade tribunals whose rulings over-ride local laws and policies effectively making trade rules

more powerful than democratic institutions and domestic laws.

- Threaten working people as corporations gain increased ability to relocate in search of lower labor costs—perpetuating a “race to the bottom.” This trend is disproportionately felt by low-skilled workers who are forced to compete for jobs. Communities are also forced to compete for investment by requiring less of employers. The global race to the bottom has been a significant factor in the stagnation of job quality in the U.S. and the spread of sweatshop labor in Latin America. Without resources for enforcement of Peruvian labor laws, the U.S.-Peru FTA is likely to perpetuate rather than alleviate this problem.

- Threaten the environment because under the trade agreement, investors have the right to sue governments in closed tribunals for measures which “cause” the loss of profits, even if these measures are to protect people or the environment. This is of grave concern in a country that hosts part of the upper Amazon basin—one of the most bio-diverse areas on earth with many rural communities dependent on natural resources for their livelihoods. Improved

cooperation and positive measures should be pursued through efforts to meet the standards set out in multilateral environmental agreements. These include building institutional capacity, transferring “clean” and appropriate technology, and providing technical and financial assistance.

We believe that trade and investment should not be seen as ends in themselves, but rather as means towards sustainable broad-based development. Trade based on principles of justice must have mechanisms which provide protections for the most vulnerable sectors of society and ensure poverty reduction. Experience has proven that side agreements, funding for trade capacity building for developing countries, and Trade Adjustment Assistance funding in the U.S. have been insufficient to address the failures of this flawed model.

As members of diverse faith communities, we are convinced that international trade and investment agreements must be shaped according to recognized standards of human rights, morality and justice. Because the U.S.-Peru FTA fails these standards—and will harm ordinary people in both countries—we urge you to oppose it.

## Haiti: Heartbreaking glimmers of goodness

*Haiti's per capita gross domestic product (GDP) has shrunk 40 percent since 1980. Most Haitians struggle to survive on less than \$1 per day. Life expectancy is only 53 years and nearly a quarter of children under five years old are chronically malnourished. Less than half of primary school-aged children attend school. Most people do not have access to clean water. Fr. Rick Frechette, CP, a physician, priest and friend of Maryknoll Affiliate Renate Schneider in Haiti, wrote a long reflection on his recent experiences in the slums of Haiti as he tried to free the victims of kidnappings. Excerpts follow.*

We had enjoyed four months of relative calm in Haiti, from February to June. The election of [Rene] Preval had given a respite of hope. Ironically, in this period of calm and free from daily emergencies, we had our attention drawn again, shockingly, to the depth of the poverty that surrounds us. You do not notice it as much when you are running to and from emergencies. Summertime would have a lot of difficult challenges in store for us, and would jolt us

away from our poverty stare -- and certainly had no idea of allowing us to rest.

June saw a return to violence and to kidnapping. It was time once again to be aware of red zones, to be hyper-vigilant, to have at least one companion when on the road.

One day kidnappers took the whole airport road by storm. The chaos and frenzy had cars jumping curbsides, truck drivers jumping out of moving trucks, cars driving on the wrong side of the street and flipped upside down. The shooting was with heavy artillery. I know -- I was there. We were helping the wounded. A number of people died and a lot of people were kidnapped.

There were two events that burned themselves into my memory that day, aside from the shock of seeing the airport road like a car cemetery. There was a family of three kidnapped, in front of the long-closed Red Planet Market. The father fought with the kidnappers, and was shot dead in front of his wife and young daughter and was lying on the road. The wife and daughter, numb with shock, were

kidnapped. When Ti Blanc, the local gang boss, heard what had happened, he brought the mother and child out of kidnapping and to the main road where they could get away.

Then we had a phone call from some friends deeper inside the slum. There were two gunshot people badly hurt, but no one could reach them for the gunfire. I drove our truck near the entrance to the area, but it was obvious we could not go in. There was too much shooting. So I thought we would sit and wait and think of what to do. Maybe they could bring the wounded to us in wheelbarrows. Suddenly, a truck full of heavily armed men, all in black, drove up to the intersection from inside the slum. They shot heavy artillery into the air. They were dressed like the special police force, but it was easy to see they were frauds. How? Because the special police eat well, and are strong from body building. These men were so thin, their clothes were hanging off of them. They were *chimeres* (ghosts) from the slums. I thought they were waging yet another attack, but Raphael understood at once that they were clearing the way for us to go in to get the wounded, which we did. I had never seen the like. We stabilized the wounded and raced them to the surgeons of Doctors Without Borders.

[On another occasion ...] four of us went in with two stretchers. Eight of us came out. (Aside from the two wounded, two young men offered to help carry the stretchers out.) Not a shot was fired by anyone from the minute we set foot into the slum until we left. When we came out unharmed, the special police gave us a full scale scathing and search. They were sure we were criminals. We had to be, if

we could circulate freely in the slum. They especially searched the two young men that helped us....

Gangs are perversions of families. It is evident that gangs give a feeling of belonging and a feeling of power, to the lost and disconnected and powerless. Many of the people that I know in gangs can be led to do the right thing, even at financial loss. What is right in their hearts needs to be recovered. This is hard to do when bitterness and vengeance have built up over the many unspeakable assaults and crimes. Archbishop Desmond Tutu is leading the national reconciliation of South Africa based on this idea. We need to stop, to forgive, and to recover the best of the human heart in everyone.

When I spoke with the five main gang leaders over the past weeks, asking what they thought about Preval's statement that he would kill any bandits that did not disarm, their answer was surprising. They said they agree, Preval should kill the bandits. They do not see themselves as bandits, but as revolutionaries, trying to better the life of the poor.

Maybe good people always underestimate their goodness, and bad people always underestimate their badness. In the end, everyone has a good measure of both, and we all need ongoing redemption through our lifelong journey with the living God.

Gandhi's nonviolent way to change the world was born a hundred years ago .... Terrorists attacked the United States five years ago ... and do so around the world daily. The idea of God gives rise to both good and brutal forces. Tomorrow is once again slated for disarmament in the slums of Haiti. Let's pray it is a dream that comes true.

### ***Haiti recently included in HIPC Initiative***

The International Monetary Fund (IMF) Executive Board and World Bank announced recently that Haiti qualifies for the Heavily Indebted Poor Countries Initiative (HIPC). The Jubilee USA Network and other proponents of debt cancellation for the poorest country in the Americas called the decision a step in the right direction, but underscored the fact that Haiti faces at least two more years of delay before it reaches completion point and is eligible for 100 percent cancellation. During that time the HIPC Initiative's painful economic measures will make Haitians even more vulnerable to death and disease, while the Haitian government will be forced to make \$60 million a year in debt payments, money that would be better spent tackling Haiti's dire health and education problems.

Almost half of Haiti's \$1.3 billion external debt is for loans made to the corrupt and brutal dictatorships of Francois and Jean-Claude Duvalier. More than half of Haiti's public external debt is owed to the Inter-American Development Bank (IDB), which participates in HIPC but has not yet followed the lead of the G8, the IMF, and the World Bank to provide 100 percent debt stock cancellation.

## Guatemala: Breakthrough in Bámaca case

*In an unexpected development, the Guatemalan government officially claimed responsibility for the 1992 disappearance of Efraín Bámaca Velasquez, a Mayan resistance leader. Jennifer Harbury, a human rights lawyer who married Bámaca in 1991, has led an unrelenting campaign against the Guatemalan and U.S. governments demanding the release of information about her husband's fate.*

When Bámaca disappeared on March 12, 1992, the Guatemalan military reported that he committed suicide before he could be captured, but a number of Guatemalans that had escaped from secret military detention centers reported seeing Bámaca in the hands of interrogators being tortured. With this information, Harbury began her campaign for her husband's release. She held three hunger strikes, and continues to litigate a federal case against implicated U.S. officials, and has given countless speeches and presentations to people around the world about the case.

For years, both Guatemalan and U.S. government officials denied any knowledge of the whereabouts of Bámaca. It was only after a 32-day hunger strike in Guatemala in 1994 followed by a 14-day strike in front of the White House in 1995 that U.S. officials disclosed that he had been tortured to death by Guatemalan military intelligence officials also serving as paid CIA informants or "assets." Despite substantial information received while he was still

alive and suffering torture, State Department and CIA officials had insisted they had no information. By the time the truth was told, he and many other secret prisoners were dead. Harbury sued involved U.S. officials on a number of grounds still being litigated in federal court. She successfully sued the Guatemalan government in the InterAmerican Court of Human Rights of the Organization of American States, winning a landmark decision in 2000.

The official ceremony that took place October 16 in Guatemala was an emotional event for many. Dozens of former rebels were present. As Harbury described the scene, "some [were] on wooden legs, some half blind, all with gray hair yet still defiant... the room was full and we stood in the National Palace, this time not being lambasted, threatened or dragged down the hallways...but formally recognized as the national anthem was played for us." Frank La Rue, head of the government's human rights commission, said, "Today Guatemala wants to publicly recognize the atrocities of the past ... to stop denying the undeniable, excusing what is not excusable." No one is clear on the motivation for this unexpected acceptance of responsibility by the Guatemalan government, but it was a welcome change after so many years of denial. Even with this victory, Harbury says she will not give up searching for his body or pressing for justice "I plan to give him a decent burial. I'm not going to leave him dumped somewhere as if he were garbage."

## Venezuela: Battle for the Security Council

*Four of five non-permanent members of the United Nations' Security Council — South Africa, Belgium, Italy and Indonesia — were elected easily by two-thirds of the General Assembly on October 16. The fifth election, however, turned into a power struggle between the United States and Venezuela. More than 30 votes were taken to decide between Guatemala (supported by the U.S.) and Venezuela, without ever arriving at the necessary two-thirds majority. After more than a week, both countries refused to withdraw from the race, although as of this publication, it appears that neither country will obtain two-thirds of the vote, and an alternative might be named.*

The UN Security Council has five permanent members with veto power (China, the Russian Federation, the United States, France and the United Kingdom) and 10 non-permanent members that are elected to represent geographical regions for two-year terms with five members elected each year. The elections of these non-permanent members usually occur without much fanfare. For instance, this year South Africa, Belgium and Italy ran unopposed while Indonesia easily won the two-thirds vote over Nepal in the first round.

The decision between Guatemala and Venezuela, however, turned into a protracted struggle between the U.S. and Venezuela, with both govern-

ments using a great deal of political as well as financial capital to try to convince other governments to vote for their candidate. Venezuela saw the council seat as an ideal opportunity to try to diminish U.S. influence in the world, while the U.S. did everything it could to avoid having an arch-rival on the Council.

At least three countries — India, Belize and Chile — complained about U.S. pressure around the vote. The U.S. threatened Chile with reduced military assistance, and Belize and India with reductions in development aid if they voted for Venezuela. Venezuela did its own lobbying, especially with Latin American and African countries.

In all but one of the 30-plus votes taken, Guatemala won more votes; only once was Venezuela able to tie the vote at 93-93. Still, Guatemala did not reach the 128 votes necessary to win. Historically, when one country consistently receives fewer votes than the other, that country would cede the seat, but Venezuela refused unless Guatemala ceded also.

A similar situation existed in 1979-80 when, after a record 154 votes, neither Cuba nor the U.S.-endorsed Colombia had won the required two-thirds. In that case, a third country, Mexico, emerged as an alternative, finally earning the necessary votes in the 155th vote.

The question is how many votes will have to take place before arriving at an alternative. Due to complaints from many delegates that the repetitive voting interferes with other UN business, it was decided that no votes would be taken for one week to give the opportunity to reach a compromise, and some have suggested only taking one vote per day so as to not dominate the assembly's time.

Chile or Uruguay appear to be good compromise possibilities as both would most likely be more independent from the U.S. than Guatemala would be, but less antagonistic than Venezuela. Venezuela's President Hugo Chavez may lose face with some after losing such a heated battle, but it is unlikely that this will be the last public struggle between the U.S. and Venezuela.

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## Burma: Junta sends mixed signals on rights

*UN Undersecretary-General Ibrahim Gambari was preparing to visit Myanmar – the ruling junta's preferred name for Burma – in November for the second time this year. His three-day visit in May included a one-hour visit with Aung San Suu Kyi, and his planned November visit could be taken as a positive sign. However, the Burmese junta has not yet acted on Gambari's request to release Suu Kyi, a Nobel Peace Prize winner, from house arrest.*

Meanwhile, Paulo Sergio Pinheiro, special UN rapporteur on human rights in Myanmar, said he was gravely concerned over criminalizing “the exercise of fundamental freedoms by political opponents, human rights defenders and victims of human rights abuses” in that country. Addressing the new UN Human Rights Council (HRC) in Geneva, he noted that Suu Kyi's house arrest was extended 12 months last May despite international protests.

Pinheiro told the HRC Sept. 27 he had not been allowed into Burma to conduct a fact-finding mission since 2003. Last May Gambari became the first outsider in more than two years to meet with Suu Kyi, General Secretary of the opposition National

League for Democracy (NLD). The NLD leader has been confined to house arrest nearly 11 years.

Suu Kyi's party won Burma's national elections in 1990, but the party was never allowed to take office. Pinheiro reported more than 1,000 NLD members were forced to resign from the party earlier this year following intimidation and threats.

During his visit in May, Gambari also met with the head of Burma's government, State Peace and Development Council (SPDC) Chairman Than Shwe. The junta says it is implementing a seven-step process toward democracy, beginning with a National Convention to write a new constitution. The convention, first called three years ago, has been meeting sporadically and resumed Oct. 10.

Despite reconvening the National Convention, Pinheiro said, “The persecution of members of political parties in the opposition and human rights defenders shows that nowadays the road map for democracy faces too many obstacles to bring a genuine transition. ... (T)he stability of Myanmar is not well served by the arrest and detention of several political leaders or by the severe and sustained restrictions on fundamental freedoms.” He esti-

mated the government holds nearly 1,200 political prisoners. (See *NewsNotes* November/December 2005.)

Pinheiro also expressed concern about ongoing government offensives against minority groups. “I am very worried by the ongoing military campaign in ethnic areas of eastern Myanmar and by its effects on human rights, especially on civilians who have been targeted during the attacks,” he said. “As a result of the military campaign, numerous cases of forced evictions, relocations and resettlements, situations of forced migration and internal displacement have been reported.”

The nongovernmental organization Human Rights Watch (HRW) says fighting has displaced hundreds of thousands of persons in Burma (see *NewsNotes* July/August 2006). “While 17 ceasefire agreements have brought an end to the fighting in some areas of Burma, they have not resulted in political settlements or significant improvements in the daily lives of villagers,” it says. HRW says the government has destroyed nearly 3,000 villages while forcibly relocating minority groups. (See HRW’s website at <http://www.hrw.org/>.)

“Hundreds of thousands of villagers have been forced to work as porters or laborers for little or no pay,” HRW adds. “Those who refuse to provide mandatory labor are often threatened with prosecution, or exhorted to pay a fee in lieu of their duties.

... Government armed forces continue to engage in summary executions, torture, and the rape of women and girls. Children continue to be forcibly recruited by government armed forces.”

HRW says the U.S. and the European Union have imposed economic sanctions on Burma, but more pressure from the international community is needed to bring about reform. It says the 10-member Association of Southeast Asian Nations (ASEAN) successfully pressured Burma into skipping its turn as ASEAN’s rotating chairman in 2006. However, it says “China, India, and Thailand continued to offer economic and political support to the SPDC. Within ASEAN, Thailand continues to be the SPDC’s closest ally, undercutting other international efforts to pressure Burma to reform.”

The UN Security Council held its third briefing on Burma’s human rights situation on Sept. 30, and member states voted to continue the discussion. However, Burma’s SPDC has previously ignored resolutions from the UN General Assembly and the Commission on Human Rights that condemned rights violations. It seems unlikely the junta will reverse its policies in the near future. The government arrested three prominent activists for advocating action by the Security Council just two days before the Sept. 30 vote; days later it arrested two more.

## Japan: Abe seeks more active role for military

*Japanese Prime Minister Shinzo Abe, elected Sept. 26, is expected to make better relations with China a top priority. He also wants a larger role for Japan’s Self Defense Forces (SDF) and seeks closer security ties with the U.S., which does not augur well for Japan’s ties with its Asian neighbors. This article was prepared by Noriko Kosaka, who is an intern with the Maryknoll Office for Global Concerns and who has been studying at Wittenberg University in Ohio.*

Restoring normal ties with China is one of Abe’s most pressing concerns. Bilateral relations under former Prime Minister Junichiro Koizumi were strained by his controversial visits to the Yasukuni Shrine in Tokyo. The shrine honors 2.5 million war dead, including hundreds of Class A war

criminals from World War II. Abe is perceived as more hawkish than Koizumi, which could increase tensions between Japan and some of its neighbors, such as China and South Korea.

Another of Abe’s priorities is to amend Japan’s peace constitution, which limits the use of the country’s military forces to self defense. The constitution was drafted during the U.S. occupation after World War II. Article 9 provides that “the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes” and that “land, sea, and air forces, as well as other war potential, will never be maintained.”

In his book *Toward a Beautiful Country*, published in July, Abe says constitutional limits on the use of the SDF are too restrictive for Japan’s current

security needs. He insists that Japan should have the right to engage in collective self defense – for example, to fight in defense of the U.S. just as the U.S. military may fight to help defend Japan – but this is not permitted under the present constitution.

Abe also argues in his book for the right of belligerency, to engage in war, which is not recognized by the constitution. In support of amending Article 9, he offers an unlikely scenario: that if terrorists brought a boat loaded with weapons of mass destruction into Tokyo Bay, the armed forces could not take action unless the boat first attacked Japan.

Talk of amending Article 9 began amid Cold War tensions and the Korean War in the 1950s, but the discussion has gained momentum in recent years. Japan organized the National Police Reserve in 1950 to strengthen its national security, and the Reserve has now become the SDF – perhaps the second most powerful military force in the world. However, the seeming contradiction between Article 9 and the SDF's growing power has never been resolved.

The debate over amending the constitution heated up after Koizumi assumed office in 2001. He pushed strongly to rewrite the constitution and expand the international role of Japan's military. Since the attack of Sept. 11, 2001, in the U.S., Japan has dispatched its forces overseas twice: first to the Indian Ocean and more recently to Iraq in non-combat roles.

In November 2005, the 50th anniversary of Abe's and Koizumi's Liberal Democratic Party (LDP), the LDP released draft language for a new Article 9 to allow Japan to keep a military force both for self-defense and for participation in international peace-keeping efforts. The proposed amendment states, "The Self-Defense Army...can carry out activities in international cooperation in order to secure international peace and safety, to maintain public order in emergency situations, or to protect the life and liberty of the people."

Abe's political acumen stems in part from his family history. At 53 he is Japan's first prime minister born after World War II. He is the son of Shintaro Abe, a former foreign minister, and the grandson of Nobusuke Kishi, a wartime cabinet member and later prime minister.

In one of his domestic priorities, Abe is urging reform in the educational system to inject more patriotism into the school curriculum. In his book he says one goal of education is to foster national pride.

He is calling for structural reform in compulsory education and a review of official guidelines to ensure high quality in education.

The text of Japanese history books is a sore point between Japan and its neighbors. In April 2005 Japan's Education Ministry approved a new history textbook for junior high school. Whether to adopt the text was left up to local education boards (see "Japan: New textbook downplays WWII aggression," *NewsNotes* September/October 2005). China and South Korea dismissed the text as "poison for whitewashing Japan's World War II atrocities." Japan has never reached a consensus with China and South Korea over presentation of wartime history. Abe's efforts to push educational reform, and in turn to promote Japanese patriotism based on traditional values, could heighten tensions in East Asia.

Besides its complicated relations with China and South Korea, Japan feels threatened by North Korea, especially since its apparent test of a nuclear weapon Oct. 9. Japan subsequently banned North Korean imports, mostly seafood and agricultural products. (The UN Security Council also passed a resolution Oct. 14 imposing sanctions on North Korea in response to the test.) The North Korea action deepened concerns over a possible nuclear arms race in Asia. However, Abe told U.S. Secretary of State Condoleezza Rice Oct. 18 in Tokyo that Japan has no plans to develop nuclear weapons.

Even if Japan does not seek a nuclear arsenal, Abe's desire for stronger military ties with the U.S. makes some of Japan's Asian neighbors uneasy (see September/October 2006 *NewsNotes*). The prime minister wants Japan to make a larger contribution to regional and international security. However, it seems debatable whether removing restrictions on using the SDF and pursuing a closer military alliance with the U.S. would enhance stability in Asia or the rest of the world.

Abe has played down his nationalistic policies out of consideration for his Asian neighbors. His first visit overseas as prime minister was to China, where he was welcomed by President Hu Jintao. Abe has not revealed how or when he might try to amend Article 9; nor has he mentioned plans to visit the Yasukuni Shrine. To truly enhance its role in peace-making, Japan should explore "soft power" options such as cultural exchanges and other forms of dialogue, rather than focusing on amending Article 9 and further building up its military forces.

## Cambodia: UN rep decries human rights abuses

*A UN representative criticized “the sorry state of human rights and social justice in Cambodia” shortly before a scheduled visit to that country. Yash Ghai told the UN Human Rights Council (HRC) Sept. 26 in Geneva that the UN and donor nations should give higher priority to promoting human rights in Cambodia. Ghai, Special Representative of the UN Secretary General for human rights in Cambodia, planned his third official visit to the country in November. His complete statement can be found at the HRC’s Cambodia page, <http://cambodia.ohchr.org/>.*

Ghai said the Cambodian government was responsible for a systematic violation of human rights, saying it “has manipulated democratic processes, undermined legitimate political opposition, and used the state for the accumulation of private wealth.” Alleging endemic corruption in politics, the judiciary and the managing of natural resources, he said, “All major constitutional institutions have been subverted...”

Ghai said the Cambodian People’s Party (CPP), led by Prime Minister Hun Sen, “has established dominance over the apparatus of the Cambodian state through several means, including firm control over the electoral commission, and the intimidation of its critics and political opponents.”

“Since 2003 the government has banned nearly all peaceful protests, rallies and marches to ‘protect public order or security,’” Ghai told the HRC. “Peaceful meetings and assemblies have been broken up by state authorities using arms and other forms of violence. A draft law on public assembly has yet to meet international standards that Cambodia has signed up to.”

“The government has also undermined the independence of the judiciary and prosecutorial authorities ... and has effectively taken over decisions on prosecutions,” Ghai said. “Supporters of the government are almost never prosecuted. My predecessors pointed repeatedly to the wide impunity given to them for the most serious violations of the law. At the same time spurious charges are brought against opponents of the government or those who struggle for democracy and rights.”

Ghai said new evidence exists of widespread government corruption. “Why then does the government continue to resist the enactment of effective

legislation, under discussion since 1995, ... and instead set up an administrative body to investigate corruption, headed by senior CPP-affiliated officials, in which there is little confidence?” he asked.

Land grabbing in Cambodia has been rife, with little regard for the law and no redress for the victims, the HRC was told. “Over the years, thousands of families have been illegally and forcibly evicted from their homes and land, in Phnom Penh and elsewhere,” Ghai said. “The livelihood of families is affected, whether they are engaged in agriculture or urban employment. ... (T)he loss of land destroys the cohesion of the community and leads to social disintegration.”

Also on Sept. 26, Hun Sen opened a conference in Siem Reap on establishing a national human rights institution in Cambodia. (A statement on that occasion from the Office of the UN High Commissioner for Human Rights can be found at the HRC’s Cambodia page, <http://cambodia.ohchr.org/>.)

“I hope [the conference in Siem Reap] will mark the beginning of a genuine dialogue for human rights in Cambodia, and agreement that basic laws and independent institutions, including a professional, impartial judiciary, need first to be in place,” Ghai said in Geneva. “Without these, such an institution cannot be effective.”

Ghai said he looked forward to further dialogue about human rights in Cambodia during his planned November trip, his third official visit since his UN appointment in November 2005.

“I first visited Cambodia in 1992, and saw the terrible state of the country as it was then emerging from years of war and civil strife,” Ghai said. “I recognize the progress that has been made in rebuilding Cambodia. However, 15 years after the adoption of the Paris Peace Accords, the provisions relating to human rights have yet to be fulfilled.”

In a related statement Oct. 4, five international aid agencies agreed that donors should hold the Cambodian government to its commitment to protect human rights, fight corruption and ensure the protection of land and natural resources. “It’s not the donors who are hurt by attacks on labor activists, a politicized judiciary and rampant corruption,” said Brad Adams, Asia director at Human Rights Watch. “It’s Cambodia’s poor and marginalized citizens who bear the brunt of bad governance and the failure of donors to insist on change.”

## Thailand: Military coup repeats bad precedent

*Thailand's prime minister was removed in a military coup after his government seemed to shift from democratic processes to a "tyranny of the majority." Thaksin Shinawatra was overthrown Sept. 19 while he was in New York to address the UN. The coup – Thailand's 18th since 1932 – was launched in the wake of widespread disaffection with Thaksin. However, it could spark a deeper crisis because the military has reasserted its role as "arbiter" of Thai politics, and the poor and underprivileged – Thaksin's power base – will likely feel alienated from the new regime. The following article is based on two analyses – "A Siamese Tragedy: the Collapse of Democracy in Thailand" (Walden Bello) and "The Thai Coup, Democracy, and Wearing Yellow on Mondays" (Chanida Chanyapate and Alec Bamford) – from Focus on the Global South (<http://www.focusweb.org/>).*

After his election in 2001, the prime minister endeared himself to a majority of Thais – mostly the rural and urban poor – with three spending programs. Bello says Thaksin inaugurated "a moratorium on farmers' existing debt along with facilitating new credit for them, medical treatment for all at only 30 baht or less than a dollar per illness, and a one million baht fund [\$27,000] for every district to invest as it saw fit."

However, Thaksin later "began to subvert freedom of the press, use control of government to add to his wealth or ease restrictions on his businesses and those of his cronies, buy allies, and buy off opponents," Bello says. The prime minister's war on drugs claimed more than 2,500 lives (most of whom were innocent, the National Human Rights Commission believes), and Thaksin assumed a hardline policy against a Muslim insurgency in three southern provinces.

The final straw for many Thais came in January 2006, when Thaksin's family sold its controlling stake in the telecom giant Shin Corp. to Temasek Holdings, the Singapore government's investing arm. The tax-free \$1.87 billion sale brought the Bangkok middle class to the streets to demand Thaksin's ouster.

To quell the furor, Thaksin called new elections April 2. However, the opposition boycotted, resulting in a new Parliament without an opposition. The

Supreme Court declared the polls in violation of the constitution, and new elections were scheduled for November. Meanwhile, the People's Alliance for Democracy planned a mass rally against Thaksin on Sept. 20, but the coup d'état intervened one day earlier.

Bello notes that the Thai conflict involves a split between liberalism and democracy. "Invoking the legacy of liberalism, the people in the streets sought to remove Thaksin for his violations of human and civil rights and his arbitrary rule, while Thaksin's supporters sought to keep him in power by appealing to the basic principle of a democracy -- that is, the rule of the majority," he says. "The anti-Thaksin forces, however, claimed that Thaksin's majority rule fit the phenomenon that John Stuart Mill described as the 'tyranny of the majority' that rested greatly on buying off the people."

While human rights organizations roundly condemned the coup, at least one poll taken shortly afterward in Thailand showed more than 80 percent approval. However, Chanyapate and Bamford say Thais were confronted with a bloodless coup that seemed to counter "the use of money, cronyism, and nepotism to neutralize the checks and balances" of a democratic system. So, initial approval of the coup came as no surprise.

Chanyapate and Bamford mourn the loss of the 1997 constitution because it was based on a liberal philosophy that respected human rights, mandated gender equality and promoted social welfare and popular participation in decision-making.

Nonetheless, they say, pure democracy in Thailand – a constitutional monarchy whose king is extremely popular – has shallow roots in the country. The traditional social structure is that of a patron-client relationship marked by nepotism.

Focus on the Global South demands that the 1997 constitution be upheld, and it calls for "the expeditious and complete return of democratic rights to the Thai people." However, there was no immediate timetable for such a shift.

"Already, the generals have drafted an interim constitution that makes them 'advisers' to an interim civilian government," Bello says. And Basil Fernando, executive director of the Hong Kong-based Asian Human Rights Commission, concludes, "There is no such thing as a short-term junta."

## Middle East: Jesuit envisions union of states

*The Rev. Samir Khalil Samir, a native Egyptian and a Jesuit priest, wrote a 10-point "Decalogue for Peace in the Middle East" after Israel-Lebanon hostilities last summer. His vision includes two independent states, Israel and Palestine; international commissions to help determine the future of Jerusalem and to resolve the issue of water, and a Middle East Union of states at peace with one another. The complete text of Fr. Samir's proposal, from which this article is taken, can be found at <http://www.chiesa.espressonline.it/> (English version is available.) Search for "samir" to find the article, which was published on August 29, 2006.*

The problem goes back to the creation of the state of Israel and the partition of Palestine in 1948 decided by the superpowers without taking into account the population already present ... To repair a serious injustice committed in Europe against a third of the world Jewish population, Europe (supported by the superpowers) decided to commit a new injustice against the Palestinian population, who are innocent of the martyrdom of the Jews....

[A]ny solution to the conflict that does not completely respect the international legality of all the resolutions of the United Nations will not lead to peace.

To bring about permanent peace in this troubled region diplomacy might succeed if it is based on two complementary rules: justice and respect for international law; and the necessity of making some concessions that take into account the reality on the ground. ... It is necessary to seek and pursue the least imperfect of solutions possible....

1. Create a Palestinian state based on the international borders before the 1967 war (some final adjustments will have to be made, with common agreement between Israel and Palestine).

2. Grant the right of return to the Palestinians as was recognized by UN resolution 194 of the general assembly. This should be first recognized in principle, then a discussion of a limited return and compensation guaranteed by the international community for others should follow.

3. Israeli settlements could remain for a limited period (e.g. 10 years) under Israeli sovereignty. The settlers will then have to decide whether to return to Israel or to remain under Palestinian sovereignty, as did the 160,000 Palestinians who have already de-

ecided to live under Israeli sovereignty.

4. Official recognition and exchange of ambassadors between each state of the Middle East (including Turkey, Iran, Syria, Iraq) is necessary. All nations must officially recognize the borders of the other states as final, and exchange ambassadors with these states.

5. Install a "robust" international force where peace is not yet fully achieved in order to control the traffic of weapons between nations; in particular between Israel and Palestine, Israel and Lebanon, Lebanon and Syria, Syria and Iraq, Iran and Iraq, Turkey and Iraq. This international force should be posted on both sides of the international borders.

6. Help the various militarily weak states to develop sufficiently strong national armies to ensure the safety of their citizens and disarm all other groups, especially militias and settlers. At the same time, take steps to reduce military investments in the region and control military power.

7. The release of the prisoners of other states and ensuring their return to their proper countries with exchange agreements, in particular between Israel and Palestine, Israel and Lebanon, Lebanon and Syria.

8. The creation of an international commission to solve the problem of water resources in an equitable manner in this region is an essential condition for the development of peace and to reduce the cause of the frequent conflicts.

9. The creation of an international commission that would include Israel and Palestine to discuss the fate of the city of Jerusalem, which each state legitimately wishes to claim as its capital. Security, liberty, accessibility and freedom of movement must be guaranteed by an international accord for the entire city and all its holy sites, for they are a universal heritage and must be part of the international agreement.

10. Launch the project for a Middle East Union (MEU) among all the states of the region that are willing to live in peace. Establish legal, economic, political, military and cultural conditions for membership in the regional organization; organize meetings between states of the area; sign agreements of peace, bilateral or multilateral, for long periods (10 to 20 years). One will be able to find many guiding points for such a Middle East organization from the experiment of the European Union.

## Middle East: Barrier squeezes West Bank farmers

*Maryknoll priest Fr. John Ruessmann spent three months earlier this year in the West Bank village of Jayyous with the Ecumenical Accompaniment Programme in Palestine and Israel (www.eappi.org). The wall Israel is building on the West Bank isolates more than 2,200 acres of fertile land in Jayyous as well as six water wells. Ruessmann wrote the following reflection in Jayyous on the effects of the barrier on the farming community.*

As an Ecumenical Accompanier, I am based in the village of Jayyous, a stone's throw away from the eastern shore of the Mediterranean Sea.

The village of Jayyous is an agricultural community of about 3,000 Palestinians. They work hard in their fields, which produce delicious tropical fruits as well as olives and other vegetables. It's remarkable to see how many of the Palestinians of Jayyous, wherever they are, pray faithfully every day. They carry with them a small prayer mat which they use when praying away from home.

As in any community, sometimes there are conflicts between families. But generally this is a peaceful community – "Praise God!" (as people here often say).

However, little by little the military occupation is destroying these families and all of Jayyous. This is happening in many different ways, especially because of the Separation Barrier. Here in Jayyous, the barrier is complete. Its purpose is to separate Israeli territory from Palestinian territory, and make it more difficult for Palestinian suicide bombers to enter Israel.

However, in order to protect Israel's security, the Israeli government could have erected the barrier along the internationally recognized border (the Green Line). However, that is not what they are doing. According to the Applied Research Institute of Jerusalem, the barrier which the Israeli armed forces have built in Jayyous and many other parts of the Occupied Palestinian Territories runs along the Green Line only 20 percent of the way. Here in Jayyous I've seen how the barrier has been constructed about three and a half miles into Palestinian territory.

Clearly this is not just a question of addressing legitimate security concerns of the Israelis. Rather, this barrier also serves for stealing Palestinian lands, water and other valuable resources.

Accordingly, the people of Jayyous can no longer draw the water from any of the six springs which remain on the opposite side of the barrier. ...

People here have told me that a few years ago the Israeli government said to them that it wanted to buy their ancestral farmlands (in order to build settlements for Israelis between the barrier and the Green Line). However, the Palestinians did not want to sell this land which they love. So the Israeli government confiscated the land. The Palestinians have never received compensation.

I've seen the site where they've begun work to build another settlement not far from the nearest Israeli settlement. The already constructed settlement is called Zufim. The new one was going to be called New Zufim. But that would be a clear violation of international law and the U.S. government's publicly declared policy. So the Israeli government decided that the new settlement will be called Zufim North. ...

Many people in Jayyous have been very hospitable to our team of three accompaniers. They have invited us into their homes to share tea and conversation. One of our friends, Abu Azzam, recently invited us to have dinner with him and his wife at their house. After serving us a delicious, simple dinner, Abu Azzam introduced to us one of his granddaughters, Arwa, who is 10 years old. Arwa sang for us. While most of her songs were in Arabic, one was in English. "We shall overcome," she sang.

During my time here I have met many Israelis doing excellent work for justice and peace, not only for Israelis but also for Palestinians. When some Israelis and many Palestinians struggle nonviolently to end the military occupation of Palestinian land, it's like David going up against Goliath. Many consider this a hopeless cause ...

But miracles can happen. The South African government and its apartheid system was overcome.

The Israelis are not the only ones who want the violence to stop. Again and again people of Jayyous have told us how the violence of the military occupation is destroying their olive trees, taking their farmlands, and in many other ways making them more and more desperate. They express their heartfelt desire to live in peace, with not only an Israeli government (behind the Green Line) but also a viable Palestinian government. Clearly Palestinians here in Jayyous long to be free.

## UN passes arms trade treaty over U.S. opposition

*The following article is from the Inter Press Service News Agency, [www.ipsnews.net](http://www.ipsnews.net)*

[In late October,] UN member states voted to create an international treaty to curb the illicit trade in guns and other light weapons, despite strong opposition from the U.S. and other big powers.

[A] vast majority of delegates to the UN General Assembly's first committee endorsed the resolution calling for the establishment of a treaty to stop weapons transfers that fuel conflict, poverty and serious human rights violations.

As many as 139 countries voted in favor of the resolution while 24 abstained. The U.S., the world's largest supplier of small arms, was the only country that opposed the resolution. Other major arms-manufacturing nations that oppose the treaty but did not participate in the voting include Russia, China, India and Pakistan.

The vote came after three years of complex diplomatic negotiations and a worldwide campaign by civil society groups that involved more than one million people in 170 countries.

"It's a great victory," Helen Hughes of the London-based Amnesty International told IPS. "We had governments in that room who finally listened to human rights campaigners." Jeremy Hobbs, director of Oxfam International, described the treaty as an international commitment to "end the scandal of the unregulated arms trade."

Both Amnesty International and Oxfam had been at the forefront of lobbying efforts in support of the treaty. [T]hey were joined by 15 Nobel Peace Prize-winners in urging nations to vote for the resolution. ...

Supporters of the resolution said they hoped that it would help close loopholes in laws that allow the flow of small arms to conflict zones across the world, and thus give rise to violations of human rights and undermine development.

In their letter, the Nobel Peace laureates said all international weapons transfers should be authorized by a recognized state and carried out in accordance with international law.

"No state should authorize international arms transfers that violate the specific obligations under international law," the letter said. It further recommended that governments submit national reports on arms transfers to an international registry.

The current volume of the global arms trade is estimated to be around \$1.1 trillion, an amount that is likely to increase further by the end of this year, according to the Stockholm International Peace Research Institute.

Independent experts who have worked closely with the UN on the issue of small arms proliferation estimate that in the past three years more than one million people have been killed as a result of the unchecked flow of guns and other small weapons.

"A thousand people die every day and many more harmed as a result of the proliferation and misuse of small arms," said Rebecca Peters, the director of the International Action Network on Small Arms (IANSA). "The world can no longer leave civilians to the mercy of gunrunners and arms brokers who are profiting every year," she added in a statement calling for a worldwide ban on the use and supply of illicit weapons.

Several emerging arms exporters, such as Brazil, Bulgaria and Ukraine, as well as many countries that have been devastated by armed violence, including Colombia, East Timor, Haiti, Liberia and Rwanda, voted in favor of the resolution.

The Nobel laureates signing the letter included South Africa's Archbishop Desmond Tutu, the Dalai Lama of Tibet, Costa Rican President Oscar Arias, Iranian lawyer Shirin Ebadi, top UN nuclear watchdog Mohamed El Baradei, and former Polish president and anti-communist labor leader Lech Walesa.

Activists said they were disappointed with the U.S. role in the negotiations and its eventual decision to reject the resolution.

"This is not a good foreign policy," said Amnesty International's Hughes, who acknowledged that the U.S. laws on weapons manufacturing and supply were "relatively stronger."

"Their 'no' vote shows that they are opposed to the need for effective international controls," Hughes said. According to the Stockholm International Peace Research Institute, the United States accounted for 48 percent of total military spending worldwide in 2005.

The resolution, which was sponsored by Argentina, Australia, Costa Rica, Finland, Japan, Kenya and Britain, calls for the establishment of a group of experts to look at the feasibility, scope and parameters of the treaty, which must report back to the first committee by the fall of 2008.

## United Nations Convention Against Corruption

*U.S. Senate Foreign Relations Committee Chairman Dick Lugar (R-IN) recently announced the final Senate passage of the UN Convention Against Corruption. The Convention was signed by the U.S. in December 2003 and transmitted to the Senate for advice and consent in October 2005. Sen. Lugar chaired a hearing on the Convention on June 21, 2006, and the Foreign Relations Committee passed it on August 1. Senate passage of any UN convention is well worth noting. In fulfilling its treaty obligations, it will be important for the U.S. government and law enforcement agencies to give particular attention to corruption in the U.S. or with U.S. roots.*

The UN Convention Against Corruption obliges parties to take measures designed to prevent corruption, criminalize bribery and other corruption-related offenses, cooperate in the investigation and prosecution of such offenses, and adopt procedures to recover assets stolen by corrupt officials. The Convention also improves the tools through which law enforcement agencies can investigate and prosecute money laundering, which can and has been used to fund terrorism.

The World Bank defines corruption as “the abuse of power, most often for personal gain or for the benefit of a group to which one owes allegiance.” Corruption is a pervasive problem around the world and an enormous obstacle to the pursuit of social and economic justice.

“Petty” corruption is a constant challenge in many countries – especially those with high levels of poverty and low civil service income levels - where government functionaries, police officers, and almost anyone else who can get away with it exact bribes – small and large – from the general public.

“Grand larceny” level corruption is found almost everywhere – in now notorious private corporations where extremely powerful people have stolen millions from their shareholders and employees; in high level government circles around the world – where officials “pocket” money intended for public use, accept “favors” from unscrupulous lobbyists, and, in pursuit of personal gain, provide privileged access to decision-making tables for certain groups.

Corruption is as much a problem for the global North as for the global South, and there are often links between the two – with governments, multilateral institutions and private corporations in the

North enabling corruption in the South. It is also a real security threat.

“The United States has a strong national security interest in opposing corruption and bribery worldwide. For example, we want to prevent foreign officials from accepting bribes that might lead to a dangerous container being allowed onto a ship bound for our shores. We want to prevent bribes that might help a criminal or terrorist gain access to our country. And we want to prevent bribes that might provide terrorists with access to nuclear material, chemical and biological weapons, MANPADS, or other dangerous items,” said Lugar.

By requiring parties to strengthen their anti-corruption efforts, the Convention will help level the playing field for U.S. companies, which are already prohibited by U.S. law from bribing foreign officials. The Convention will also provide mechanisms to assist U.S. law enforcement in obtaining overseas evidence and suspects in domestic corruption-related cases. The administration has indicated that U.S. law already complies with the obligations of this treaty, with no need for further legislation.

According to the Latin American Network on Debt and Development (Latindadd), “[A]n international agreement against impunity [should] contain aspects such as no statute of limitations on corruption crimes; audits of financial processes, in particular the foreign debt; and the democratization of world institutions ... .

“The international promotion of actions against corruption should be assumed by UN human rights protection bodies in alliance with global civil society, as the good governance of countries in the south depends principally on the inclusive agreements between work and capital that guarantee the effective enjoyment of economic, social, civil, political and cultural rights. For this, a special office should be created within the United Nations to combat corruption ... .

“It is necessary for our countries to carry out a profound restructuring of the internal debt and to carry out reform in the tax system that will make them more progressive and more efficient in order to provide the State with adequate resources for the fulfillment of its responsibilities to [eliminate] poverty and exclusion as well as [their] causes. Fundamental issues such as debt negotiations, the liberalization of trade and funding for development that

affect all citizens should be the objective of a national process that is open and transparent with broad-based democratic participation and full access to all the necessary information ... [This should] not only involve a reduced group of officials from international bodies and government officials, as has been the traditional practice in these negotia-

tions.”

The Convention entered into force on December 15, 2005. The United States will now join 64 nations who are parties to the Convention. About 80 countries have signed, but not yet ratified the Convention. The first conference of the parties is scheduled for December 2006.

## Norway cancels illegitimate debt

*In early October Norway's Minister of International Development Erik Solheim announced that Norway will unilaterally and without conditions cancel US\$80 million in illegitimate debts owed by five countries: Egypt, Ecuador, Peru, Jamaica and Sierra Leone. Burma and Sudan, who also have debts to Norway after the Ship Export Campaign, will not receive any cancellation until the situation in the two countries changes.*

The claims originate from the Norwegian Ship Export Campaign (1976-80), under which Norway exported 156 vessels and ship's equipment totaling NOK 3.7 billion to 21 countries.

The campaign was financed through the Norwegian Guarantee Institute for Export Credits (GIEK). A great many of the projects proved to be financially unsustainable, so that government guarantees were triggered and the Norwegian government became a creditor. In 1988-89, Norway's government conducted an evaluation of the Ship Export Campaign, in which the campaign was criticized for inadequate needs analyses and risk assessments.

In announcing the cancellation, the Norwegian government admitted that the campaign represented a development policy failure and that, as a creditor country, Norway has a shared responsibility for the debts that followed. In cancelling these claims Norway takes the responsibility for allowing these five countries to terminate their remaining repayments on these debts.

The government proposed that these claims be cancelled unilaterally and unconditionally, without budgetary allocation and without reporting the cancelled amounts as Official Development Assistance (ODA) to the OECD. The debt cancellation will, in other words, be additional to Norway's ordinary ODA.

The campaign for debt cancellation has long said that debt incurred by dictators, for failed projects, or where money has disappeared in corruption is illegitimate.

In response to Norway's announcement, Jubilee South/Americas said, "We ... celebrate this step, ratifying our commitment to continue to struggle for the cancellation and repudiation of all the illegitimate financial debt burdening the South countries, promoting among other initiatives the realization of public audits to demonstrate its fraudulent character as well as the reality of the historical, social, and ecological debts of which South peoples are the creditors. We are calling on all North and South governments to take up the challenge posed by this action on the part of the Norwegian government, recognizing that it is possible to change these unjust relationships and to open up new paths in the building of relationships of solidarity that will allow us to take advantage and share the wealth generated by our peoples, and insure that financial resources are used to pay off the real debt, the one with millions of men, women and children who are living today in poverty and misery."

Hugo Arias of the Jubilee 2000 Guayaquil Network in Ecuador reminded the world, "The Norwegian government has cancelled the debt for a sum of about 35 million dollars... The purchase totaled 59 million dollars. To date, the country has paid more than 100 million dollars."

Norway has now broken the unspoken rule of creditor solidarity. Creditors have until now banded together to insist that poor countries repay their debts and have refused to admit that they share some responsibility for having extended loans irresponsibly, often for geopolitical strategic purposes.

For additional information see [www.eurodad.org](http://www.eurodad.org).

## ***Definitions from Eurodad, the European Debt and Development Network***

Illegitimate debts can be divided into four broad categories: illegal debts; odious debts; illegitimate debts; ecological debts.

**Illegal debts** are those which do not follow the basic legal norms and procedures of the country that takes on the loan, for example the person that signs for the loan is not authorized by the state to take-out loans in the name of the state or the creditor and debtor do not follow the procedures as stipulated in the national constitution of the debtor country. It is the shared responsibility of both creditor and debtor to ensure that loan agreements follow all legal norms and procedures and those which do not may legitimately be questioned.

**Odious debts** are defined by three main characteristics: a) the loan did not benefit the population of the debtor nation in any way and indeed the funds may have been used to oppress the people(s) of a nation (absence of benefit); b) the population of the debtor nation did not give its consent to the loan (absence of consent); and c) the creditor was aware of these facts and yet proceeded to disburse the loan anyway (creditor awareness). Typically, odious loans are associated with dictatorial regimes such as that of Mobutu Sese Seko in the Democratic Republic of Congo, Ferdinand Marcos of the Philippines, General Suharto of Indonesia, the apartheid regime of South Africa and Saddam Hussein of Iraq.

**Illegitimate debt** is a much broader category. It applies for example to ill-conceived development projects which should never have been financed in the first place. An example of this is the Bataan nuclear power station in the Philippines. It is the Philippines' largest single debt. Completed in 1984 at a cost of US\$2.3 billion, it was never used because it was built on an earthquake fault at the foot of a volcano. The nuclear power station was financed by the U.S. export credit agency Ex-Im Bank, Union Bank of Switzerland, Bank of Tokyo and Mitsui & Co., all of whom are still being repaid.

**Ecological debts** are those which caused untold environmental damage in the debtor nation (and the creditor was aware of the negative impacts which would follow on the local environment and/or local populations). In addition, many civil society organizations believe the North owes a huge "environmental debt" to the countries of the South because the countries of the North are responsible for most of the world's environmental concerns, such as carbon emissions which are leading to global warming.

## **Military Commissions Act of 2006**

“With the passing of the Military Commissions Act of 2006 by the U.S. House of Representatives on 27 September and the Senate on 28 September, Congress has turned bad executive policy into bad law,” wrote Amnesty International (AI). AI, the National Religious Coalition Against Torture (NRCAT), the Torture Abolition and Survivors' Support Coalition (TASSC), Maryknoll, the Friends Committee on National Legislation (FCNL) and many, many others have spoken out clearly to denounce this law.

FCNL said, “We ... are profoundly disappointed with congressional approval of legislation that authorizes the president to order torture and abusive, humiliating treatment; permits indefinite detention of human beings without safeguards recognized as essential by U.S. law and treaty obliga-

tions; and transfers significant congressional power to the president.

“This legislation is morally reprehensible. It eliminates protections that go back more than 800 years. Despite the flood of citizen messages and volumes of expert testimony and opinion, the House and Senate both approved the Military Commissions Act of 2006.”

### ***Faith in action:***

Go to [www.fcnl.org](http://www.fcnl.org) to see how your representative and your senators voted and to read about failed amendments to the Senate legislation offered by Senators Arlen Specter (R-PA), Ted Kennedy (D-MA) and Robert Byrd (D-WV).

Sign the NRCAT petition against torture at [www.nrcat.org](http://www.nrcat.org).

## Drug companies fail HIV/AIDS “best practices”

*During the 16th International AIDS Conference in Toronto in August (see NewsNotes September/October 2006), the Interfaith Center on Corporate Responsibility (ICCR) released a comprehensive scorecard evaluating the pharmaceutical industry’s efforts against HIV/AIDS and the neglected diseases that often accompany the virus.*

The ICCR report, “Benchmarking AIDS: Evaluating Pharmaceutical Company Responses to the Public Health Crisis in Emerging Markets,” highlights the large disparities between industry “best practices” in addressing the HIV/AIDS global pandemic and the current actions of 15 leading pharmaceutical companies.

“We see two major problems: a failure to develop new medicines that address neglected diseases and a lack of access for poor patients to the existing medicines,” said Daniel Rosan, ICCR’s Program Director for Public Health and author of the report. “These flaws are the result of market failure and insufficient attention to the issue. Neither problem is insurmountable, but thousands die while we wait for results.”

Each of the industry’s 15 leading companies was evaluated on 12 best practices, including:

- How its research programs address the need for fixed - dose combinations and practical remedies for neglected diseases;
- How it addresses the needs of children with HIV with child-specific formulations and appropriate pricing for the lowered medicinal strength;
- How accessible the company’s drugs are with regards to licensing, patent access, differential pricing according to each country’s overall income, and registering drugs and dosages with each country’s regulatory agencies;
- How its philanthropic efforts impact the pandemic;
- How transparent the company’s political spending is to both shareholders and the general public; and
- How transparent the company’s trade association activity is to both shareholders and the public.

Some of the findings of companies include:

- **Abbott:** “The lack of collaboration with generic or branded pharmaceutical companies is troubling. There is an urgent clinical need for a variety of products Abbott could provide. The heat-stable formulation of lopinavir+ritonavir is a key second-

line ARV (antiretroviral medicine). Abbott must ensure it is universally registered, available and affordable in adult and pediatric formulations.”

- **Bristol Myers Squibb** shows some much needed flexibility on licensing and patents, continues to make significant research commitments, and has created effective partnerships with Gilead Sciences and the International Partnership for Microbicides.”

- **Eli Lilly:** “Lilly’s Multi-Drug Resistant TB program is a rare bright spot in the world of tuberculosis, a disease which is under-funded on every level, from research to patient care. ... Given [its positive] record it is a disappointment Lilly’s research priorities are unlikely to yield new drugs useful against diseases of poverty.”

- **GlaxoSmithKline** [leads] in reporting, licensing and research, but has points of vulnerability. We suggest GSK improve transparency around political spending, both directly and through trade associations; improve its middle-income country pricing strategy; collaborate with other companies to produce fixed-dose combinations; and issue licenses to additional generic companies, particularly for second-line drugs and in middle-income countries.”

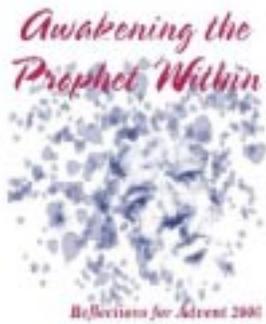
- **Merck’s** history ... is strong, but the company’s HIV/AIDS response appears to be overly driven by philanthropy. ... Merck should be bringing the force of its core business strengths to bear to overcome registration lags, pediatric formulation challenges, and a still-tentative licensing approach.”

- **Pfizer** has immense resources which could bring research-based and market-based solutions to the access to essential medicines crisis. However, the firm has relatively little research invested in the developing world. Pfizer is heavily dependent on traditional philanthropic approaches to health problems. There is an emphasis on public relations. Given Pfizer’s disproportionate influence on the industry we find these issues especially troubling.”

The report concludes that while some companies have implemented best practices in some areas, no company has implemented a comprehensive response to the HIV/AIDS pandemic.

An executive summary of the report can be downloaded at <http://www.iccr.org>. The full report is available for purchase at <http://www.iccr.org/publications/index.php>

## Resources

- 1) **Awakening the Prophet Within: Reflections for Advent 2006:** Pax Christi USA presents its Advent booklet, written by Dr. Arturo Chávez of the Mexican American Cultural Center. Chávez invites us to “awaken the prophet within us through a recommitment to justice and a life of deep prayer. . . Through our baptisms, we are called to be prophets and proclaim a message of hope to a world longing for peace.” What keeps us, personally and societally, from living God’s vision? How do we learn to better see God in our midst and to grasp the “elusive gift of peace?” Based on the lectionary readings of the day. Please order soon. Also available in Spanish. 1-9 copies, \$2.50 each; 10-25, \$2.25 each; 25-99, \$2.00 each; 100-3000, \$1.50 each. Pax Christi USA, 532 W. 8<sup>th</sup> Street, Erie PA, 16502; 814-453-4955; [www.paxchristiusa.org](http://www.paxchristiusa.org).
 
- 2) **Break The Chains!** Jubilee USA Network has launched “Break the Chains!,” a musical mobilization campaign using the power of music to educate and mobilize both the faith community and the broader global justice movement to demand debt cancellation — an end to this new global apartheid. The “Break the Chains!” album features 19 songs that speak to the cause, composed by artists from around the world. This exclusive compilation includes songs that have never been released in the U.S. and others previously released in limited special editions or 8” vinyl. The extensive 24–page booklet features essays, poetry and photos about debt cancellation and includes contributions from Archbishop Desmond Tutu and South African poet and anti-apartheid activist Dennis Brutus. \$15. All proceeds benefit the “Break the Chains!” mobilization campaign. Contact Iamedia, <http://www.iamedia.org/albums.php>, or Jubilee USA, [www.jubileeusa.org](http://www.jubileeusa.org), 202-783-3566.
- 3) **Shaping a New World: A Challenge for the 21st Century:** This 32-page booklet challenges readers to reflect on and put into practice the man-
  - 4) **Globalization and Catholic Social Thought: Present Crisis, Future Hope:** This book, edited by John A. Coleman, SJ and William R. Ryan, SJ, is a critical assessment of globalization by leading Catholic thinkers. Globalization has generated heated debate: to some it stands for a new era of communication, interconnection, and greater economic efficiency. For others, it implies dislocation, marginalization, and the loss of local identity. This volume assesses globalization and the capacity of Catholic social teaching to guide and reform it. 284 pages. \$30. Order from Orbis Books, [orbisbooks@maryknoll.org](mailto:orbisbooks@maryknoll.org); [www.orbisbooks.org](http://www.orbisbooks.org); (914) 941-7636, ext. 2576 or 2477.
  - 5) **Middle East Peace Advocacy Conference:** Churches for Middle East Peace (CMEP) will organize a Middle East Peace Advocacy Conference May 6-8, 2007, in Washington, D.C. Advocates from churches around the country are invited to participate. This ecumenical conference will focus on U.S. policy and the Israeli-Palestinian conflict with speakers, workshops, advocacy preparation and a day of lobbying your elected officials. The program will begin on Sunday evening and conclude with Tuesday’s Hill appointments and will include a special session for denominational gatherings. Updates and information on how to register will be available on CMEP’s website in the coming months. Check [www.cmep.org](http://www.cmep.org) for details.