

Dear Colleagues,

Please find below articles on the following:

R2P

-Ernie Regehr on Summit's acceptance of R2P

SUDAN

- Editorial on the inadequate response to Darfur and N. Uganda.
- NGO's call for sanctions against Sudan as Abuja talks recommence.
- Germany extends support of AU mission in Sudan.
- AU criticized for the expected election of Sudan to Chair position.

DRC

- Update on MONUC efforts in the DRC

Ending impunity as part of genocide prevention

- Cameroon; Stopping Impunity in Africa

Regards,

Gaia Filicori

Protecting the vulnerable: the World Summit took a first step.

By Ernie Regehr

The Ploughshares Monitor

Autumn 2005, volume 26, no. 3

One of the widely declared successes of the September World Summit at the United Nations was the leaders' endorsement of the doctrine of "the responsibility to protect" (R2P). Because the Summit failed so spectacularly on other key issues, notably Security Council reform and nuclear nonproliferation and disarmament, and given the prominent opposition of the United States and other influential states such as China, Egypt, India, and Russia to enshrining R2P as a legal obligation that extends to the international community, what emerged was a partial but welcome step toward recognizing the right of vulnerable people to protection.

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It is tempting to find comfort in the Summit's formulation--that is, in its insistence that the international community has an obligation to use peaceful means to protect vulnerable people, but that it has no obligation to engage in the coercive measures authorized under Chapter VII when peace is shattered by the egregious abuse of large numbers of vulnerable people. However, the commitment to peaceful means was not matched by a commensurate commitment from states to provide the resources needed for those peaceful means to be effective in preventing extreme abuse or in rescuing people and rebuilding after abuse . Furthermore, the failure to oblige the Security Council to act under Chapter VII in prescribed circumstances allows the Security Council to continue to act purely at its own discretion, with the obvious likelihood that it will continue to give priority to its own interests and convenience rather than to meeting the needs and rights of those in peril.

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<http://www.ploughshares.ca/libraries/monitor/mons05e.htm>

Editorial | Darfur and Northern Uganda Shrugging at genocide

The Philadelphia Inquirer

November 30, 2005 Wednesday

At least the United States and others on the United Nations Security Council can lay claim to being world-class dawdlers in the face of two interconnected human catastrophes. They certainly can't take credit for aggressively trying to end worsening crises in northern Uganda and Sudan's Darfur region.

The Bush administration's inadequate response will further tarnish U.S. moral credibility; the Security Council will provide more ammunition to its critics if it cannot agree on strong action.

The greatest victims, as always, will be the civilians caught in conflict.

Killings in Darfur are on the rise. U.N. Secretary-General Kofi Annan warned the Security Council last week that "the looming threat of complete lawlessness and anarchy draws nearer."

() The United States has several envoys, including Deputy Secretary of State Robert Zoellick, shuttling to the region to promote negotiations, including a seventh round of African Union-sponsored talks that began yesterday. But Zoellick will be of no help if he actually believes his recent assessment that this is a "tribal war." That's what was said about the 1994 genocide in Rwanda - and it's an excuse for the international community to again do nothing.

The international community also has largely ignored the 19-year-old war between the Ugandan government and the rebel Lord's Resistance Army. The LRA, led by Joseph Kony, has abducted about 30,000 children and forced them into being soldiers and sex slaves. At least 1.4 million people have been left homeless. Thousands have died.

The violence in Sudan and neighboring Uganda are linked: As it now supports the Janjaweed, the Sudanese government also has given aid to the Lord's Resistance Army in northern Uganda. A mischievous Sudan destabilizes its neighborhood.

Instead of using its clout to pressure the governments of Sudan and Uganda to protect civilians, the Bush administration has coddled those nations' leaders. The State Department seems willing to doom the people of Darfur so as not to upset Sudanese President Omar al-Bashir's commitment to the peace accord that ended the war between Sudan's north and south. That is a false either-or choice.

The Security Council has a worse record. It has agreed to weak resolutions on Darfur and never passed anything on northern Uganda, where violence has increased since the International Criminal Court last month issued arrest warrants for Kony and top aides. LRA members are now also killing foreign tourists and aid workers, prompting some relief groups to suspend operations.

U.S. and U.N. action can make a difference in these conflicts.

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<http://www.philly.com/mld/inquirer/news/editorial/13287901.htm>

AFRICA: RIGHTS GROUPS URGE U.N. SANCTIONS AGAINST SUDAN

By Julia Spurzem

IPS-Inter Press Service

UNITED NATIONS, November 29 2005

Sudanese officials and rebel leaders from Darfur started a seventh round of peace talks Tuesday in Abuja, Nigeria, as human rights activists lobby harder for sanctions against Khartoum.

The talks were delayed for one week to allow mediation between two leaders of the main rebel group, the Sudanese Liberation Army (SLA), who both claim the presidency of the movement. The African Union (AU) flew both to Abuja for the next round of the AU-sponsored talks.

Six previous rounds have agreed on little other than a declaration of principles between the two main Darfur rebel groups and the government.

Observers have said they see little hope for success for this round after a split in the SLA leadership earlier this month, but the AU still hopes for progress.

A statement issued by the AU Peace and Security Council said that the AU will "consider future appropriate measures, including sanctions, to be taken against any party that will undermine or constitute an obstacle to the peace process in Darfur."

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Sali Mahmoud Osman, a lawyer with the Sudan Organization Against Torture, who works with victims of human rights abuses in the troubled region, says the situation in Darfur has not improved because resolutions have not been implemented.

"This is the most important thing. Without the implementation, it seems that the international community is not serious about the situation," he told IPS.

Osman called on the United States and other Security Council members to end what he described as a "deadlock" in the sanctions process. He criticized three members -- China, Russia and Algeria -- for blocking Security Council attempts to bring sanctions against the Khartoum government or the government-backed militias.

"China, Russia and Algeria do not care very much about the humanitarian situation in Darfur," said Osman.

He and Human Rights Watch are focusing on other powerful members of the Security Council, like the U.S. and Britain, to take control of the plan and ensure the three member states will not block the sanctions.

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<http://www.ipsnews.net/news.asp?idnews=31227>

GERMANY EXTENDS ITS SUPPORT OF AFRICAN UNION PEACEKEEPING MISSION IN SUDAN

US Fed News

November 30, 2005 Wednesday

The government of Germany issued the following news release:

The military conflict in the Darfur province of western Sudan has produced a major humanitarian disaster. The African Union has peacekeeping forces in the region, but they have not been able to stem the violence. The German cabinet approved a decision to extend support of the AU mission.

On November 29 the German cabinet approved a decision to extend support of the African Union Mission in Sudan (AMIS) for another six months. Germany has been providing the African Union logistical air support with a military contingent of up to 200 men.

The AU Peace and Security Council had requested assistance from the international community for its peacekeeping efforts. On December 3, 2004 the German parliament approved an armed forces support mission by a large majority. The cabinet decision to extend the mission is, as always, subject to parliamentary approval. The German air force began to support AMIS with logistical flights on December 16, 2004.

Since most of the troop-providing countries in Africa do not have the logistical and financial capabilities needed to transport their soldiers to Darfur themselves, the German air force is helping out with C-160 Transall transport planes. With a view to AMIS troop rotations and a planned increase in the size of troop contingents the AU will continue to be dependent on logistical air support.

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<http://www.bundesregierung.de/Nachrichten-,417.926232/artikel/Germany-extends-its-support-of.htm>

POLITICS: AFRICAN UNION WARNED AGAINST LETTING SUDAN LEAD

By Thalif Deen

Inter Press Service- Asia Times

November 25 2005

Sudan, which has been lambasted for human rights violations and genocide in the beleaguered province of Darfur, is expected to be elected chair of the 53-member African Union (AU) next year.

The possibility of Sudan leading the AU, the largest gathering of African states, has evoked strong protests from human rights organizations and African activist groups in the United States.

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Asked whether Sudan should be the head of the AU under these circumstances, U.N.

Secretary-General Kofi Annan diplomatically side-stepped the question by telling a reporter:

"That is for the African Union to decide, my dear friend."

Kwame Akonor, director of the African Development Institute, focused his criticism on the AU for

its role in the ongoing Darfur crisis:

"Just last month, the AU allowed Sudan to chair its Peace and Security Council meeting in Ethiopia, muting any discussions of that country's grave and constant human rights violations. Now, the collective AU body brazenly wants to take a resolution condemning the well-documented atrocities in that region off the table," Akonor said.

"Does the AU want to be viewed as a protector or accomplice on this issue?" he asked.

(.) Last week, the AU also collectively stood by Sudan, helping to adopt a "no-action" motion on a U.N. resolution aimed at condemning the Sudanese government for human rights violations.

The no-action motion, which was sponsored by the current AU chair Nigeria, was adopted by 84 votes in favor and 79 against, with 12 abstentions. As a result, Sudan was spared condemnation by the General Assembly's Third Committee.

In defense of the action, Nigeria told delegates that any condemnation of Sudan would endanger the ongoing peace talks.

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http://www.asiantribune.com/show_news.php?id=16250

Congo-Kinshasa; DRC 'Holds Key to African Peace'

BuaNews

Nov 30. 2005

Unlocking peace in the Democratic Republic of Congo (DRC) will ultimately present Africa with a key to overall peace in the continent, says Bill Swing, the United Nations Special Representative for the DRC.

Mr Swing on Friday presented a comprehensive briefing on the UN's MONUC peacekeeping mission to the DRC at the Centre for Conflict Resolution in Cape Town.

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In a country with around 60 million people, voter registration on Friday, said Mr Swing, stood at 22.6 million but the process was moving so fast that by yesterday (Sunday) the number of registered voters would stand at 23 million.

.... Positive results are not yet certain: while a referendum on the constitution is scheduled for the end of next month (December) and elections for June 2006, several thousand fighters out of a figure of up to 16 000 members of foreign armed groups are still roaming around the eastern parts of the country.

The disarmament, demobilisation, repatriation, reintegration and resettlement (DDRRR) of these groups remained a challenge and Mr Swing indicated that UN forces were beginning to deal with them more aggressively than before, although he admitted the UN had no mandate for the forceful repatriation of foreign rebel groups.

Several of these groups comprise fighters linked to the Hutu and Interahamwe groups

responsible for the genocide in Rwanda less than 10 years ago and with a reputation for the mutilation and random slaughter of civilians.

Nonetheless, in terms of the UN mandate to protect the civilian population, MONUC was "moving increasingly to more forceful options" in dealing with these militias.

. But with assistance from South Africa, Belgium and several other countries, a process had begun to turn the "embryonic" Congolese National Police force and the Armed Forces of the Democratic Republic of the Congo into fully-fledged and professional forces.

The tide of war in the DRC - had turned definitively towards peace, the former US ambassador said.

<http://www.monuc.org/news.aspx?newsID=9213>

Cameroon; Stopping Impunity in Africa

The Post

By Felix Agbor Nkongho, Centre for Civil and Human Rights Law, University of Notre Dame, Indiana USA

News of the arrest of Hissen Habr dubbed the "African Pinochet" and the UN Resolution calling for the apprehension of Charles Taylor have sent shock waves across Africa. This is a continent where dictators act with blatant disregard for the rule of law and complete disrespect of the human rights and fundamental freedoms of their citizens.

Both former dictators have been accused of committing gross human rights violations such as crimes against humanity, which include torture, and also war crimes as in the case of Taylor.

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This is a significant statement by the world's most powerful body that sends a clear message to all African dictators . Kofi Annan, the Secretary General of the UN, had earlier stated that amnesty for gross human rights violations "remains unacceptable to and unrecognisable by the UN unless they exclude genocide, crimes against humanity and war crimes". It has now become customary international law that perpetrators, irrespective of their status will not enjoy amnesty or immunity for such human rights violations.

It is also significant that the UN resolution coincides with the arrest in Senegal of Hissene Habre, the former dictator of Chad to face justice in the Belgian Courts for allegedly executing and torturing thousands of people during his regime in the 1980s.

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A significant step in fighting impunity and preventing non-repetition of gross violations of human rights in Africa is by bringing these dictators to justice. They should have a free and fair hearing in spite of the fact that most of their victims could not enjoy this right during their heinous rein.

As the erudite and reputable Nigerian Justice Oputa states "Justice is a three-way traffic; to wit; justice for victims whose rights have been violated, justice for the accused and justice for the society".

The arrest of Hissne Habr and the UN Resolution calling for the apprehension of Taylor sets a

precedent and sends a signal to dictators in Africa that crimes committed whilst in office will not go unpunished. Justice might be delayed but will not be denied.

(Link to full article unavailable)