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*The Peace & Justice Updates are written by the interns at the Joan B. Kroc Institute for Peace & Justice at the University of San Diego.*

*The interns during the Summer 2012 term are:*

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LATIN AMERICA AND THE CARIBBEAN

COLOMBIA

A Step toward Peace

Colombian lawmakers passed the Legal Framework for Peace bill during the week of June 18. The bill amends the Constitution to allow for eventual peace talks with leftist groups such as Fuerzas Armadas Revolucionarias de Colombia (FARC) and Ejército de Liberación Nacional (ELN).

The bill stipulates that once an end to the armed conflict has been negotiated, and once all coerced recruits have been released, militants will be permitted to face lenient or nonexistent punishments if they disarm, confess to their crimes and compensate their victims’ families.

FARC is one of Colombia’s oldest and most formidable militant groups. Originally established in 1965 as a Marxist guerilla army fighting to overthrow the state and eliminate economic injustice in Colombian society, FARC eventually moved into terrorism, and finally to drug trafficking, kidnapping, murder and extortion primarily for economic gain. It has seen its numbers diminish in recent years due to military assaults by the Colombian government, but those attacks have been unable to entirely root out FARC and similar groups.

Once the amendment is finalized, the government has four years to implement the plan, and there is talk of imposing a three to six year timeframe for the militants to take advantage of the offer. However, FARC and other groups have sent mixed signals about their willingness to participate in talks, possibly jeopardizing the peace process.

The amendment will not apply to drug traffickers or to paramilitary groups.

Human rights groups as well as members of the military have criticized the framework, claiming it is amnesty in disguise, allowing human rights violations and terrorist activities to go unpunished.

The senators who supported the legislation, however, said it was “born out of necessity” (BBC). The administration of President Juan Manuel Santos, initially in favor of the hard militaristic line of his predecessor, Alvaro Uribe, has shifted its policies in order to negotiate an end to the conflict.

The Framework is meant to facilitate transitional justice, similar to the Justice and Peace Law of 2005, which made similar concessions to far-right paramilitary groups in return for disarmament. Results from the 2005 legislation have been mixed, which contributes to the skepticism surrounding the current Legal Framework.

However, it is important to note that discussing a peace process would have been unthinkable two years ago. Therefore, while the bill has its flaws, it represents a crucial first step to disarmament and peace.
GUATEMALA

Anti-Mining Activist Attacked

Two gunmen attacked Guatemalan anti-mining activist Yolanda Oquelí the evening of June 13th as she drove home to San Juan del Golfo from a peaceful protest at El Tambor mine in La Puya. The mine is located in the mountains, slightly northeast of Guatemala City. San Juan del Golfo is only a short drive from La Puya.

The gunmen confronted Oquelí and demanded she exit her vehicle. Once outside, they threw her to the ground and opened fire. Four shots were fired, three lodging in Oquelí’s car and one just behind her liver. She survived the attack, and is now receiving medical treatment. Apart from that, her condition is unknown.

Rights activists in Guatemala are harassed and threatened regularly; Oquelí, the leader of Frente Norte del Área Metropolitana, reported death threats and other forms of intimidation to the Public Prosecutor’s office as recently as May 11.

Human rights groups believe this attack is connected to her continuing protests against the so-called El Tambor mining project, run by Radius Gold, Inc., a Canadian mining company. El Tambor mine is expected to produce 150 tons of gold per day.

Activists say the mine pollutes the local water source and that the company did not sufficiently consult with the community ahead of the project.

The attack occurred in the same department as the Institute for Peace and Justice’s Legal Empowerment project in Guatemala. At press time, IPJ staff members were attempting to make contact with those closest to the event in order to learn more.

Sources


By Alexandra Scott. Send comments to xscott@sandiego.edu.
Groundbreaking Elections Show Signs of Democratic Reforms

In April, Aung San Suu Kyi and the National League of Democracy (NLD) swept the parliamentary by-elections, winning 44 of the 45 contested seats. This is a major win for the NLD, which has not participated in politics since 1990 when the military junta refused to cede power after the NLD won in a landslide. The party only reentered politics in 2010, but refused to take part in that year’s election.

Although the Burmese government has been taking steps since 2010 to have a more democratic government (releasing political prisoners, decreasing censorship, and allowing opposing political groups to exist), the army and its associated party the Union Solidarity and Development Party still holds about 80 percent of the seats in parliament.

The NLD hopes that this past by-election will pave the way for a civilian controlled government, free from military influence. However, the NLD parliament members did refuse to take their seats this past week because they did not agree with the wording of the parliamentary oath. Instead of a promise to “safeguard” the constitution, the NLD wants the word changed to “respect.” Ultimately, the NLD wants the army-created constitution to be rewritten.

This is the first sign of contentions between the newly elected NLD members and the government. However, President Thein Sein assures that there will be “no U-turns” in the agenda for progressive reform.

This move towards democracy has had positive international repercussions for Burma. The European Union suspended its trade sanctions against the country to reward and recognize it for its progressive reforms. However, Suu Kyi remains skeptical about the new democratic reforms and urged Europe to not move too fast in its changing policies towards Burma. According to Suu Kyi, “so many hills remain to be climbed, chasms to be bridged [and] obstacles to be breached”.

Religious Violence Breaks Out Amidst Democratic Reform

Unfortunately, progressive reform could not prevent sectarian violence from erupting once again in the Burmese state of Rahkine. Violence began after a Buddhist woman was raped and killed last month. Three Muslim men are accused of the crime. Local Buddhists orchestrated a retaliatory attack, killing ten Muslims. Since then, violence between the two groups has continued to escalate, with many Buddhists and Muslims burning each other’s homes and businesses.

This kind of sectarian conflict is not uncommon in Burma, which has experienced periods of sectarian violence since the British colonial period. Many blame the Burmese government for aggravating these tensions with its discriminatory policies. For instance, Rohingya Muslims are not permitted to become citizens in Burma, and must abide by strict travel and marriage laws.
On June 10, President Thein Sein declared a state of emergency in Rakhine and the UN announced it would be moving all “non-essential” staff out of the area. Many Muslims have attempted to flee the violence, creating a complicated refugee situation for neighboring countries. As many as 1,500 people have been turned away by the coast guard and border security in Bangladesh.

Although Bangladesh already has 300,000 Rohingya refugees, Bill Frelik, Refugee Program director at Human Rights Watch says that "by closing its border when violence ... is out of control, Bangladesh is putting lives at grave risk.” Many other refugees have been successful in settling in India, and have petitioned the UN for official refugee status.

However, many requests have been denied, making the refugees ineligible for state health care and schools. In order to alleviate this problem, the UNHRC in conjunction with the Indian government has assured the refugees they will not be deported and has agreed to grant them long-stay visas.

The refugee issue will continue to be a major issue for the entire region if the Burmese government cannot curb the growing violence.


By Verena Calas. Send comments to vcalas@sandiego.edu

NEPAL


A faction of leftist hardliners from the United Communist Party of Nepal-Maoist (UCPN-M) led by the party’s Senior Vice Chairman, Mohan Baidya “Kiran,” announced their split from Nepal’s ruling party on June 19 after a three day National Cadres Gathering in Kathmandu. Two days prior to the announcement, UCPN-M Chairman Pushpa Kama Dahal, formerly known as Prachanda, urged the disgruntled members to approve a proposal for party unity, stating, “revolution cannot be accomplished after [a] split in the party.” His efforts however, were futile.

The breakaway party, named the Nepal Communist Party- Maoist (NCP-M), will have a 44-member central committee, made up of approximately one third of UCPN-M’s former leadership. The party plans to follow a “pro-revolutionary course.”

Kiran cited several reasons for splitting from the UCPN-M, stating that current party leadership is solely concerned with staying in power rather than with following party ideology. He accused Chairman Dahal and Prime Minister Baburam Bhattarai of betraying the revolution. Kiran also cited the party leaders’ failure to secure favorable positions for former Maoist fighters and undertake promised land redistribution, as reasons for the split.

By Verena Calas. Send comments to vcalas@sandiego.edu
Following the announcement there has been widespread national concern over the implications of this division. Many predict it will worsen the current conditions of political instability and possibly even lead to violence between the factions. Dina Nath Sharma, education minister in Bhattarai’s government and senior member of the UCPN-M stated, “this will only lead to further trouble for both the Maoist party and the splinter group. It will not benefit either of us.”

The NCP-M has deemed the Prachanda-led Maoist party’s acceptance of the “democratic republic” line in 2005 and signing of the Comprehensive Peace Agreement in 2006, as “major mistakes.” Many worry the outcome of this party split could give way to new armed insurgencies and significant setbacks in Nepal’s peace process.

The Himalayan, Jun. 17; The Hindu, Jun. 18; The Washington Post, Jun. 19
By Caroline Cook. Please send comments to carolinecook@sandiego.edu

PHILIPPINES

Missing Jordanian Journalist to be Banned from the Country for Causing Undue Burden on Authorities

Jordanian journalist Baker Atyani of Al Arabiya television was reported missing on the island of Jolo in the southern Philippines after disappearing with his film crew into the jungle June 12 for an interview with the regional terrorist group, Abu Sayyaf. The four were last seen voluntarily entering a vehicle with two unidentified men, but did not return to their hotel later that evening as planned and missed their flight to Manila the following day.

Speculations as to the status of the journalist and his crew circulated among the international press in a series of unconfirmed reports throughout the week. Kidnapping was suspected due to Abu Sayyaf’s widely known history of routinely holding foreign nationals and journalists for ransom, including Joan B. Kroc Institute of Peace & Justice’s Woman Peacemaker Merlie “Milet” B. Mendoza in 2008.

However, on June 19, it was reported that one of the crew members had finally contacted a friend to confirm that they were with an Abu Sayyaf cell, but were not being held against their will. Interior and Local Government Secretary Jesse Robredo issued a statement confirming that, “they are not under duress. They appear to be free to go anytime.”

The local government has stated that Atyani acted recklessly by taking the interview without first informing local authorities of his plans. By doing so he compromised regional security and caused problems for local authorities. Robredo has recommended that Atyani be deported once he resurfaces and President Benigno Aquino stated that he will likely be banned from entering the country in the future. Aquino was quoted as saying, “I want due process to be given him, and that he be given the chance to explain.”
The National Union of Journalists of the Philippines (NUJP) has condemned the government’s handling of Atyani, referring to the plans of deportation and banning as those of a “police state.” Representatives of the NUJP stated that authorities’ security efforts in response to Atyani’s disappearance were “lukewarm” due to the lack of confirmation, and doubt as to his hostage status. They have labeled this a violation of free press, stating that reporters, “do not need approval especially from the government, the police and the military, before covering a story.”

**Breaking News:** On June 21, Foreign Ministry spokesperson Sabah Rafei issued the first official confirmation of the kidnapping, stating that Jordanian authorities have, “information through ‘contacts’ that Baker Atyani was in fact abducted,” and are working to “secure Mr. Atyani’s safe release.” The Philippines’ authorities maintain their positions stated above.


By Caroline Cook. Please send comments to carolinecook@sandiego.edu.

**SRI LANKA**

**Main suspect of JVP Double Homicide Surrendered to Tangalle High Court**

On June 15, during a meeting of the Janatha Vimukthi Peramuna (JVP), Sri Lanka’s Marxist party, two attendees were shot and killed and various others severely wounded.

Immediately following the attack, the spokesmen for the Sri Lankan police claimed the attack was carried out by splintering factions within the JVP. The JVP General Sectary Tilvin Silva responded that the government was behind the attack.

The Asian Human Rights Commission (AHRC) supports Silva’s claim saying “whenever the government is involved in a political attack it is a common feature to attempt to attribute such attacks to some other sources.” The AHRC contends if nothing is done about the shooting, the government will continue to support the killings of members of rival political groups.

Eyewitnesses to the shooting identified Julampitiye Amare, an infamous criminal, as one of the gunmen involved in the shooting. The JVP called for his arrest, but police officials have stated there is not enough evidence. The AHRC claims the police rarely investigate or arrest suspects of criminal attacks orchestrated against rival political parties.

Law enforcement officials have responded saying four police teams have been assigned to the investigation. Despite this, protests by JVP were orchestrated calling for Amare’s immediate arrest.

June 19 Julampitiye Amare surrendered himself to the Tangalle High Court on a warrant issued for another offense. He was remanded by the High Court until July 11 and has been ordered to be
produced before the Walasmulla High Court for an identification parade scheduled to occur June 29. Despite the arrest, protests have continued with the latest rally taking place June 20.

The Sunday Reader, June 17; Daily Mirror, June 20; Asian Human Rights Commission, June 19; Colombo Page, June 19; The Island, June 19; Sri Lanka X News, June 20; Sri Lanka Mirror, June 19

By Alexander Wais. Send comments to alexanderwais@gmail.com.

MIDDLE EAST/NORTH AFRICA

SYRIA

Increased violence in al-Haffeh derails U.N. mission

The town of al-Haffeh, on the western border of Syria, has become the site for increased violence between Syrian government forces and rebel armies in the week of June 18. Because of its strategic location near the Turkish border and proximity to the port city of Latakia, Haffeh is an area of great importance for both groups. The violence broke out when Syrian forces attempted to set up checkpoints to ensure better control of the city.

UN observers were originally barred from entering the city by a crowd throwing stones and metal rods. Other sources reported Syrian government helicopters have fired on rebel strongholds as well as unarmed civilians within the city. According to the rebels, they have attempted to evacuate the wounded, and some civilian families in hopes that they might escape to Turkey.

The Syrian government continues to claim that its goal is to defend a peaceful uprising by eliminating the rebel and terrorist threat within the movement.

Because of the continuing violence, the UN chief of peacekeeping operations, Herve Ladsous, has now classified the conflict as “a full scale civil war.”

Victoria Nuland, a spokeswoman for the U.S. State Department, echoes Ladsous’ concerns, saying that the tactics used by Syrian forces were “horrific,” and “constitute a very serious escalation.” In response to these concerns, the Syrian foreign minister accused the US of “flagrant interference in Syria’s internal affairs.”

French Foreign Minister Laurent Fabius said he would call on the UN Security Council to make Kofi Annan’s peace plan mandatory under the UN Chapter 7 provision. This would allow the UN to forcibly uphold the peace plan. Russia and China are expected to veto this proposal, and Russia allegedly continues to supply Syria with helicopters. The Russian defense ministry denies this accusation saying that Russia is only maintaining helicopters that were sold to Syria many years ago.
Because of the increased violence in civilian areas, on June 16 the United Nations suspended its monitoring system in Syria because of risk posed for the 300 UN observers. General Moody, head of the UNSMIS, assured that the observers would remain at their bases and would resume their work as soon as conditions became more stable.

**Syria now on “list of shame”**

The UN advocacy group for Children and Armed Conflict have recently added Syria to their “list of shame” including 52 countries that violate the rights of children. UN special representative for the Rights of Children in Armed Conflict, Radhika Coomaraswamy, expressed her outrage saying, "Rarely, have I seen such brutality against children as in Syria, where girls and boys are detained, tortured, executed, and used as human shields.” The UN report also stated that the rebel forces, including the Free Syrian Army, may be recruiting children under the age of 17.

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**EAST AFRICA**

**KENYA**

**The Future of Dadaab Refugee Camp Remains Unclear**

World Refugee Day has a special importance to Kenya, home to the Dadaab refugee camp, the largest of its kind in the world. Dadaab, located in the North Eastern Province of Kenya, comprises Kenya’s third largest town with around half a million refugees, most of which have come as a result of the civil war in Somalia.

In honor of World Refugee Day, Doctors Without Borders, also known as Médecins Sans Frontières (MSF), held a conference June 14 to discuss the future of Dadaab, which was created as a temporary solution to the Somalia refugee crisis 20 years ago. The conference was attended by stakeholders in the international community, including local officials, United Nations representatives, civil society groups, and members of the refugee community.

The conference led to no strong consensus for the way forward and the problems facing the refugees have no easy solutions. In 2011 all “non-lifesaving activities” such as medical screenings for new refugees were brought to a halt after two doctors were kidnapped.

According to MSF, the incident is just one example of how conditions in the camp have deteriorated over the years. Increased violence and donor fatigue have also affected funding. As a
result, the health and safety of the refugees has suffered from violence, overcrowding and high rates of malnutrition.

Proposed solutions to the issue vary. Stakeholders, including members of MSF and the United Nations High Commissioner for Refugees, called for Somali integration into Kenyan society. Conference attendees such as Kenya's Commissioner for Refugees argued voluntary repatriation would be the ideal solution.

Unfortunately, many other stakeholders believe voluntary repatriation has little chance of success because many refugees have either nothing left in their home country or cannot go back because it is still not safe. Attendees of the conference did not manage to reach a clear conclusion. All that can be agreed upon is that the current situation cannot be sustained.

New Zealand Doctor Online, June 19; Integrated Regional Information Networks, June 15; Médecins Sans Frontières, June 14; Agence France-Presse, June 16; All Africa, June 17

By Alexander Wais. Send comments to alexanderwais@gmail.com.

SOUTH SUDAN

FEATURE: With the One-Year Anniversary of Independence Approaching, the Country Struggles to be Self-Sufficient

The celebrations following South Sudan’s independence on July 9, 2011 were replaced with concerns this year over a failing economy, increased levels of violence, soaring food prices, rising unemployment and government corruption.

Near the Sudanese border, Abyei remains an area of contention between Sudan and South Sudan. The land is claimed by both countries. The Dinka Ngok people, who reside in Abyei, argue that the land is part of South Sudan, while the Arab Misseriya who travel through the region with their cattle want the land to be a part of Sudan. The result has been violence between Sudan and South Sudan resulting in the deaths of hundreds of people, including four U.N. peacekeepers killed in August, 2011.

While the United Nations (UN) confirmed a withdrawal of Sudanese troops from Abyei in May, it also confirmed an increased presence of approximately 200 Sudanese police in the area. According to a BBC source, the police are said to be Sudanese military dressed in police uniforms.

As tens of thousands of South Sudanese return to Abyei, and a referendum deciding whether Abyei will belong to the North or to the South draws nearer, the probability of increased violence continues to mount.

Disputes over land have also led to an increase in violence internally among warring ethnic groups in South Sudan.

Thousands of Southern Sudanese have been killed in cattle raids throughout the country following independence. In the state of Jonglei, over 200 people were killed in a recent cattle raid, and
hundreds more were wounded or missing according to the state governor, Kuol Manyang. According to the UN, approximately 350,000 South Sudanese have been displaced as a result of inter-communal violence.

The economy of South Sudan has suffered immensely following independence. In January, the South Sudanese government stopped oil production, which makes up 98 percent of state revenue, after accusing the Khartoum government of stealing shipments. This decision has contributed to a rise in unemployment, transportation costs and food prices. South Sudanese forced to return from Sudan are finding no jobs and unaffordable living conditions.

This week, President Salva Kirr accused government officials of stealing $4 billion from state resources. In an effort to recover the money, he wrote to 75 current and former government officials asking that the money be returned. Following his plea, only $60 million was returned.

With the first year of South Sudanese independence coming to an end, the South Sudanese have many improvements to make. The government is taking steps to decrease its dependence on Sudan’s ports by constructing new oil pipelines to Kenya and Ethiopia, a project that is currently in the preliminary stages. President Kirr also works to combat the corruption that threatens South Sudan’s progress in an effort to hold the government accountable. However, the immediate future of South Sudan remains uncertain as violence continues to disturb peace processes and the economy struggles to improve.

BBC, March 13; BBC, Feb.3; BBC, May 30; BBC, June 5; Sudan Tribune, June 14; Sudan Tribune, June 14, 2012.

By Jaclyn Garcia. Send comments to jcgarcia@sandiego.edu.

SUDAN

Is Time Running Out for Omar Al-Bashir?

Pressure mounts for the government of Sudan.

The National Consensus Forces (NCF), a coalition opposed to the Khartoum government, is calling upon the leaders of the Democratic Unionist Party (DUP) to denounce their allegiance to President Omar Al-Bashir and join the NCF in toppling the regime. Last year, the DUP joined Al-Bashir and the National Congress Party in support of a unified Sudan. Sudanese rebels are also calling upon the international community to decrease relations with Khartoum. While the leader of the DUP, Mohamed Osman Al-Mirghani, has yet to accept the NCF proposition, the threat to the Al-Bashir government continues to mount.

The Sudanese economy struggled in 2012. Following South Sudan’s independence, Sudanese inflation rose to 30 percent. In January, the South Sudanese government shut down oil production after accusing Khartoum of stealing shipments. Sudan lost 75 percent of its oil revenues, which was the primary source of foreign exchange in the country. Sudan’s Finance Minister, Ali Mahmoud, announced last week that the country showed signs of bankruptcy.
In response to a failing economy, Al-Bashir announced an austerity plan that includes drastic reductions of regional and local bureaucracies, the privatization of public companies, and a significant decrease in public spending. The plan will be presented to lawmakers in the coming days. Protests, comprised primarily of students, have resulted in response to the proposed austerity measures. The government has responded with physical force.

While Al-Bashir admitted that the ongoing military engagements in South Kordofan, Blue Nile and Darfur increased government spending, he vowed to continue the fight against the “agents and mercenaries” in the bordering states.

In addition to the economic and political pressures facing the Al-Bashir regime, the international community is slowly acknowledging the warrant for his arrest issued by the International Criminal Court for war crimes and genocide in 2009. This week, President Joyce Banda of Malawi refused to allow Al-Bashir to enter the country for the African Union Summit being held in Lilongwe. As a result, the summit was moved to Addis Ababa, Ethiopia.

With pressure mounting for President Al-Bashir and the Khartoum government, it is a matter of time before change arises. The question remains, however, in what form those changes will come.

Reuters, June 15; Bloomberg, May 28; Human Rights Watch, June 8; Human Rights Watch, May 17; Sudan Tribune, June 19; Sudan Tribune, June 18; Sudan Tribune, June 18, 2012.

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