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**Latin America – Guatemala:** Outrage Mounts over Totonicapán Massacre

**South and Southeast Asia – Nepal:**
UN Report Highlights Human Rights Violations During Decade-Long Conflict

**Middle East and North Africa – Syria:**
Tensions Rise as Conflict Spills into Neighboring Turkey

**East Africa – Kenya:** Mau Mau Decision Strengthens Torture Victims’ Right to Reparations
The countries for the Peace & Justice Update have been chosen as areas of focus at the institute.

Source information: Information presented in this update is condensed from wire and newspaper reports from Lexis/Nexis and from electronic sites on the World Wide Web. Complete bibliographical information is unavailable from these services, but every attempt has been made to properly cite information and give credit to source materials. This update is intended for use by IPJ staff and associates for informational purposes only. As the material in this update is condensed, and does not directly quote the primary source, information from the update should not be quoted. Any opinions expressed herein solely reflect the views of the individual Update author(s) and in no way reflect the official views and/or positions of the IPJ, its staff, or the University of San Diego.

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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 Fall 2012 term are:

Andres Bernal (University of San Diego, School of Leadership and Educational Sciences), Jorge Benavides (University of San Diego), Libby Jelinek (University of San Diego) and Erinn King (Georgia State, B.A.)
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WSJ = The Wall Street Journal (www.wsj.com)
WP = The Washington Post (www.washingtonpost.com)
Xinhua = Xinhua News Agency (www.xinhuanet.com/english)
COLOMBIA

Landmines continue to pose threat to safety while judges award compensation to victims of paramilitary violence

The number of child victims of explosive devices has risen to 45 this year after the death of a four-year-old girl in the department of Tolima. According to the Colombian Government's Integral Action Program Against Anti-Personal Mines, or PAICMA, a total of 10,001 people, including 328 this year, have been injured or killed by a landmine since 1990, 958 of whom were minors. Diego Molano, director of the Colombian Institute for Family Welfare (ICBF), denounced the explosives stating,

“The illegal armed groups must immediately stop the practice of spreading the Colombian fields with explosive devices or unexploded ammunition, which threatens the civilian population, especially young boys, girls and adolescents. They are the innocent victims of the conflict that’s going on in Colombia.” Landmines in Colombia are predominately attributed to the Colombian Revolutionary Armed Forces, (FARC) who will be undertaking peace negotiations with President Juan Manuel Santos this month.

Colombia’s Supreme Court has ordered more than $765,000 in compensation for victims of ex-paramilitary chief “El Iguano” of the United Self-Defense forces of Colombia Catatumbo Bloc. The court also accepted new victims into the process against the former paramilitary leader as part of the Justice and Peace Law, aimed at assisting the peace process in Colombia by granting procedural benefits to paramilitaries that agree to demobilize. Currently there have been compensations paid to more than 11 victims of Jorge Ivan Laverde, alias El Iguano, for loss of income, damages, and pain and suffering. Colombia’s armed conflict continues to produce death and violence to civil society from all the various actors involved.

Sources: InfoSurhoy, October 8; Colombia Reports, October 10, 2012.

By Andres Bernal. Please send all comments to abernal@sandiego.edu.
CUBA

Tensions flare as Carromero goes on trial

Spanish citizen Angel Carromero went on trial Friday October 5 for his involvement in an automobile accident that resulted in the deaths of Oswaldo Paya and Harold Cepero, dissidents of the Castro regime.

Paya, a long-time critic of the Castro regime, was the founder the Verela project, campaign that sought signatures in support of a referendum on laws guaranteeing civil rights. The Cuban government saw his work and this organization as subversive attempts to undermine the regime.

Carromero is the leader of a youth group for the Popular Party, a conservative political party in Spain. He, along with Jens Morig, a Swede that also belongs to his country’s conservative party, travelled to Cuba to assist Paya’s organization. Their goals were to donate 4,000 euros to the cause and aid it in organizing dissident youth wings.

Although Carromero maintains his innocence, denying speculations that he may have been speeding at the time of the incident, family members of the deceased claim their vehicle was deliberately forced off the road. Some family members allege that there was a secondary vehicle, apart from Carromero’s, that forced Paya’s car off the road. The government denies such claims.

State prosecutors are seeking a 7-year term for vehicular manslaughter. Meanwhile, José Manuel Garcia-Margallo, the foreign minister of Spain, is pushing for the repatriation of Carromero.

He has been in custody since July 22, the date of the accident. Jens Morig, who was a passenger in Carromero’s vehicle at the time, was also arrested but has been released and allowed to return home.

Sources: Huff Po, July 31; BBC News, October 6; El Pais, October 8 2012.

Prominent blogger arrested en route to Carromero trial

World renowned blogger and critic of the Cuban state, Yoani Sanchez, was arrested Friday October 5 on her way to attend the Carromero trial. She and her husband were detained by authorities because, according to pro-government media, they had “planned a provocation and media show,” which could have endangered the credibility of the trial.

Although Sanchez is a normally an outspoken critic on social media, her Twitter account was virtually silent as the Carromero trial commenced. This led some human rights groups such as Amnesty International to denounce the Cuban government for “arbitrarily arresting” those who voice opposition.

Fortunately, Sanchez was released Oct 6, more than 30 hours after her arrest. Upon release, she took to her blog site, Generation Y, to recount the event and state she was fine. Sources: BBC News, October 5; Havana Times, October 6, 2012.

By Jorge Benavides. Please send all comments to jbenavides@sandiego.edu.
GUATEMALA

Protesters and family victims of separate shootings

On October 4, soldiers and police officers opened fire on demonstrators blocking a highway in western Guatemala, killing eight and injuring 34. Demonstrators, predominantly indigenous, were protesting constitutional changes and higher power rates. President Perez Molina originally denied military involvement at a news conference despite hearing otherwise from local activists. But presidential spokesman Francisco Cuevas announced October 10 that new security protocols would be enacted whereby soldiers will no longer be sent to such protests. Approximately 20 human rights organizations called an emergency meeting to discuss the incident calling for a protest in front of the presidential palace.

“We’ve been saying for a long time that the army’s use of force brings with it the risk that something like this could happen,” said Francisco Soto, a representative of the Center for Legal Action and Human Rights. United Nations human rights officers have been dispatched to western Guatemala as a response to international pressure on Guatemala following the incident. A spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR), Rupert Colville told reporters, “Details remain unclear and our office in Guatemala is shortly sending two teams of human rights observers – one to Sololá Department and one to Totonicapan – to verify the facts and follow up on the incidents.”

A massacre outside Guatemala City in which gunmen raided a small house left four children as the only survivors. Seven people including two children were killed as the killers stormed the house shooting room to room. Maria Concepcion Gonzales, along with her grandson Israel Gonzales, eight, were killed while sleeping in a bedroom. Enrique Gonzales, wife Sandra Elizabeth, and their eight-month-old baby were shot while sleeping in a separate room. César Chavez, a neighbor of the family, has been detained under suspicion of masterminding the attack allegedly targeting the family over land disputes. He faces multiple counts of murder although authorities remain open to different options.

Sources: BBC, Yahoo, UN News Centre, October 5; AP, New York Daily, October 10, 2012.

By Andres Bernal. Please send all comments to abernal@sandiego.edu.
HAITI

Hispaniola marks 75th anniversary of Parsley Massacre

Citizens in Haiti and the Dominican Republic held a vigil Thursday October 4 in remembrance of the massacre that took place along the border three quarters of a century ago.

In 1937 the Dominican Republic, under the rule of President Rafael Trujillo, launched a campaign to purge the country of Haitian influence, especially near the border region. What was once a peaceful bi-national community quickly turned into a scene of atrocity.

Indeed, that year Trujillo sent the military to the town of Dajabon to execute any Haitians found on the Dominican Republic side of the border. The armed forces rounded up those perceived to be Haitians and murdered them by chopping them with machetes or stabbing them with bayonets. Their remains were then dumped into the river that separates the two countries, which has since been appropriately renamed Massacre River. Although estimates vary approximately 12,000 people are thought to have died.

Yet not all those who perished were Haitian nationals. The massacre has been named the Parsley Massacre because the soldiers who committed the crimes carried leaves of parsley with them, asking people to say its name in Spanish, perejil. If the person did not pronounce the ‘r’ according to its Spanish pronunciation then his or her fate was sealed. However, the creole dialect of the region would have made it difficult for even a Spanish speaker to pronounce the word correctly. Furthermore, many people of the community rushed to river in attempts to save people that had been thrown in while still alive. Both Haitians and Dominicans were affected during the massacre.

Although the exact reason for the massacre is unknown, historians believe that Trujillo launched the campaign as a means to secure the border and “whiten the population.” The official reason however was the occupation of the Dominican Republic by Haiti over 100 years previously. That reason is largely seen as a cover though because the Dominican Republic was a Spanish colony and it achieved its independence from Spain after it had ended Haitian occupation. Regardless, two independence days are celebrated in the Dominican Republic – one from Haiti and one from Spain.

While the full extent of the effects of the massacre is unknown, what is certain is that relations between the two countries soured shortly after. To this day, a little known practice in the Dominican Republic is stripping people of their citizenship and deporting them to Haiti if they are the descendants of Haitians.

Sources: Miami Herald, October 5; Christian Science Monitor, October 9 2012.

By Jorge Benavides. Please send all comments to jbenavides@sandiego.edu
SOUTH AND SOUTHEAST ASIA

NEPAL

UN report highlights human rights violations during decade-long conflict

The United Nations High Commissioner for Human Rights released a report October 8 that documents human rights violations in Nepal during the country’s ten year civil war. The release of the report was accompanied by a searchable database entitled the “Transitional Justice Reference Archive.” It is a compilation of approximately 30,000 cases, where special attention was given to the most serious of crimes: unlawful killings, torture, sexual violence, forced disappearances, and arbitrary arrests, whose numbers are estimated to be 9,000.

Despite the large quantity of cases there have been no civil court prosecutions of those responsible as of the date of the report’s publishing. Instead, since the end of the conflict, there have been attempts by the interim government to establish a Truth and Reconciliation Commission, an organization which would have the power to grant amnesty to perpetrators of the crimes.

Furthermore, the report was released in Geneva and Kathmandu simultaneously. Even though some government officials tried to block the report from being published in Nepal, on the basis that the UN overstepped its mandate, its publication went through because it would be readily available online anyway.

In addition to highlighting emblematic cases of abuses during the civil war period, the report also offers recommendations to major stakeholders in the Nepali transitional justice process. It promotes the support of prosecuting those responsible for the crimes and encourages victims to seek reparations.

Sources: United Nations, October 9; Kathmandu Post, October 8, 2012.

By Jorge Benavides. Please send all comments to jbenavides@sandiego.edu.

SRI LANKA

Judges and Lawyers Protest After Attack on an Outspoken Judge

A senior judge known for being openly critical of the government was attacked October 7 by unidentified men in the suburb Mount Lavinia. The victim, Judge Manjula Tilakaratne, in September complained of political pressure on a judicial commission he heads after it rejected an invitation to meet President Mahinda Rajapaksa. He was accosted on Sunday, October 7 while sitting in his car reading the newspaper.
The next day, about 500 lawyers and staff marched in front of Colombo’s court complex in protest. They carried a coffin, saying the weekend attack on Judge Manjula Tilakaratne represented the death of an independent judiciary. Later, they burned the coffin.

“For a prolonged period of time it had been noted that such assaults had been carried out on those who were having opposite ideas to the Government,” said Senior Counsel J.C. Weliamuna as he addressed the gathering. While political violence has eased since the end of the civil war, international human rights groups say serious rule of law problems remain, with abductions, attacks on media and government critics still occurring.

The government has directed the police to quickly initiate an investigation into this crime. The Ceylon Chamber of Commerce responded that it is crucial that those responsible are brought to justice speedily.

“Failure to do so will harm the credibility of the Government and the country's law enforcement agencies,” the main business chamber warned.

Sources: Reuters, October 7; Washington Post, October 8; ColomboPage, Lanka Business Online, Sri Lanka Guardian, October 10, 2012.

By Erinn King. Send comments to erinnking@gmail.com.

EASTERN EUROPE

MOLDOVA

Disarmament Organization Praises Moldova for no longer reflagging Iranian Vessels

United against Nuclear Iran (UANI) issued a campaign in September in reaction to Moldova’s extensive reflagging of Islamic Republic of Iran Shipping Lines (IRISL) vessels and associated entities. Ship registration (flagging) is required in order for authorities to track tonnage and collect taxes. Flag states are provided with extensive powers of oversight and control of the safety of ships flying their flags, with specific obligations for the inspection of their ships, jurisdiction and administration of the owning entities. UANI argued that reflagging 11 IRISL vessels was effectively enabling Iran to continue its nuclear proliferation activities.

In a letter to the Moldovan president written in September, the UANI warned that continuing to trade with Iran could negatively affect U.S. - Moldova trade relations because of recently enacted sanctions.
Monday, Oct 1 UANI Ambassador Mark D. Wallace said, “Moldova has now confirmed that it has stopped its recent reflagging of Iranian vessels and will not restart any such activities. We accept Moldova’s pledge, and applaud Moldovan officials for making this responsible decision.”

UANI calls on the international community to stop business with the Iran. The Iranian regime and its illegal nuclear weapons program are dependent on the international shipping industry for imports of technology and industrial goods as well as oil exports needed to fund its activities.

Sources: United Against Nuclear Iran, September 14; AP, Business Wire, October 1; Motorship, October 8, 2012.

By Erinn King. Please send all comments to erinnking@gmail.com.

MIDDLE EAST/NORTH AFRICA

SYRIA

Tensions rise as conflict spills into neighboring Turkey

Akcakale, a town in the south of Turkey, was shelled by Syrian fire October 3 leaving five civilians dead. The event has prompted retaliatory fire by the Turkish state, but the scope of the response has been limited to targeting militants in Syria that pose an immediate threat to the border. Small scale shelling on both sides of the border has been a daily occurrence since Wednesday’s event. According to the New York Times, the spillover has subsequently “sparked fears that the unrest in Syria will broaden into a regional war.”

For the time being however, Turkey has stated that it is not planning on declaring war on Syria. Yet because the situation remains tense, Prime Minister Tayyip Erdogan has said his country will not “shy away from war” should the violence continue to escalate. On its part, NATO has drawn up a contingency plan, in the event that the war in Syria does completely cross into Turkey. Be that as it may, some analysts such as the BBC correspondent in Lebanon, Jim Muir, believe that Turkey is “not interested in a confrontation and will keep its retaliation to a minimum.”

Nevertheless, the Turkish state has advised its citizens to keep away from the conflict areas and closed more than 100 schools that are along the border as a precautionary measure.

Sources: BBC News, October 4; Reuters, October 9, Today’s Zaman, October 1, NY Times, October 8, 2012.

By Jorge Benavides. Please send all comments to jbenavides@sandiego.edu.
EAST AFRICA

KENYA

KDF Controls Kismayu

Al-Shabaab, the Al Qaeda-linked rebel militants fighting against Somalia's internationally backed government, pulled out of Somalia's southern port city Kismayu September 26 after a beach assault and airstrikes by the Kenyan Military. The Kenyan Defense Forces (KDF) and Somalia's National Army (SNA) are part of the African Union mission in Somalia (AMISOM) to restore order to Somalia’s fragile state, which has been in chaos since warlords overthrew longtime dictator Mohammed Siad Barre in 1991. The KDF raided Kismayu to clear it of Al-Shabaab, who governed the region under authoritarian Sharia Law for the last four years.

Al-Shabaab used Kismayu as a port for illegal charcoal trade. Its location less than 125 miles from Kenya makes it one of the most strategic harbors and a great potential source of revenue. The loss is the latest in a string of defeats since Al-Shabaab left Somalia’s capital of Mogadishu in August 2011. Kenyan officials believe the loss will decrease piracy and ease trade in East Africa.

Al-Shabaab launched a revenge arson attack October 2, torching the Garissa police station located in a North Eastern Province in Kenya. The station has been hit numerous times, including an attack September 27 that killed two administrative police officers. Al-Shabaab also attacked a Nairobi church September 27, killing one child and wounding nine others.

KDF and SNA forces have been going door-to-door to clear Kismayu of the Al-Shabaab remaining to carry out suicide bombings, hit-and-run grenade attacks, and targeted shootings. October 4, KDF and SNA shot and killed five young men suspected to be Al-Shabaab or tied to Al-Shabaab.

While the KDF remains in Kismayu with no deadline to leave, PM Raila Odinga and Colonel Cyrus Oguna, spokesman of the Kenyan army, made it clear Kenya has no intention of occupying the region.

Sources: LA Times, USA Today, October 2; All Africa, October 3; All Africa, All Africa October 4; Reuters, October 5, 2012.

Mau Mau Decision Strengthens Right to Reparations of Torture Victims

The UK High Court ordered the British government to pay damages to three Kenyans imprisoned and tortured by colonial authorities following the Mau Mau Rebellion of the 1950s. The statute of limitations is normally three to six years, but this ruling extends the time limit to over 50 years.

The three plaintiffs in the case were imprisoned by British authorities and tortured by castration, beatings, and severe sexual assaults. “The UK High Court’s decision is a real opportunity to set an
example for other states on how to deal with legacies of massive human rights abuses arising from colonial and occupation-related conflict,” said Ruben Carranza, ICTJ’s Reparative Justice Program Director.

The Mau Mau Rebellion was an uprising of members of the Kikuyu tribe against British rule in Kenya in the 1950s, which resulted in the deaths of thousands of people. The uprising met violent repression, with reports suggesting over 70,000 Kikuyu tribesmen suspected of Mau Mau membership were imprisoned in detainment camps by the British.

The Mau Mau case involves three plaintiffs who were detained in these prison camps. Plaintiff Wambuga Wa Nyingi was arrested in 1952 and detained for nine years, during which time was beaten unconscious. Paulo Muoka Nzili, arrested in 1957, was stripped, chained and castrated. Jane Muthoni Mara was raped in a detention camp at the age of fifteen.

The court’s decision opens the door for other surviving victims of the rebellion to seek damages, as well as for torture victims in general to seek reparations from the courts.

While the British government does not dispute that each claimant was tortured, it reportedly denies liability for the colonial administration’s actions and will appeal the decision.

Sources: BBC, ICTJ, October 5, 2012.

By Libby Jelinek. Send comments to ejelinek@sandiego.edu.

SOUTH SUDAN

SPLA Commits Human Rights Violations in Jonglei State

South Sudan’s security forces have reportedly shot, raped, beaten, and tortured civilians during a disarmament campaign in Jonglei State. Security forces have also looted property and destroyed crops.

Sudan People’s Liberation Army (SPLA) and police forces are in the region enforcing Operation Restore Peace, a campaign initiated by the government in March 2012 to recover guns and ammunitions among the population. Ethnic clashes broke out in Jonglei in late 2011, when 8,000 members of the Lou Nuer community attacked the ethnic Murle group killing 900 (mostly Murle) from December to February. About 1,000 people from both ethnic groups died in clashes throughout 2011.

Authorities have reportedly acknowledged the violations, but insist that the behavior of security forces in Jonglei is not indicative of SPLA as a whole. However, Lt. Kuol Deim Kuol, the SPLA officer responsible for the disarmament of Jonglei said, “These allegations labeled against the SPLA are not accurate. The allegations are not properly investigated.”
Amnesty International called for a probe into the human rights violations. The UN backed Amnesty's call October 5, voicing concern about the increase in reported human rights violations by elements of the SPLA.

Sources: **AFP, Chicago Tribune**, October 3; **Sudan Tribune**, October 4, 2012.

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**SUDAN**

**Four Peacekeepers Killed in Darfur**

An ambush by unidentified attackers in Darfur October 2 left four peacekeepers dead and eight injured. The ambush occurred less than a mile and a half from mission regional headquarters in El Geneina, West Darfur and involved Nigerian military patrol. United Nations Mission in Darfur (UNAMID) personnel were fired on from several directions and returned fire.

UNAMID called on Sudan to bring the perpetrators to justice. “The Mission condemns in the strongest terms this criminal attack on our peacekeepers, who are here in the service of Darfur's people,” said UNAMID's Force Commander and current officer-in-charge, Lt. General Patrick Nyamvumba.

Violent civil war between the Sudanese Government troops and rebels broke out in Darfur in 2003. President Omar al-Bashir is wanted by the International Criminal Court (ICC) on charges of war crimes committed during Sudan’s crackdown on the rebellion, which killed an estimated 35,000 people and displaced nearly two million.

UNAMID, an African Union/UN hybrid, is charged with protecting civilians, helping ensure the security of humanitarian aid to the area, and monitoring the implementation of agreements. With 26,000 personnel, Darfur is the largest U.S. peacekeeping mission. 40 peacekeepers have been killed since the Darfur mission deployed in 2008.

Sources: **CNN, LA Times, UN Dispatch**, October 3, 2012.

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