The countries for the Peace and Justice updates have been chosen as areas of focus at the Institute. The International Human Rights section is intended to focus on aspects of international law. For information on specific cases of human rights abuses, please visit www.hrw.org or www.amnesty.org

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 biographical 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.

The Peace & Justice updates are written by the Spring 2003 interns at the Joan B. Kroc Institute for Peace & Justice at the University of San Diego. The interns are Keelia Bannon (Saint Mary’s College of California), Anna Gabriele (University of San Diego), and Diana Vlasova (University of San Diego).
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UPDATE SOURCE ABBREVIATIONS

AP = Associated Press (www.ap.org)
AFP = Agence France Presse (www.afp.com)
AllAfrica = AllAfrica Global Media (www.allAfrica.com)
BBC = British Broadcasting Corporation (http://news.bbc.co.uk)
CNN = Cable News Network (www.cnn.com)
DPA = Deutsche Presse-Agentur (www.dpa.com)
HRW News = Human Rights Watch News (www.hrw.org)
IRIN = Integrated Regional Information Network (www.irinnews.org)
(UN Dept. of Humanitarian Affairs Information Network: www.unog.ch)
NCN = New Congo Net (www.marekinc.com/NCN.html)
PANA = Pan African News Agency (www.panapress.com)
UPI = United Press International (www.upi.com)
VOA = Voice of America (www.voanews.com)
Xinhua = Xinhua News Agency (www.xinhuanet.com/english/index.htm)
CHECHNYA

Duma considers amnesty: A draft resolution was being prepared April 23 by the Duma to grant amnesty to both Chechen and Russian militants who were convicted or were under investigation of committing crimes such as murder, torture, and hostage taking. The head of the Russian-appointed Chechen administration Akhmat Kadyrov stated April 23 that he believed Chechen militants would not surrender their weapons in a mass campaign even if an amnesty was granted. Kadyrov also stated that security for militants who surrendered would be under his personal control. Russian forces entered Chechnya in 1999 after Chechen rebels were accused of several apartment bombings in the Russian capital of Moscow. (Global News Wire, April 20, April 22; Itar-Tass, April 20, 22, 23, 2003)

Murder retrial begins: The retrial of Russian Colonel Yury Budanov, who was accused of murdering 18-year-old Chechen Elsa Kungayeva March 26, 2000, began April 21. Budanov’s demand for a jury trial rather than a military tribunal was denied during the preliminary hearings. Budanov admitted killing Kungayeva at the village of Tangi-Chu in southeastern Chechnya but claimed temporary insanity, stating that he believed Kungayeva was a sniper. The Russian Supreme Court’s military branch overturned a December 2002 verdict that Budanov had temporarily been insane based on three psychological examinations conducted February 2003. The lower court judge, who had recommended granting amnesty to Budanov was dismissed. Russian federal troops have been accused of human rights abuses, including the torturing and killing of civilians, since entering the Republic of Chechnya in 1999. (AFP, April 21; Itar-Tass April 24, 2003)

Clashes continue: In three days of fighting between Chechen rebels and Russian federal Forces that began April 25 one Russian soldier, one Chechen policeman, and nine Chechen rebels were killed. A member of rebel leader Shamil Basayev’s group surrendered and told local law enforcement the location of two caches of arms. Federal forces destroyed three other arm caches April 23 in the Chiri-Yurt, Shali district and in Iskhoi, Itum-Kale district. (AFP, April 28; Itar-Tass, April 19, 23, 2003)

DEMOCRATIC REPUBLIC OF CONGO (DRC)

RCD-Goma returns to Kinshasa: Officials from the Rwandan-backed Congolese Rally for Democracy-Goma (RCD-Goma) arrived in the capital of Kinshasa April 27 to discuss the implementation of the power-sharing deal signed April 2 with government representatives, political parties, and other rebel groups. The focus of the talks was to establish a transitional government to guide the DRC out of war and into democratic elections. This was the first time that officials from RCD-Goma have been in the capital since August 1998 when they and their supporter, the Rwandan army, tried and failed to capture the capital. Azarias Ruberwa, the leader of the rebel delegation and one of the four future vice-presidents of the DRC, stated April 27 that the arrival of the RCD-Goma in the capital was a declaration of peace. UN peacekeepers organized security for the rebel officials while in Kinshasa. The conflict in the DRC began in August 1998 when President Laurent Désiré Kabila’s main sponsors, Rwanda and Uganda, turned against him and began supporting anti-government rebellion, which Kabila countered with the
assistance of troops from Angola, Namibia, and Zimbabwe. More than 3 million people have died in the four-year war. (BBC, April 22, 27, 2003)

Ugandan troops begin to depart: Some 1,650 of approximately 6,000 Ugandan troops began to leave the northeastern Ituri region April 25 in accordance with the mandate of the Ituri Pacification Commission (IPC). As the Ugandan troops pulled out, UN peacekeepers arrived in small groups, which raised the concerns of many that without the strong number of Ugandan troops, violence would emerge in Ituri. Uganda maintained that the UN asked for a small percentage of the troops to remain, but the UN rejected this claim. The IPC was inaugurated April 4 and created plans to implant a local administration to maintain law and order, and ensure the withdrawal of Ugandan troops from the Ituri region. (BBC, The Monitor, April 25; IRIN, April 28, 2003)

ERITREA AND ETHIOPIA
EU and U.S. urge acceptance: Ethiopia was urged April 22 by the European Union (EU) and the U.S. to accept the April 2002 decision regarding the Eritrea and Ethiopia border. The EU and the U.S. promised to build a town similar to Badme, provide economic aid, and to create a favorable environment for Ethiopia to gain access to the Red Sea through eastern Eritrea in exchange for Ethiopia’s acceptance of the decision. An independent border commission established by the UN issued a report April 15, 2002 demarcating the Eritrean and Ethiopian border. The border decision gave all Red Sea ports and the heavily disputed, majority Ethiopian town of Badme to Eritrea. The two-year border dispute between Eritrea and Ethiopia that resulted in tens of thousands of deaths ended with the signing of the December 2000 Algiers agreement. (BBC, April 22, 2003)

INTERNATIONAL HUMAN RIGHTS
Youth are detained at Guantanamo Bay: The U.S. military disclosed April 24 that the American detention camp at Guantanamo Bay had children younger than 16 detained as enemy combatants from the war in Afghanistan. These children have been at the camp for several months and the total number and exact age of each detainee has been undisclosed. According to U.S. military sources, some detainees identified as being under 16 were moved to a juvenile facility thought to be more secure and free from the influences of older prisoners. Jo Becker, a child’s rights advocacy director with the New York-based Rights Monitor, stated April 24 that children at Guantanamo Bay were at higher risk of committing suicide because of their isolation, but Lieutenant Colonel Barry Johnson said that the children have been receiving mental health care and basic education. Many rights groups have criticized the U.S. for imprisoning the detainees without official charges being filed. The U.S. Court of Appeals ruled March 2003 that the detainees were not subject to U.S. laws such as due process because they were located outside U.S. territory. In addition, the U.S. has not signed the United Nations Convention on the Rights of the Child. First referred to as Camp X-ray, the detention camp at Guantanamo Bay, an island on sovereign Cuban territory, began receiving detainees January 2002. The U.S.-led war in Afghanistan began in 2002 as part of the U.S. war on terrorism in response to the September 2001 attack on the World Trade Center in New York City. (AFP, Guardian, April 24; International Herald Tribune, April 25, 2003)
Burma uses rape as a weapon: The humanitarian advocacy group, Refugees International, reported April 25 that based on research conducted at the Thai-Burmese border, rape has been systematically used by the Burmese military against numerous ethnic minorities such as the Karen, Karenni, Mon, Tavoyan, and Shan. The UN and international criminal tribunals have declared systematic rape a war crime; therefore, military officials found guilty of allowing soldiers to rape would be in violation of international law, as well as the Convention on the Elimination of Discrimination Against Women. Among the women interviewed by Refugees International, 75 percent have reported knowing someone raped by the military, and 15 percent have personally witnessed or experienced attempted rape. Burma’s State Peace and Development Council has dismissed Refugees International’s report accusing it of inciting mistrust in the military by Burmese minorities. Gross human rights abuses by the government have provoked the fleeing of Burmese to Thailand. During their escape, Burmese females have been especially vulnerable to violence such as rape along the border by military authorities. The International Herald Tribune has recommended that the Burmese military allow the UN High Commissioner for Human Rights to conduct a full-scale investigation of accounts of rape committed by military personnel. (International Herald Tribune, April 25, 2003)

MACEDONIA
President expresses concern: President Boris Trajkovski expressed concern April 22 over some of the parties’ within the government renouncement of the August 13, 2001 Framework Agreement. The Framework Agreement, designed to secure the future of Macedonia’s democracy, develop relations between the Republic of Macedonia and the Euro-Atlantic community, and promote respect for ethnic identities was denounced April 19 by the Democratic Party of Albanians as it froze its participation in the parliament. Ljubco Georgievski, leader of the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian Unity, referred to the Framework Agreement as dead and called for an ethnically pure state. Trajkovski emphasized that the Framework Agreement rejected the use of violence, and aimed at achieving political goals and assuring sovereignty and territorial integrity of the country. According to Trajkovski the situation in Macedonia has improved since the end of the conflict in 2001 and it has remained essential for all parties to be fully engaged in the process. The Ohrid Agreement was a peace deal between the Macedonian government and ethnic Albanian rebels that ended the seven-month conflict, which began when the National Liberation Army took up arms against the government in February 2001 to fight for the rights of the ethnic Albanian minority. (BBC, Macedonia Information Agency, April 22, 2003)

NEPAL
Government, Nepal hold peace talks: The government and Maoists held the first round of official peace talks April 27 aimed at ending the seven-year Maoist insurgency. The talks were held at a hotel in the capital of Kathmandu and were led by government team leader Deputy Prime Minister Badri Prasad Mandal and rebel negotiation team leader Dr. Baburam Bhattarai. Rebel team spokesperson Krishna Bahadur Mahara stated April 27 that the talks were conducted in a cordial atmosphere while government team spokesperson Narayan Singh Pun stated that some Maoist proposals would need to be
discussed among the government. The Maoist agenda consisted of an interim government, a round-table conference, and a constituent assembly to draft a new constitution calling for multiparty democracy and a constitutional monarchy where the king would play a more symbolic role rather than one with considerable political authority. Both parties agreed to form a four-member monitoring committee to supervise the code of conduct signed March 13. The date for the next formal round of talks has not yet been set. Formal peace talks were to have been conducted April 21 but the Maoists refused to attend unless they received a public apology for the deaths of a woman and other cadre who were shot and killed April 24 by government security forces in the eastern town of Namje. Maoists launched an insurgency in February 1996 against the constitutional monarchy. The conflict has resulted in more than 8,000 deaths. Since the January 29 ceasefire, the government and Maoists have attempted to ensure peace through an ongoing dialogue. (AFP, Japan Economic Newswire, April 27; Channel NewsAsia, Xinhua, April 28, 2003)

Nepal, U.S. sign anti-terrorism memorandum: Nepali Home Secretary Tika Dutta Niraula and U.S. Ambassador to Nepal Michael Malinowski signed a five-year memorandum April 25 outlining their intent to support the Anti-Terrorism Assistance (ATA) program. A program created in 1983 by the U.S. Congress, ATA has worked to eliminate as well as deter terrorist activities through training military in advanced investigative, security and counter-terrorism techniques, and through consultative and equipment resource assistance by the U.S. to 127 U.S. partnered countries. In addition to the Nepali government’s transaction with the U.S. with regard to terrorism, Indian Chief of Army Staff Nirmal Chandra Vij stated April 24 that his country would provide military aid worth $38.5 million to Nepal for purposes of helping restore peace and combat terrorism. However, military assistance by foreign governments has been opposed by the second-highest ranking Maoist leader, Dr. Baburam Bhattarai, who stated April 25 that settling the political crisis would threaten Nepal’s nationalism, benefit a third party like India, and prolong the Maoist insurgency. Bhattarai has hoped that Nepal’s present political conflict would be resolved through peaceful dialogue. (AFP, BBC, Press Trust of India, Xinhua, April 25; BBC, April 26, 2003)

PHILIPPINES

MILF violence continues: Approximately five civilians were killed and 11 others wounded in attacks by the Moro Islamic Liberation Front (MILF) during the week of April 21. A bus driver and his conductor were killed and a passenger wounded April 24 when Muslim rebels fired rounds at their bus, and 10 civilians were injured when MILF members stormed a National Police station. The rebels reportedly attempted to use civilians as human shields in the battle with government forces following the raid of the police station. In a separate attack, MILF members ambushed a local leader and his companions April 23 and subsequently killed three civilians. In addition, a landmine suspected to have been planted by MILF members exploded April 22 in the town of Pikit and seriously wounded four marines. MILF spokesperson Eid Kabalu confirmed that the attacks were a part of the MILF’s continuing defense against government forces, but denied targeting civilians. Renewed hostilities began in the southern town of Mindanao February 8 leaving more than 200 people dead and displacing approximately 100,000.
Peace talks initially began in January 1997 but were repeatedly delayed by hostilities between the two groups. The MILF launched an offensive against the government in 1978 in order to create an independent Muslim state. (Financial Times, April 23, 25, 2003)

MILF urged to negotiate with government: Malaysian representatives, who were the brokers for peace negotiations between the MILF and the government, advised rebels April 29 to work within the context of the Philippine constitution and abandon their bid to establish a separate Muslim state. This sentiment was contrary to the MILF’s previous statements that Malaysia fully supported the MILF. Malaysian representative Sri Mohd Najib Bin Tun Haji Abdul Razak stated April 29 that Malaysia would assist the MILF and the Philippine government in finding an amicable solution to the conflict in Mindanao. Razak continued by saying that if the MILF claimed to represent Muslims they should not adopt extreme and militant tendencies as those methods were condemned by true believers. Malaysia was chosen by both the MILF and the Philippine government in 2003 to broker the peace talks that have been stalled since 2001 due to ceasefire violations committed by both parties. (Manila Times, April 29, 2003)

President presents rehabilitation package for Mindanao: President Gloria Arroyo presented a $230 million rehabilitation package named the Mindanao National Initiative, April 25 to the First Muslim Summit in the capital of Manila. During the presentation Arroyo stated that Mindanao has remained the poorest region in the Philippines with the lowest literacy rate, she continued by stating that economic exclusion has resulted in conflict and violence in the region. The First Muslim Summit was a two-day conference that was a convergence of elected and appointed Muslim officials who were mostly from Mindanao. The purpose of the Summit was to unite and raise concerns of the people of Mindanao. (BusinessWorld, April 24; Financial Times, April 25, 2003)