

Alert 2009!

Report on conflicts,
human rights
and peacebuilding

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Summary

Alert 2009: Report on conflicts, human rights and peace-building is a study carried out annually by the the School for a Culture of Peace at the Universitat Autònoma de Barcelona, providing an overview of the world situation at the end of the year on the basis of an analysis of various indicators. 20 indicators have been used in the preparation of this report, divided into eight large groups: armed conflicts, tensions, peace processes, post-war peace-building, humanitarian crises, disarmament, human rights and transitional justice and gender issues in peace-building. A description and analysis of what has happened in the world throughout this year, based on these indicators, helps to provide a greater knowledge of the advances, reverses and dynamics of various kinds that affect the whole of humanity. The majority of these indicators, once cross-

referenced, can also help us to understand the influence of some factors on others. Comparing this data with the information gathered during the previous years means that the report can act as a preventive warning of certain general tendencies or a particular situation in individual countries, something that may be useful, among other things, for the rethinking of foreign policy, development cooperation and arms transfers, as well as for the development of policies aimed at preventing armed conflicts and facilitating the consolidation of peace processes and post-war rehabilitation throughout the world. *Alert 2009* identifies also several opportunities for peace. They are different scenarios in which the existence of certain factors allows to think in a positive evolution during 2009 if the political action and international involvement required are present.

Sumario

Alerta 2009: Informe sobre conflictos, derechos humanos y construcción de paz es un estudio que anualmente realiza la Escola de Cultura de Pau de la Universitat Autònoma de Barcelona, y que sintetiza el estado del mundo al finalizar el año a partir del análisis de varios indicadores. Para hacer el informe se han utilizado 20 indicadores, agrupados en ocho grandes apartados: conflictos armados, tensiones, procesos de paz, construcción de paz posbélica, crisis humanitarias, desarme, derechos humanos y justicia transicional y dimensión de género en la construcción de paz. La descripción y el análisis de lo que ha ocurrido en el mundo a lo largo del año a través de estos indicadores pueden ayudarnos a conocer mejor los avances, los retrocesos y las dinámicas de diversa índole que afectan al conjunto de la humanidad. La mayoría de estos indicadores, una vez

entrecruzados, pueden ayudarnos también a comprender las influencias de unos factores sobre otros. La comparación de estos datos con los de años anteriores da al informe un carácter de alerta preventiva sobre algunas tendencias generales o sobre la situación de determinados países, lo que puede resultar útil, entre otras cosas, para el rediseño de las políticas exteriores, de cooperación al desarrollo y de transferencias de armas, así como para elaborar políticas de prevención de conflictos armados y que permitan consolidar procesos de paz y de rehabilitación posbélica en el mundo. *Alerta 2009* identifica también varias oportunidades de paz. Se trata de diversos escenarios en los que existen factores que permiten pensar en una evolución positiva durante el año 2009 de producirse las acciones políticas y el acompañamiento internacional necesarios para ello.

Sumari

Alerta 2009: Informe sobre conflictes, drets humans i construcció de pau és un estudi que anualment realitza l'Escola de Cultura de Pau de la Universitat Autònoma de Barcelona, i que sintetitza l'estat del món al finalitzar l'any a partir de l'anàlisi de diversos indicadors. Per a fer l'informe s'han utilitzat 20 indicadors, agrupats en vuit grans apartats: conflictes armats, tensions, processos de pau, construcció de pau postbèl·lica, crisis humanitàries, desarmament, drets humans i justícia transicional i dimensió de gènere en la construcció de pau. La descripció i l'anàlisi del que ha ocorregut en el món al llarg de l'any a través d'aquests indicadors, pot ajudar-nos a conèixer millor els avenços, els retrocessos i les dinàmiques de diversa índole que afecten al conjunt de la humanitat. La majoria d'aquests indicadors, una vegada entrecreuats, poden ajudar-nos també

a comprendre les influències d'uns factors sobre uns altres. La comparació d'aquestes dades amb les dels anys anteriors dona a l'informe un caràcter d'alerta preventiva sobre algunes tendències generals o sobre la situació de determinats països, la qual cosa pot resultar útil, entre d'altres, per a redissenar polítiques exteriors, de cooperació al desenvolupament i de transferències d'armes, així com per a elaborar polítiques en termes de prevenció de conflictes armats i que permetin consolidar processos de pau i de rehabilitació postbèl·lica arreu del món. *Alerta 2009* identifica també diverses oportunitats de pau. Es tracta de diversos escenaris en els quals hi ha factors que permeten pensar en una evolució positiva durant l'any 2009 de produir-se les accions polítiques i l'acompanyament internacional necessaris per a això.

Sommaire

Alerte 2008: Rapport sur les conflits, les droits de la personne et la construction de la paix est un rapport annuel réalisé par l'École de Culture de la Paix de la Universitat Autònoma de Barcelona, qui synthétise l'état du monde de l'année à partir de l'analyse de plusieurs indicateurs. Pour élaborer ce rapport, 20 indicateurs, regroupés en huit grands chapitres, ont été utilisés. À savoir, les conflits armés, les tensions, les processus de paix, la construction de la paix d'après-guerre, les crises humanitaires, le désarmement, les droits de la personne et la justice transitionnel et la perspective de genre dans la construction de la paix. La description et l'analyse, par moyen de ces indicateurs, des événements qui se sont produits dans le monde tout au long de l'année peut nous aider à mieux connaître les progressions, les reculs, et toute autre tendance touchant l'ensemble de l'humanité. La plupart de ces indicateurs, une fois superposés,

peuvent aider aussi à comprendre les interdépendances entre certains facteurs. La comparaison de ces données avec celles des années précédentes fait de ce rapport une mise en garde préventive sur certaines tendances générales ou sur la situation de certains pays. Cet instrument peut donc être utile, entre autres, à la redéfinition des politiques extérieures, de coopération au développement et de transferts d'armes, ainsi qu'à l'élaboration des politiques de prévention de conflits armés qui permettent d'assurer la consolidation de processus de paix et de réhabilitation d'après-guerre dans le monde. *Alerte 2009* identifie aussi plusieurs opportunités de paix. Se traite de plusieurs scènes dans lesquelles il y a des facteurs qui permettent de penser à une évolution positive pendant l'année 2009 de se produire les actions politiques et l'accompagnement international nécessaires pour ceci.

List of indicators

1. ARMED CONFLICTS

1. Countries with armed conflict

2. TENSIONS

2. Countries with tension

3. PEACE PROCESSES

3. Countries with peace processes or negotiations formalised or at an exploratory phase

4. POST-WAR PEACE-BUILDING

4. Countries with international intervention at the initial response stage of post-conflict peace-building

5. HUMANITARIAN CRISES

5. Countries facing food emergencies
6. Countries where at least one in every 1,000 people is internally displaced
7. Countries of origin where at least one in every 1,000 people is a refugee
8. Countries included in the United Nations Consolidated Appeal Process (CAP) in 2008 and countries that have submitted flash appeals during the same year through the United Nations system

6. DISARMAMENT

9. Countries whose military expenditure exceeds 4% of GDP
10. Countries with military expenditure greater than public spending on health and/or education
11. Countries with a percentage of soldiers greater than 1.5% of the population
12. Countries with arms embargoes decreed by the United Nations, the EU and/or the OSCE
13. Countries with DDR programmes during 2008

7. HUMAN RIGHTS AND TRANSITIONAL JUSTICE

14. Countries that have not ratified some of the main international legal instruments in human rights and international humanitarian law
15. Countries with human rights violations according to non-governmental sources
16. Countries giving cause for concern over human rights to the Council of the European Union and to the Council of Europe Commissioner for Human Rights
17. Countries giving cause for concern over human rights to the Human Rights Council and/or its special mechanisms, the UNHCHR or the Third Committee of the UN General Assembly
18. Countries that maintain and/or apply the death penalty
19. Countries with ongoing transitional justice processes

8. GENDER AND PEACE-BUILDING

20. Countries with serious gender inequality according to the Gender Equity Index (GEI)

Glossary

- ACBAR:** Agency Coordinating Body for Afghan Relief
- ADC:** Alliance Démocratique pour le Changement (Democratic Alliance for Change)
- ADF-NALU:** Allied Defence Forces – National Army for the Liberation of Uganda
- AI:** Amnesty International
- AKP:** Adalet ve Kalkinma Partisi (Justice and Development Party)
- ALP:** Arakan Liberation Party
- AMIS:** African Union Mission in Sudan
- AMISOM:** African Union Mission in Somalia
- AN:** Alliance Nationale (National Alliance)
- APRD:** Armée Populaire pour la Réstauration de la République et de la Démocratie (Popular Army for the Restoration of the Republic and Democracy)
- ARS:** Alliance for the Re-liberation of Somalia
- ASEAN:** Association of Southeast Asian Nations
- ATLF:** All Terai Liberation Front
- ATNM:** Alliance Touareg Niger-Mali (Niger-Mali Tuareg Alliance)
- ATTF:** All Tripura Tiger Force
- AU:** African Union
- BFF:** Bakassi Freedom Fighters
- BINUB:** United Nations Integrated Office in Burundi
- BLA:** Baluch Liberation Army
- BLF:** Baluch Liberation Front
- BONUCA:** United Nations Peace-building Office in the Central African Republic
- BRA:** Balochistan Republican Army
- CAP:** Consolidated Appeal Process
- CIS:** Community of Independent States
- CEEAC:** Economic Community of Central African States
- CEMAC:** Monetary and Economic Community of Central Africa
- CERF:** Central Emergency Response Fund
- CICS:** Centre for International Cooperation and Security
- CNDD-FDD:** Congrès National pour la Défense de la Démocratie – Forces pour la Défense de la Démocratie (National Council for the Defence of Democracy – Forces for the Defence of Democracy)
- CNDP:** Congrès National pour la Défense du Peuple (National Congress for People's Defence)
- CNF:** Chin National Front
- CNT:** Congrès National du Tchad (National Council of Chad)
- CODHES:** Consultoría para los Derechos Humanos y el Desplazamiento (Advisory Council for Human Rights and Displacement)
- CONAIE:** Confederación de Nacionalidades Indígenas de Ecuador (Confederation of Indigenous Nationalities of Ecuador)
- CPA:** Comprehensive Peace Agreement
- CPI-M:** Communist Party of India-Maoist
- CPLA:** Cordillera People's Liberation Army
- CPN (M):** Communist Party of Nepal (Maoist)
- CSR:** Corporate Social Responsibility
- CVSJV:** Conflict Victims' Society for Justice Nepal
- DARA:** Development Assistance Research Associated
- DDR:** Disarmament, Demobilization and Reintegration
- DDRNC:** DDR National Commission
- DHD (J):** Dima Halim Daogah, Black Widow faction
- DHD:** Dima Halim Daogah
- DIAG:** Disbandment of Illegal Armed Groups
- DKBA:** Democratic Karen Buddhist Army
- DPA:** Darfur Peace Agreement
- DPI:** Dialogue Politique Inclusif (Inclusive Political Dialogue)
- DTP:** Demokratik Toplum Partisi (Democratic Society Party)
- EADS:** European Aeronautic Defence and Space Company
- ECHO:** European Commission's Humanitarian Aid Office
- ECOMICI:** ECOWAS Mission in Cote d'Ivoire
- ECOMOG:** Economic Community of West African States Monitoring Group
- ECOWAS:** Economic Community of West African States
- EEBC:** Eritrea-Ethiopia Boundary Commission
- USA:** United States of America
- AIS:** Armée Islamique de Salut (Islamic Salvation Army)
- KLA:** Kosovo Liberation Army
- ELN:** Ejército de Liberación Nacional (National Liberation Army)
- PE:** Personal Envoy
- EPL:** Ejército Popular de Liberación (Popular Liberation Army)
- EPPF:** Ethiopian People's Patriotic Front
- ERG:** Ejército Revolucionario Guevarista (Guevarista Revolutionary Front)
- ETIM:** East Turkestan Islamic Movement
- ETLO:** East Turkestan Liberation Organization
- EU:** European Union
- EU BAM Rafah:** European Union Border Assistance Mission in Rafah
- EU NAVFOR SOMALIA:** European Union Naval Force in Somalia
- EU SSR GUINEA-BISSAU:** European Union Mission on Security Sector Reform in Guinea-Bissau
- EUBAM:** European Union Border Assistance for Moldova and Ukraine
- EUFOR:** European Union Force
- EUFOR ALTHEA:** European Union Force in Bosnia and Herzegovina

EUFOR TCHAD/RCA: European Union Force in Chad and Central African Republic

EUJUST LEX: EU Integrated Rule of Law Mission for Iraq

EULEX: EU Rule of Law Mission in Kosovo

EUMM: EU Monitoring Mission in Georgia

EUPM: EU Police Mission in Bosnia and Herzegovina

EUPOL AFGHANISTAN: EU Police Mission in Afghanistan

EUPOL COPPS: EU Police Mission in the Palestinian Territories

EUPOL RD CONGO: EU Police Mission in DR Congo

EUSEC RD CONGO: EU Security Sector Reform Mission in DR Congo

EZLN: Ejército Zapatista de Liberación Nacional (Zapatista National Liberation Army)

FAd'H: Forces Armées d'Haiti (Haiti Armed Forces)

FAO: Food and Agriculture Organization

FARC: Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia)

FARS: Forces Armées Révolutionnaires du Sahara (Revolutionary Armed Forces of Sahara)

FATA: Federally Administered Tribal Areas

FDD: Forces pour la Défense de la Démocratie (Forces for the Defence of Democracy)

FDLR: Forces Démocratiques de Libération du Rwanda (Democratic Forces for the Liberation of Rwanda)

FDPC: Front Démocratique du Peuple Centrafricain (Central African People's Democratic Front)

FFR: Front des Forces de Redressement (Front of Forces for Rectification)

FIS: Front Islamique du Salut (Islamic Salvation Front)

FLEC: Frente de Liberação do Enclave de Cabinda (Cabinda Enclave's Liberation Front)

FNI: Front des Nationalistes et Intégrationnistes (Nationalist and Integrationist Front)

FNL: Forces Nationales de Libération (National Liberation Forces)

FOMUC: Force Multinationale en Centrafrique (CEMAC Multinational Forces in Central African Republic)

FPLP: Popular Front for the Liberation of Palestine

FRETILIN: Frente Revolucionária de Timor-Leste Independente (Revolutionary Front for an Independent Timor-Leste)

FRNF: Federal Republic National Front

FRODEBU: Front pour la Démocratie au Burundi (Burundi Democratic Front)

FRPI: Forces de Résistance Patriotique d'Ituri (Front for Patriotic Resistance of Ituri)

FSLN: Frente Sandinista de Liberación Nacional (Sandinista National Liberation Front)

FUC: Front Uni pour le Changement Démocratique (United Front for Democratic Change)

FURCA: Force de l'Union en République Centrafricaine (Union Force in the Central African Republic)

GAM: Gerakin Aceh Merdeka (Free Aceh Movement)

GDP: Gross Domestic Product

GEI: Gender Equity Index

GIA: Groupe Islamique Armé (Armed Islamic Group)

GRIP: Group on Research and Information on Peace and Security

GSPC: Groupe Salafiste pour la Prédication et le Combat (Salafist Group for Preaching and Combat)

HIV/AIDS: Human Immunodeficiency Virus/ Acquired Immune Deficiency Syndrome

HRC: Human Rights Council

HRI: Humanitarian Response Index

HRW: Human Rights Watch

IAEA: International Atomic Energy Agency

ICBL: International Campaign to Ban Landmines

ICC: International Criminal Court

ICCR: International Criminal Court for Rwanda

ICCFY: International Criminal Court for Former Yugoslavia

ICG: International Crisis Group

ICRC: International Committee of the Red Cross

ICU: Islamic Courts Union

IDMC: Internal Displacement Monitoring Centre

IDP: Internally Displaced Person

IFHR: International Federation of Human Rights

IGAD: Intergovernmental Authority on Development

IGASOM: IGAD Mission in Somalia

IHEID: Institute de Hautes Etudes Internationales et du développement (Graduate Institute of International and Development Studies)

IHL: International Humanitarian Law

ILO: International Labour Organization

IMLU: Independent Medico Legal Unit

IOM: International Organization for Migrations

ISAF: International Security Assistance Force

ISF Timor-Leste: International Stabilisation Force in Timor-Leste

ISS: Institute of Security Studies

JCC: Joint Control Commission

JEM: Justice and Equality Movement

JKLF: Jammu and Kashmir Liberation Front

JMB: Jama'at ul Mujahideen Bangladesh (Mujahideen Group of Bangladesh)

JTMM: Janatantrik Terai Mukti Morcha (People's Terai Liberation Front)

KANU: Kenya African National Union

KCK: Kurdistan National Congress

KDP: Kurdistan Democratic Party

KFOR: NATO Mission in Kosovo

KNA: Kuki Liberation Army

KNF: Kuki National Front

KNPP: Karenni National Progressive Party

KNU/KNLA: Karen National Union/Karen National Liberation Army

KNU: Kayin National Union

KPF: Karen Peace Force

KYKL: Kanglei Yawol Kanna Lup (Organization to Save the Revolutionary Movement in Manipur)

LRA: Lord's Resistance Army

LTTE: Liberation Tigers of Tamil Eelam

MAES: Mission d'Assistance Électorale et Sécuritaire (African Union Electoral and Security Assistance Mission)

MB: Muslim Brotherhood

MDC: Movement for Democratic Change

MDG: Millennium Development Goals

MDRP: Multi-Country Demobilisation and Reintegration Program

MEND: Movement for the Emancipation of the Niger Delta

MFDC: Mouvement de las Forces Démocratiques de Casamance (Movement of Democratic Forces in the Casamance)

MGK: Milli Güvenlik Kurulu (National Security Council)

MICOPAX: Mission de Consolidation de la Paix en République Centrafricaine (CEEAC Mission for the Consolidation of Peace in Central African Republic)

MILF: Moro Islamic Liberation Front

MINUCI: United Nations Mission in Côte d'Ivoire

MINURCA: United Nations Mission in Central African Republic

MINURCAT: United Nations Mission in Central African Republic and Chad

MINURSO: United Nations Mission for the Referendum in Western Sahara

MINUSTAH: United Nations Stabilisation Mission in Haiti.

MJLC: Mouvement des Jeunes Libérateurs Centrafricains (Central African Young Liberators Movement)

MLC: Mouvement pour la Libération du Congo (Movement for the Liberation of Congo)

MMT: Madhesi Mukti Tigers

MNF-I: Multinational Force – Iraq

MNJ: Mouvement des Nigériens pour la Justice (Nigerine Movement for Justice)

MNLF: Moro National Liberation Front

MONUC: United Nations Mission in DR Congo

MOSOP: Movement for the Survival of the Ogoni People

MPRF: Madhesi People's Rights Forum)

MSF: Doctor's Without Borders

MVK: Madhesi Virus Killers

MRG: Minority Rights Group

NATO: North Atlantic Treaty Organization

NCP: National Congress Party

NDDSC: Niger Delta Defence and Security Council

NDF: National Democratic Front

NDFB: National Democratic Front of Bodoland

NDPVF: Niger Delta People's Volunteer Force

NDV: Niger Delta Vigilante

NGO: Non Governmental Organization

NLD: National League for Democracy

NLFT: National Liberation Front of Tripura

NMSP: New Mon State Party

NPA: New People's Army

NRF: National Redemption Front

NRMD: National Revolutionary Movement for Development

NSC: Neutral Nations Supervisory Commission

NSCN-IM: National Socialist Council of Nagaland-Isaac Muivah

NSCN-K: National Socialist Council of Nagaland-Khaplang

NTIM-I: NATO Training Implementation Mission in Iraq

NWFP: North West Frontier Province

OAS: Organization of American States

OCHA: Office for the Coordination of Humanitarian Affairs

OECD: Organisation for Economic Co-operation and Development

OLF: Oromo Liberation Front

OMISAM: OSCE Mission in Serbia and Montenegro

ONLF: Ogaden National Liberation Front

ONUB: United Nations Mission in Burundi

ONUCA: United Nations Observer Group in Central America

ONUCI: United Nations Operation in Côte d'Ivoire

OPM: Organisasi Papua Merdeka (Free Papua Organization)

OQMI: Organització d'al-Qaeda al Magreb Islàmic (Al-Qaeda Organization in Islamic Maghreb)

OSCE: Organization for Security and Co-operation in Europe

PALIPEHUTU-FNL: Parti pour la Libération du Peuple Hutu-Forces Nationales de Libération (Party for the Liberation of Hutu People – National Liberation Forces)

PALU: Parti Lumumbiste Unifié (Unified Lumumbist Party))

PBC: Peace Building Commission

PBF: Peace Building Fund

PBCP: Purba Banglar Communist Party

PCT: Parti Congolais du Travail (Congolese Labour Party)

PDLF: Palestian Democratic Liberation Front

PDP: People's Democratic Party

PKK: Partiya Karkerên Kurdistan (Kurdistan Worker's Party)

PLA: People's Liberation Army

PLC: Partido Liberal Constitucionalista (Constitutionalist Liberal Party)

PNA: Palestinian National Authority

PNO: PaO National Organization

PONJA: Post-Nargis Joint Assesment

PPRD: Parti du Peuple pour la Reconstruction et la Démocratie (People's Party for Reconstruction and Democracy)

PREPAK: People's Revolutionary Party of Kangleipak

PRSP: Poverty Reduction Strategy Paper

PUK: Patriotic Union of Kurdistan

PWPB: Post-war Peacebuilding

RAFD: Rassemblement des Forces Démocratiques (Coalition of Democratic Forces)

RAMSI: Regional Assistance Mission to Solomon Islands

RCD-Goma: Rassemblement Congolais pour la Démocratie-Goma (Congolese Coalition for Democracy-Goma)

RCD-K-ML: Rassemblement Congolais pour la Démocratie – Kisangani – Mouvement de Libération (Congolese Coalition for Democracy – Kisangani Liberation Movement)

RCD-N: Rassemblement Congolais pour la Démocratie-Nationale (Congolese Coalition for Democracy – National)

RDL: Rassemblement pour la Démocratie et la Liberté (Coalition for Democracy and Freedom)

RFC: Rassemblement des Forces pour le Changement (Coalition of Forces for Change)

RKK: Runda Kumpulan Kecil (Pattani State Restoration Unit)

RUF: Revolutionary United Front

SA: Special Adviser

SADC: Southern Africa Development Community

SCUD: Socle pour le Changement, l'Unité Nationale et la Démocratie (Platform for Change, National Unity and Democracy)

SDF: Sudanese Defence Force

SE: Special Envoy

SEESAC: South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons

SFOR: NATO Stabilization Force in Bosnia and Herzegovina

SIPRI: Stockholm International Peace Research Institute

SLA: Sudan Liberation Army

SLDF: Sabaoth Land Defence Force

SOFA: Status of Forces Agreement in Iraq

SPLA: Sudan People's Liberation Army

SPLM: Sudan People's Liberation Movement

SR: Special Representative

SSA-S: Shan State Army-South

SSNPLO: Shan State Nationalities People's Liberation Organization

SSR: Security Sector Reform

SUDA: Somali Unity Defence Alliance

TAK: Teyrêbazên Azadiya Kurdistan (Kurdistan Freedom Falcons)

TFG: Transitional Federal Government

TMVP: Tamil Makkal Viduthalai Pulikal (Tamil People Liberation Tigers)

TNG: Transitional National Government

TSJP: Tarai Samyukta Janakranti Party

TUSU: Thailand United Southern Underground

UEDF: United Ethiopian Democratic Forces

UFDD: Union des Forces pour la Démocratie et le Développement (Union of Forces for Democracy and Development)

UFDR: Union des Forces Démocratiques pour le Rassemblement (Union of Democratic Forces Coalition)

UFR: Union des Forces de la Résistance (United Resistance Forces)

ULFA: United Liberation Front of Assam

UN: United Nations

UNAMA: United Nations Assistance Mission in Afghanistan

UNAMI: United Nations Assistance Mission in Iraq

UNAMID: United Nations and African Union Mission in Darfur

UNAMIS: United Nations Advanced Mission in Sudan

UNAMSIL: United Nations Mission in Sierra Leone

UNDOF: United Nations Disengagement Observer Force

UNDP: United Nations Development Programme

UNEF: United Nations Emergency Fund

UNFICYP: United Nations Peacekeeping Force in Cyprus

UNHCHR: United Nations High Commissioner for Human Rights

UNHCR: United Nations High Commissioner for Refugees

UNICEF: United Nations International Children's Fund

UNIFEM: United Nations Development Fund for Woman

UNIFIL: United Nations Interim Force in Lebanon

UNIKOM: United Nations Iraq-Kuwait Observation Mission

UNIOSIL: United Nations Integrated Office in Sierra Leone

UNIPOM: United Nations India-Pakistan Observation Mission.

UNIPSIL: United Nations Peace-building Office in Sierra Leone

UNITAF: Unified Task Force

UNLF: United National Liberation Front

UNMEE: United Nations Mission in Eritrea and Ethiopia

UNMIBH: United Nations Mission in Bosnia and Herzegovina

UNMIK: United Nations Mission in Kosovo

UNMIL: United Nations Mission in Liberia

UNMIN: United Nations Mission in Nepal

UNMIS: United Nations Mission in Sudan

UNMISSET: United Nations Mission of Support in East Timor

UNMIT: United Nations Integrated Mission in Timor-Leste

UNMOGIP: United Nations Military Observer Group in India and Pakistan

UNMOVIC: United Nations Monitoring, Verification and Inspection Commission

UNOGBIS: United Nations Peace-Building Support Office in Guinea-Bissau

UNOMB: United Nations Observer Mission in Bougainville

UNOMIG: United Nations Observer Mission in Georgia

UNOSOM: United Nations Operation in Somalia

UNOTIL: United Nations Office in Timor-Leste

UNOWA: United Nations Office in West Africa

UNPOB: United Nations Political Office in Bougainville

UNPOS: United Nations Political Office in Somalia

UNPPB: United Nations Political and Peace Building Mission

UNRRCA: United Nations Regional Centre for Preventive Diplomacy in Central Asia

UNRWA: United Nations Relief and Works Agency for Palestine Refugees in the Near East

UNSCO: United Nations Special Coordinator Office for the Middle East

UNTAC: United Nations Transitional Authority in Cambodia
UNTAET: United Nations Transitional Administration in Timor-Leste
UNTSO: United Nations Truce Supervision Organization in Palestine
UPDF: Uganda People's Defence Force
UPRONA: Union pour le Progrès National (Union for National Progress)
USSR: Union of Soviet Socialist Republics
USAID: United States Agency for International Development
UWSA: United Wa State Army
WB: World Bank
WFP: World Food Programme
ZANU-PF: Zimbabwe African National Union – Patriotic Front

Introduction

2008 ended with three big, deeply symbolic, international events showing up the paradoxes of the international system: firstly, the worsening of an economic crisis affecting the whole planet but resulting from the irresponsibility and greed of a few; secondly, the victory of Barack Obama in the USA presidential elections opening up the possibility of changes in international politics, and finally, Israel's deplorable and absolutely disproportionate military response against the population of Gaza, massacring hundreds of civilians in a conflict which, although it is not the most lethal, is perhaps the most symbolic on the planet. We highlight these three issues to show that there are many deep-lying, structural problems that can bring us to the edge of the precipice but also to a far-reaching reflection on what needs to be changed in the world to make it more sustainable. And this sustainability comes through becoming aware of the factors, dynamics, structures and models that are preventing us from achieving a world where the protection of the dignity of people and groups would prevail, but also of the actions that will make it possible for us to reverse these negative, destructive trends.

The *Alert* report has been analysing many of these positive and negative factors for the last eight years. A general look at this period confirms that we are living in a world of paradoxes and contradictions which does not make it easy to suggest recipes to cure a symptom without taking into account the whole patient—in this case the planet—and without seeing the interdependences in a complex world where an apparently local incident becomes the detonator for a spiral of events that spill over borders. The aim of this report, then, is to attempt to cover the maximum number of factors in order to provide the best-fitting diagnosis possible of the progress of the planet as a whole. To do this we use 20 indicators which help us to understand the evolution of armed conflicts, socio-political tensions, peace processes with their relevant negotiations, the difficulties for peacebuilding in countries that have emerged from an armed conflict, humanitarian crises, disarmament (and rearmament), the human rights situation and experiences of transitional justice and the gender dimension in peacebuilding.

As can be seen in the conclusions at the end of the report, there are advances and setbacks in all the areas mentioned. Despite all the difficulties, we are also aware of the huge opportunities for peace that we have in front of us. The world is full of challenges, but these are not abstract, they are very specific. Every year we have better information and greater capacity to connect with one another, which makes it possible for us to collaborate in a network and set targets that would have been unthinkable a few decades ago. Despite the fact that we are limited by the bias in much information or the absence of news on very serious matters, information exists and it provides us with the opportunity to act based on knowledge. The important issues affecting humanity are no longer solely the responsibility of the great powers or the UN, but of all countries, communities and people. Didactically, and for the second year, in *Alert 2009* we highlight some objectives achievable during 2009 as a small sample from the list of challenges that must be faced. Some of the peace opportunities analysed include the international commitment to reduce armed violence at world level, the steps taken in Burundi between the Government and the last armed group to make definitive progress in the peace process, the restarting of the negotiation process in Cyprus or the announcement of the closure of the Guantanamo detention centre as a step towards reversing the current human rights crisis. We begin 2009 with the hope and the desire that we have made this list of opportunities—or rather, obligations—too short. The world can be a much better place than it is, and there is no excuse for not acting to prevent the continuing existence of populations in danger, who feel forgotten or simply condemned never to have the basic human needs of any person or group guaranteed. In summary, the *Alert 2009* report not only attempts to warn and prevent, it also puts forward strategies for change which, in the medium term, would allow us to live more safely and with greater opportunities, in a global community with mutual respect and recognition, listening and assistance. This is the purpose of all our work which we try to incorporate into this publication.

Vicenç Fisas
Director of the *Escola de Cultura de Pau*
(School for a Culture of Peace)

Table 1.0. 2008 Global conflict overview

Continent	Armed conflict			Tension			TOTAL
	High	Medium	Low	High	Medium	Low	
Africa	Chad <i>DR Congo (east)</i> <i>Somalia</i> <i>Sudan (Darfur)</i>	Algeria Ethiopia (Ogaden) <i>Nigeria (Niger Delta)</i> <i>Uganda (north)</i>	<i>Central African Republic</i>	<i>Kenya</i> Nigeria DR Congo Sudan Zimbabwe	<i>Burundi</i> <i>Chad – Sudan</i> Comoros Côte d'Ivoire Djibouti – Eritrea <i>Eritrea – Ethiopia</i> <i>Ethiopia (Oromiya)</i> Guinea <i>Mali</i> Niger Great Lakes region Somalia (Somaliland-Puntland)	Angola (Cabinda) Cameroon (Bakassi) – Nigeria Congo Ethiopia Guinea-Bissau <i>Morocco – Western Sahara</i> Mauritania <i>Senegal (Casamance)</i> Mano River sub-region South Africa	
SUBTOTAL	4	4	1	5	12	10	36
America	<i>Colombia</i>			Bolivia Peru	Haiti Nicaragua	Ecuador Mexico (Chiapas) Venezuela	
SUBTOTAL	1			2	2	3	8
Asia and Pacific	<i>Afghanistan</i> <i>Pakistan (north-west)</i> <i>Sri Lanka (northeast)</i>	<i>Philippines (Mindanao-MILF)</i> <i>India (Assam)</i> India (CPI-M) <i>India (Jammu and Kashmir)</i> India (Manipur) <i>Pakistan (Baluchistan)</i> <i>Thailand (south)</i>	Philippines (Mindanao-Abu Sayyaf) <i>Philippines (NPA)</i> <i>India (Nagaland)</i> <i>Myanmar</i>	<i>China (Tibet)</i> China (Eastern Turkistan) <i>Nepal (Terai)</i> <i>Pakistan</i> <i>Thailand</i>	Bangladesh (PBCP) <i>Philippines (Mindanao -MNLF)</i> <i>India – Pakistan</i> <i>Indonesia (Western Papua)</i> Indonesia (Aceh) Laos <i>Myanmar</i> Thailand – Cambodia Tajikistan Timor-Leste	Bangladesh Bangladesh (JMB) Korea, DPR – USA, several countries Fiji India (Tripura) Indonesia (Sulawesi) Indonesia (Moluccas) Kyrgyzstan Turkmenistan Uzbekistan	
SUBTOTAL	3	7	4	5	10	10	39
Europe		<i>Georgia – Russia*</i> Turkey (south-east)	Russia (Chechnya) Russia (Ingushetia)	<i>Georgia (Abkhazia)</i> <i>Georgia (South Ossetia)</i> Russia (Dagestan)	<i>Armenia–Azerbaijan (Nagorno-Karabakh)</i> Russia (North Ossetia) <i>Serbia-Kosovo</i> Russia (Kabardino-Balkaria) Russia (Karachaevo-Cherkessia)	Armenia Belarus Bosnia and Herzegovina <i>Cyprus</i> Macedonia (north-west) <i>Moldova Republic (Transdniester)</i>	
SUBTOTAL		2	2	3	5	6	18
Middle East	<i>Iraq</i> <i>Israel – Palestine</i>		<i>Yemen</i>	<i>Lebanon</i>	Iran (north-west) Iran – USA, several countries <i>Israel – Lebanon – Syria</i> <i>Palestine</i>	Saudi Arabia Egypt	
SUBTOTAL	2		1	1	4	2	10
TOTAL	10	13	8	16	33	31	111

* Conflicts concluded during 2008.

On italics armed conflicts and tensions with peace negotiations underway, at exploratory or formal level.

1. Armed conflicts

- 31 armed conflicts were recorded in 2008 and 30 of them remained active at the end of the year.
- By far the majority of armed conflicts happened in Asia (14) and Africa (nine), while the remainder took place in Europe (four), the Middle East (three), and America (one).
- The most serious armed conflicts took place in Afghanistan, Chad, Colombia, Iraq, Israel–Palestine, DR Congo (east), Pakistan (north-west), Somalia, Sri Lanka (north-west) and Sudan (Darfur).
- Approximately two out of every three conflicts concerned identity-related aspirations or demands for greater self-government.
- The situations in India (Nagaland), Pakistan (Baluchistan) and Russia (Ingushetia), which crossed the threshold to become armed conflicts, should be highlighted, together with the outbreak and end of the war between Russia and Georgia.

This chapter analyses the armed conflicts existing throughout 2008 (indicator no. 1). The chapter has two main parts, plus the definition given below and the map attached at the beginning of the chapter with the conflicts active in 2008. The first part analyses global trends in armed conflicts in 2008 and the second describes their development and the most important events in each conflict during the year.

1.1. Armed conflicts: definition

An **armed conflict** is understood to be any confrontation involving regular or irregular armed forces with objectives perceived as incompatible in which the continuous and organised use of violence: a) causes at least 100 deaths in a year and/or a serious impact on the area (destruction of infrastructures or nature) and human safety (e.g. people wounded or displaced, sexual violence, insecurity of food supplies, impact on mental health and on the social fabric or disruption of basic service); b) is intended to achieve objectives that can be differentiated from ordinary crime and are normally associated with:

- demands for self-determination and self-government or identity-related aspirations;
- opposition to the political, economic, social or ideological system of a State or the internal or international policy of a government, which in both cases provides motives for a struggle to achieve or erode power;
- or the control of resources or the territory.

Figure 1.1. Conflict dynamics

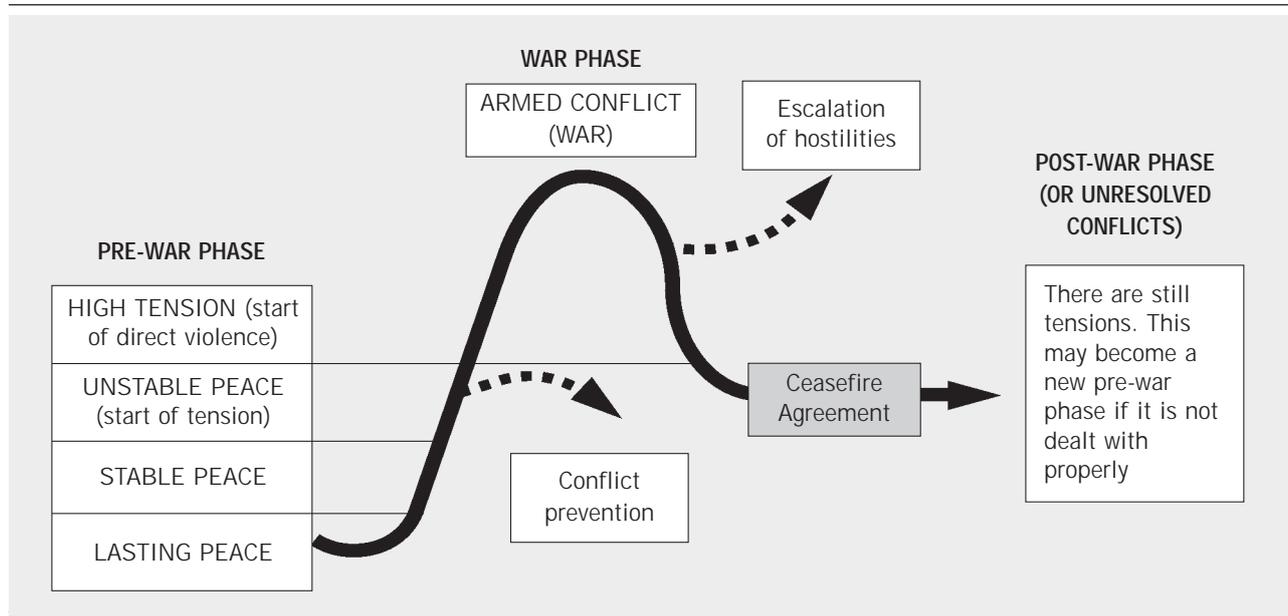


Table 1.1. Summary of the armed conflicts in 2008

Conflict ¹ -start-	Type ²	Main parties ³	Intensity ⁴ Trend ⁵
Africa			
Algeria -1992-	Internationalised internal	Government, Salafist Preaching and Combat Group (GSPC) / Al-Qaeda Organisation in the Islamic Maghreb (OQMI)	2
	System		↑
Chad -2006-	Internationalised internal	Government, FUC, UFDD, fundamentalist UFDD, RFC, CNT, CAR and SCUD, <i>Janjaweed</i> militias, Sudan, France. New UFR coalition (Alliance Nationale and RFC), Toro Boro militia	3
	Government		=
Ethiopia (Ogaden) -2007-	Internal	Government, ONLF, OLF	2
	Self-government, Identity		=
Nigeria (Niger Delta) -2001-	Internal	Government, MEND, MOSOP, NDPVF and NDV, militias from the Ijaw, Itsekere, Urhobo and Ogoni communities, private security groups	2
	Resources, Identity		=
Central African Republic -2006-	Internationalised internal	Government, APRD, UFDR, UFDR splinter groups (FURCA, MJLC), FDPC, France, MICOPAX, EUFOR RCA/CHAD and highway robbers (Zaraguinas)	1
	Government		↓
DR Congo (east) -1998-	Internationalised internal	Government, Mai-Mai militias, Rwandan Hutu armed group FDLR, Rasta militias, Congrès National pour la Défense du Peuple (CNDP, General Laurent Nkunda), armed Ituri groups (FNI, FRPI, MRC), armed Burundian opposition group (FNL), Ugandan armed opposition groups ADF-NALU and LRA, MONUC	3
	Identity, Government, Resources		↑
Somalia -1988-	Internationalised internal	Transitional Federal Government (TFG), Ethiopia, the USA, two factions of the Alliance for the Reliberation of Somalia (IARS), made up of the Union of Islamic Courts [UIC], political and armed opposition, including the armed group al-Shabab and Muqawama [Resistance]), Eritrea, warlords, AMISOM	3
	Government		↑
Sudan (Darfur) -2003-	Internationalised internal	Government, pro-government <i>Janjaweed</i> militias, JEM, NRMD, NRF, and various factions of the SLA	3
	Self-government, Resources, Identity		=
Uganda (north) -1986-	Internationalised internal	Government, LRA	2
	Self-government, Identity		↑
America			
Colombia -1964-	Internationalised internal	Government, FARC, ELN, new paramilitary groups	3
	System		=
Asia			
Afghanistan -2001-	Internationalised internal	Government, international coalition (led by the USA), ISAF (NATO), Taliban militias, warlords	3
	System		↑
Philippines (NPA) -1969-	Internal	Government, NPA	1
	System		=
Philippines (Mindanao -MILF) -1978-	Internal	Government, MILF	2
	Self-government, Identity		↑
Philippines (Mindanao- Abu Sayyaf) -1991-	Internationalised internal	Government, Abu Sayyaf	1
	Self-government, Identity, System		=
India (Assam)-1983-	Internationalised internal	Government, ULFA, DHD, Black Widow, NDFB	2
	Self-government, Identity		↓
India (Jammu and Kashmir) -1989-	Internationalised internal	Government, JKLF, Lashkar-e-Tayyeba, Hizb-ul-Mujahideen	2
	Self-government, Identity		↑

Conflict -start-	Type	Main parties	Intensity Trend
Asia			
India (Manipur) -1982-	Internal	Government, PLA, UNLF, PREPAK, KNF, KNA, KYNL	2
	Self-government, Identity		=
India (Nagaland) -1955-	Internal	Government, NSCN-K, NSCN-IM	1
	Self-government, Identity		↑
India (CPI-M) -1967-	Internal	Government, CPI-M (Naxalites)	2
	System		↓
Myanmar -1948-	Internal	Government, armed groups (KNU, SSA-S, KNPP, UWSA, CNF, ALP, DKBA, KNU/KNLA, KNPLAC, SSNPLO)	1
	Self-government, Identity		↓
Pakistan (Baluchistan) -2005-	Internal	Government, BLA, BRA and BLF	2
	Self-government, Resources		↑
Pakistan (north-west) -2001-	Internationalised internal	Government, Taliban militias, tribal militias	3
	System		↑
Sri Lanka (north-east) -1983-	Internal	Government, LTTE, TMVP (splinter group of the LTTE led by Colonel Karuna)	3
	Self-government, Identity		↑
Thailand (south) -2004-	Internal	Government, opposition secessionist armed groups	2
	Self-government, Identity		↓
Europe			
Georgia – Russia -2008-	International	Georgia, Russia, government of the self-proclaimed government of Republic of Abkhazia, government of the self-proclaimed Republic of South Ossetia	2
	Self-government, Government		End
Russia (Chechnya) -1999-	Internal	Russian federal government, Government of the Republic of Chechnya, groups opposition groups	1
	Self-government, Identity, System		=
Russia (Ingushetia) -2008-	Internal	Russian federal government, government of the Republic of Ingushetia, armed opposition groups (Jamaat Ingush)	1
	System		↑
Turkey (south-east) -1984-	Internationalised internal	Government, PKK, TAK	2
	Self-government, Identity		↑
Middle East			
Iraq -2003-	Internationalised internal	Government, international coalition led by the USA/United Kingdom, internal and foreign armed opposition groups	3
	System, Government, Resources		↓
Israel-Palestine -2000-	International	Israeli government, colonists' militias, ANP, Fatah (Brigades of the Martyrs of Al Aqsa), Hamas (Ezzedin al Qassam Brigades), Islamic Jihad, FPLP, FDLP, Popular Resistance Committees	3
	Self-government, Identity, Territory		↑
Yemen -2004-	Internal	Government, followers of the cleric Al-Houthi (Al-Shabab Al-Mumen)	1
	System		↓

1: low intensity; 2: medium intensity; 3: high intensity; ↑: escalation of violence; ↓: reduction of violence;
 = : no change; End: ceases to be considered armed conflict

1. This column indicates the States in which armed conflicts are taking place, specifying in brackets the region of the state affected by the conflict or the name of the armed group involved in the conflict. This last option is used in cases where there is more than one armed conflict in the same State or in the same territory within a State, in order to differentiate them.
2. This report classifies and analyses armed conflicts on the basis of a double classification, which, on one hand, takes account of the causes or incompatibility of interests and, on the other, looks at the confluence between the place where the conflict is taking place and the parties involved. In terms of causes, the following basic categories can be identified: demands for self-determination and self-government (Self-government) or identity-related aspirations (Identity); opposition to the political, economic, social or ideological system of a state (System) or to the internal or international policy of a Government (Government), which, in both cases, provides motives for a struggle to achieve or erode power, or a struggle for the control of resources (Resources) or territory (Territory). As regards the second method of classification, armed conflicts may be internal, internationalised internal or international. An internal armed conflict is considered to be a confrontation involving armed

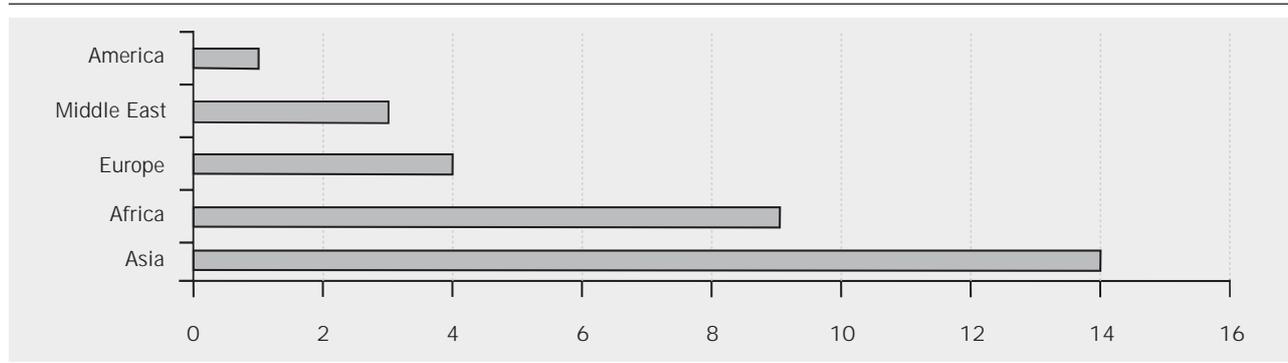
1.2. Armed conflicts: global trends in 2008

31 armed conflicts were recorded in 2008 and 30 of them remained active at the end of the year (the war between Russia and Georgia started and finished during 2008). Although the total number of armed conflicts is practically the same as the previous year (30), it must be pointed out that the 2008 list includes **three new cases —India (Nagaland), Pakistan (Baluchistan) and Russia (Ingushetia)—** and does not include three conflicts that ended in 2007: Côte d'Ivoire, Palestine (confrontations between Fatah and Hamas) and Lebanon (Naher al-Bared). By far the majority of armed conflicts in 2008 happened in **Asia (14) and Africa (nine), while the remainder took place in Europe (four), the Middle East (three), and America (one).** In all cases, without exception, the State was one of the con-

tending parties in the dispute. Apart from the international conflicts between Georgia and Russia, and Israel and Palestine,⁶ **half the conflicts were internationalised internal (15) and practically the other half (14) were internal.**

Although armed conflicts have many causes, it is notable that almost two out of every three conflicts (19 out of 31) largely concern identity-related aspirations or demands for greater self-government. There are another **16 cases in which the main incompatibility is linked to opposition to a particular Government or to the political, economic, social or ideological system of a State.** In five of these cases —Iraq, Chad, Central African Rep, DR Congo (east) and Somalia— several armed groups are fighting to take over or erode central Government. Meanwhile, in seven of the 11 cases in which opposition to the system was one of the main causes of the conflict, several armed groups were seek-

Graph 1.1. Regional distribution of the number of armed conflicts



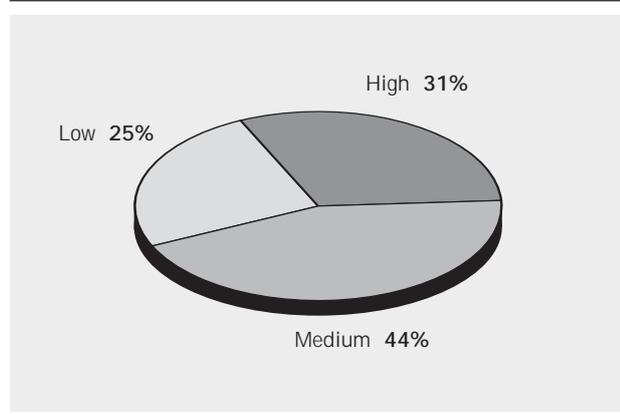
parties from the same State operating exclusively inside it and from it. Secondly, an internationalised internal armed conflict is considered to be one in which at least one of the contending parties is foreign and/or when the confrontation extends into the territory of neighbouring countries. For an armed conflict to be considered as internationalised internal, the question of whether the armed groups have their military bases in neighbouring countries, with the connivance of these States, and launch their attacks from there, is also taken into account. Finally, an international conflict is considered to be one in which State or non-State parties from two or more countries confront one another. In addition, it must be borne in mind that the majority of current armed conflicts have an important regional or international dimension due, among other factors, to the flow of refugees, arms trade, the economic or political interests that neighbouring countries may have in the conflict (such as the legal or illegal exploitation of resources), the participation of foreign combatants and the logistical and military support provided by other States.

- The main parties involved in conflicts consist of an amalgam of regular or irregular armed forces. Conflicts usually involve the government or its Armed Forces against one or more armed opposition groups, but they can also involve other irregular groups, such as clans, guerrilla forces, warlords, armed groups who oppose one another, or militias from ethnic or religious communities. Although those involved mostly use conventional weaponry, particularly small arms (which cause the majority of deaths in conflicts) other forms of attack are frequently used, such as suicide bombs, bomb attacks and sexual violence. Even hunger is used as an instrument of war.
- The intensity of an armed conflict (high, medium or low) and its trend (escalation of violence, reduction of violence, no change) are mainly assessed on the basis of the number of people killed and the impact on the local population and the territory. However, other factors need to be taken into account, such as the systematisation and frequency of the violence or the complexity of the dispute (complexity is normally associated with the number and fragmentation of the parties involved, the level of institutionalisation and capacity of the State and the level of internationalisation of the conflict, along with the flexibility of the stated objectives and the political willingness of the parties involved to reach an agreement). Thus, the intensity of an armed conflict is classified as high when more than 1,000 people die every year, large areas of territory and a high proportion of the population are affected and a significant number of parties are involved (establishing interactions in the form of alliances, confrontations or tactical coexistence between one another). Medium- and low-intensity conflicts are considered to be those recording more than 100 deaths a year and showing the features mentioned above but with less presence and scope. An armed conflict is considered to be ended when there is a significant and sustained reduction in armed hostilities, either because of military victory, agreement between the opposing parties, demobilisation of one party or because one of the contending parties renounces or considerably limits the armed struggle as a strategy for the achievement of certain aims. Any of these options does not necessarily imply the resolution of the root causes of an armed conflict and neither does it exclude the possibility of a new outbreak of violence. The temporary cessation of hostility, whether formal or tacit, does not necessarily imply the end of the armed conflict.
- In this column, the trend of events this year (2008) is compared with the previous year (2007), with the escalation of violence symbol (↑) appearing if the general conflict situation during 2008 is more serious than the previous year, the reduction of violence symbol (↓) appearing if things are better and the no change symbol (=) if there have been no important changes.
- Although "Palestine" (whose Palestinian National Authority is a political entity linked to a particular population and a territory) is not an internationally recognised state, the conflict between Israel and Palestine is considered as "international" and not "internal" because it is an illegally occupied territory whose supposed ownership by Israel is not recognised by International Law or by any United Nations resolution.

ing the creation of an Islamic State or were accused of maintaining links with the Al-Qaeda network —Algeria, Afghanistan, Philippines (Mindanao-Abu Sayyaf), Iraq, Pakistan (north-west), Russia (Chechnya), Russia (Ingushetia) and Yemen. Meanwhile in the three remaining cases —Colombia, Philippines (NPA) and India (CPI-M)— the insurgent groups were pursuing the establishment of a social political and economic system. Finally, in **another four cases —Iraq, Nigeria (Niger delta), DR Congo (east) and Sudan (Darfur)— control of resources was one of the important causes of the dispute.** However, many other conflicts were also fuelled or heightened by the control of resources or territory. The average duration of active conflicts in 2008 was about 17 years, although this figure must be put into perspective by the difficulty of setting an exact start date for a conflict and by the large number of current armed conflicts in cases where there have been previous cycles of violence.

Concerning intensity, in **10 cases —Afghanistan, Chad, Colombia, Iraq, Israel-Palestine, DR Congo (east), Pakistan (north-west), Somalia, Sri Lanka, Sudan (Darfur)— very high levels of violence were recorded,** generating a figure of many more than 1,000 deaths, although in some cases like Iraq, Sri Lanka or Somalia this figure is much higher. Compared to the previous year, Pakistan (north-west) and Israel-Palestine, because of the end-of-year offensive in Gaza, are added to the list of countries with the most intense conflicts. Medium intensity was recorded for almost half the conflicts (13), while the remaining eight —India (Nagaland), Philippines (Mindanao-Abu Sayyaf), Philippines (NPA), Myanmar, Central African Rep., Russia (Chechnya), Russia (Ingushetia) and Yemen— showed low intensity. The average intensity of the 31 conflicts in 2008 was 2.1.⁷ As for development, **in 14 out of the 30 conflicts active at the end of the year there was an increase in hostility** compared to the previous year. In nine cases the conflict situation did not show significant changes and a reduction in violence was recorded in seven cases: India (Assam), India (CPI-M), Iraq, Myanmar, Central African Rep., Thailand (south) and Yemen. In aggregate terms, then, the conflict situation worsened notably compared to 2007.

Graph 1.2. Intensity of armed conflicts



7. See the key to Table 1.1.

By regions, it must be pointed out that in **Africa seven of the nine armed conflicts were internationalised internal ones, which demonstrates their regional nature and the role of neighbouring countries in these conflicts.** The links between the armed conflicts in the triangle made up of Central African Rep, Chad and Sudan (Darfur); Ethiopia's involvement in Somalia; the role played by Rwanda in the conflict taking place in eastern DR Congo, and operations by the Ugandan LRA in southern Sudan and in DR Congo should be highlighted. In many of the conflicts occurring in Africa, there is a struggle to achieve or erode power due to opposition to the internal or international policies of the respective governments, while the number of conflicts in which the self-determination of a territory or group is the key to the conflict is well below the world average. In fact, although in the cases of DR Congo (east), Nigeria (Niger delta) and Uganda (north) identity grievances have been used to justify the emergence or continuation of violence in certain areas, the case of Ethiopia (Ogaden) is the only one in which secessionist demands have been clearly put forward.

Meanwhile, in seven out of the nine contexts there are at least four armed agents actively involved in hostilities, and in the cases of DR Congo (east), Somalia, Sudan (Darfur) and Nigeria (Niger delta) this figure increases to more than 10. Finally, it must be pointed out that only three of the nine conflicts —Algeria, Somalia and Uganda (north)— have lasted more than 15 years, while six of them started after 2000. Of these, those in Central African Rep, Chad and Sudan (Darfur) are particularly outstanding in terms of their imitative nature and strong interaction. So, the average duration of active conflicts in Africa is less than 10 years, far below the world average (17). Given the large number and complexity of the armed conflicts in Africa, it is probable that their short duration is linked, among other issues, with the many peace initiatives in the last few years carried out by organisations from civil society and some organisations from the international community. The average intensity of conflicts in Africa (2.3) is slightly greater than the world average, which is probably connected with the fact that **Africa is the scene of almost half of the most intense armed conflicts in the world: Chad, DR Congo (east), Somalia and Sudan (Darfur).** As for the development of wars in Africa during 2008, the escalation of violence in eastern DR Congo and Somalia (where more than 10,000 people have died in the last two years), the offensives by insurgent groups on the capitals of Sudan and Chad, and the frequent violations of the ceasefire agreement between the Ugandan government and the LRA are worth highlighting.

In Asia, more than 70% of the armed conflicts are linked to demands for self-government or identity-related aspirations and the majority (57%) are clearly internal, in that their international dimension is neither as obvious nor as decisive as in Africa. The average duration of the conflicts in Asia (25.4 years) is clearly the longest in the world. The armed struggles by the two main Communist insurgencies on the

continent (the NPA in the Philippines and the CPI-M in India) go back to 1969, and more than half the active conflicts —Philippines (NPA), Philippines (Mindanao-MILF), India (Assam), India (Manipur), India (CPI-M), India (Nagaland), Myanmar and Sri Lanka (north-east)— have lasted 25 years or more. This phenomenon could be explained by the lesser presence of international agents in facilitation and mediation tasks (particularly the United Nations), by the large number of conflicts linked to the formation of the State or by the difficulty in resolving disputes associated with issues of identity and self-determination, which are very numerous in Asia. As for intensity, the average for the continent (1.9) is below that for the world or for Africa, despite the fact that conflicts in Afghanistan or Sri Lanka currently have among the highest death rates anywhere on the planet.

As for agents, on the Asian continent there are conflicts involving armed groups with great capacity for war or even territorial control —the LTTE in Sri Lanka, the CPI-M in India, or the NPA and the MILF at Philippines— alongside other contexts characterised by the tremendous fragmentation and diffuseness of insurgent groups —Afghanistan, Pakistan (north-west), India (Assam), India (Nagaland), Myanmar or Thailand (south). Beyond the classification “terrorists”, which almost all governments use to label their respective armed opposition groups, it must be highlighted that in some cases, such as Afghanistan, Pakistan (north-west), India (Jammu and Kashmir) or the Philippines (Mindanao-Abu Sayyaf), the government links its counter-insurgency strategies closely to the so-called global fight against terrorism. By doing this it obtains political legitimacy and, in some cases, logistical support. In all these latter cases, the armed groups are making religious demands linked to Islam. **Another feature of conflicts in Asia is that there are some States, such as India, the Philippines or Pakistan, which have several armed conflicts with different causes, dynamics of war and locations.** In terms of the development of conflicts in 2008, the most significant events were the following: the escalation of violence in Sri Lanka, which, with 10,000 fatalities, has probably become the most deadly active war; the outbreak of violence on Mindanao after the failure of the signing of a peace agreement with the MILF; the massive protests in Jammu and Kashmir, the strongest for the last 20 years; the growing impact of the conflict in Afghanistan on the civil population, and the deterioration of the situation in Pakistan (Baluchistan) and India (Nagaland) which, during 2008, crossed mortality and impact-of-violence thresholds to become armed conflicts.

Finally, some issues on other continents currently suffering from armed conflicts should be highlighted. In **America, Colombia continues to be the only armed conflict**, although it is one of those which has lasted longest and has had the greatest impact on a civil population anywhere on the planet. During 2008, evidence was provided of the internationalised nature of the dispute and the process of fragmentation of the former Colombian United Self-Defence Forces (AUC)

into several paramilitary groupings. In **Europe, the epicentre of conflict was once again the area between the Black and Caspian Seas, particularly in the Caucasus region.** In this region, Russia played a leading role in the struggle against armed Chechen and Ingush armed groups, as well as in the brief armed conflict when it confronted the Georgian government. This was one of the few inter-State armed conflicts occurring during the last few years anywhere in the world. Of the four armed conflicts recorded in 2008 in Europe, the importance of demands for self-determination and the cross-border dimension of the warring parties should be highlighted, together with the close links of current conflicts with previous phases of violence.

In the **Middle East**, one of the regions most visible in the media and which has two of the conflicts with the longest history of violence and potential for regional destabilisation —Iraq and Israel-Palestine— **the most important features were the reduction in violence in Iraq and Yemen, attributable to a large degree to ceasefire agreements signed or renewed during 2008.** In Iraq, although the armed conflict continues to be one of those that has claimed most lives in recent years, a reduction in the number of attacks by the many armed groups operating in the country was recorded, particularly those by the militias of the cleric Moqtada al-Sadr. In Yemen, the signing of a ceasefire agreement in the middle of the year between the government and the followers of Al-Houthi led to a considerable reduction in levels of violence, although confrontations between the parties led to the displacement of tens of thousands of people. In the conflict between Israel and Palestine, the peace talks between Israel and the PNA led by Mahmoud Abbas and a ceasefire agreement was signed between Israel and Hamas. However, at the end of the year the truce was broken and Israel began one of the biggest military offensives of the last few decades in Gaza.

Another dimension that must be highlighted in relation to global conflicts in 2008 concerns multilateral peace missions. In December 2008 there were 16 UN peacekeeping missions, two police missions run and supported by the UN Department of Peacekeeping Operations (BINUB and UNAMA) and another 10 UN political and peacebuilding missions supported by the UN Department of Political Affairs throughout the world. Concerning the regional perspective, of the 28 UN missions in the world, approximately half (13) were on the African continent, six in the Middle East, five in Asia, three in Europe and one in America. Meanwhile, in addition to the United Nations, the growing participation of other regional organisations in political and peacebuilding tasks should be highlighted. They include: the OSCE (with 19 missions in Europe and Central Asia), the EU (15 missions in Africa, Asia, Europe and the Middle East) and NATO (four missions in Europe, Asia and the Middle East), the CIS (three missions, in Europe), the AU (two missions in Africa), the OAS (two missions in America), the ECCAS (one mission in Africa) and seven multilateral operations under the umbrella of groups of countries.

Table 1.2. Main multilateral missions in 2008

UN peace missions		Other missions with military/police personnel	
Name	Start-End	Name	Start-End
Burundi (BINUB)	2007	NATO	
DR Congo (MONUC)	1999	Afghanistan (ISAF)	2001
Côte d'Ivoire (ONUCI)	2004	Iraq (NTIM-I)	2004
Ethiopia and Eritrea (UNMEE)	2000-2008	Kosovo (KFOR)	1999
Guinea-Bissau (UNOGBIS)	2000	EU	
Liberia (UNMIL)	2003	DR Congo (EUSEC DR Congo)	2005
Western Sahara (MINURSO)	1991	Central African Rep. and Chad (EUFOR CHAD/RCA)	2007
Central African Republic (BONUCA)	2000	Palestinian Territories (EU BAM Rafah)	2005
Central African Republic/ Chad (MINURCAT)	2007	Palestinian Territories (EUPOL COPPS)	2006
Sierra Leone (UNIOSIL)	2006-2008	CIS	
Sierra Leone (UNIPSIL)	2008	Georgia (South Ossetia)	1992
Sudan (UNMIS)	2005	Georgia (Abkhazia)	1994
Sudan (Darfur) (UNAMID)	2007	Moldova (Transdniestar)	1992
Afghanistan (UNAMA)	2002	ECCAS	
India and Pakistan (UNMOGIP)	1949	Central African Republic (MICOPAX)	2008
Nepal (UNMIN)	2007	AU	
Timor-Leste (UNMIT)	2006	Somalia (AMISOM)	2007
Cyprus (UNFICYP)	1964	Comoros (MAES)	2007
Georgia (UNOMIG)	1993	Other missions	
Kosovo (UNMIK)	1999	DPR Korea and the Rep. of Korea (NSC)	1953
Iraq (UNAMI)	2003	Solomon Islands (RAMSI)	2003
Golan Heights (UNDOF)	1974	Hebron, Palestine (TPIH 2)	1997
Lebanon (UNIFIL)	1978/2006	Egypt and Israel	1982
Middle East (UNTSO)	1948	Iraq (USA-United Kingdom)	2003
		Côte d'Ivoire (Operation Licorne, France)	2003
		Timor-Leste (ISF, Australia)	2006

The UN peacekeeping operations consisted of 110,273 people⁸ (112,180 if all Peacekeeping Operations (PKO) staff and the two police missions under the umbrella of the UN Department of Peacekeeping Operations are counted) and another 3,435 on political and peacebuilding missions. This means that in 2008 the highest figure was reached for the number of people on peacekeeping and peacebuilding missions, demonstrating the continuing increase in missions and people involved in them over the past decade. Since June 1999, when the lowest figure since the end of the Cold War was reached (13,000 blue helmets), the increase has been constant down to the present day. To this figure should be added the contingents from NATO

(76,800 deployed in three contexts), the EU (more than 6,000 police and soldiers in five contexts), the CIS (more than 4,200 in three contexts), ECCAS and the AU (three contexts, almost 4,000 people), and another six operations (around 6,000 soldiers and police). In total, in general terms, there are well over 210,000 soldiers and police deployed around the world.⁹ Finally, if the contingents established in the design of missions or extensions to them (more than 15,000 outstanding in UNAMID in Darfur; 3,000 in MONUC, 5,000 in AMISOM, 12,000 in ISAF¹⁰ in Afghanistan) the total would increase by a further 35,000 blue helmets.

8. Of these, 89,513 were military or police personnel. Figures at 30 November 2008.

9. This overall figure would be increased still further if the Multinational Forces in Iraq were added. These statistics do not take into account the 146,000 USA soldiers and 6,350 soldiers from other countries deployed in Iraq and their fatal casualties, amounting to more than 4,000.

10. General Petraeus, head of USA Central Command, announced in December that, during 2009, some 20,000 United States soldiers would join ISAF, which already has 50,000 soldiers.

Finally, the growing use of Chapter VII of the United Nations' Charter in designing the mandate for United Nations' missions brings with it greater participation in scenarios of violence. Because of this, these multidimensional missions are set up in increasingly violent contexts and with ever more complex mandates, as demonstrated by the fact that the figure for deaths of participants in missions has tripled since the end of the Cold War, rising from 800 in 1991 to 2,545 at 30 November 2008.

1.3. Armed conflicts: annual trend by region

Africa

a) West Africa

Nigeria (Niger delta)	
Start of conflict:	2001
Type:	Resources, Identity Internal
Main parties:	Government, MEND, MOSOP, NDPVF and NDV, militias from the Ijaw, Itsereki, Urhobo and Ogoni communities, private security groups
Intensity:	2
Trend:	=
Summary:	
The conflict in the Niger delta is the result of unsatisfied demands for control of profits from the oil resources produced in this area. Various armed groups, particularly MEND (Ijaw) are demanding compensation for the impact the extraction industries have on their territory, as well as a fairer share of the profits obtained from operations and greater decentralisation of the Nigerian State. Attacks against oil installations and military posts, as well as the kidnapping of workers, are the methods commonly used by the insurgents. Meanwhile, this situation has led to confrontation between the different communities living in the region for the control of land and resources.	

During the year, an increase in confrontations between rival gangs for the control of illegal oil trade routes occurred and there was also a rise in MEND's violent activities during the second half of the year. This led to an increase in kidnappings and the displacement of thousands of people, the continual interruption of gas and oil supplies and attacks on oil platforms and police stations. The most affected states were Rivers and Delta. However, the level of the conflict in the delta as a whole remained similar to the previous year, a period of a high degree of violence due to the holding of legislative and presidential elections in April 2007. The increase in actions by MEND was linked to the trial of one of its leaders, Henry Okah, accused of treason and arms trafficking. However, MEND established several fruitless unilateral ceasefires, specifically at the end of

June and the end of September. In November, the panel of experts set up by the government in order to find a solution to the violence in the region concluded that the federal and state governments' lack of political will was the main reason for the worsening of the crisis in the region and that a ceasefire needed to be achieved to make it possible to disarm the militias.

b) Horn of Africa

Ethiopia (Ogaden)	
Start of conflict:	2007
Type:	Self-government, Identity Internal
Main parties:	Government, ONLF, OLF
Intensity:	2
Trend:	=
Summary:	
Ethiopia has been subject to secessionist movements or groups resisting the central authority since the 1970s. The ONLF emerged in 1984 and operates in the Ethiopian region of Ogaden, in the south-east of the country, demanding a greater degree of autonomy for the Somali community living in this region. On various occasions, the ONLF has carried out insurgent activities beyond the Ogaden region in collaboration with the OLF, which has been demanding greater autonomy for the Oromiya region from the government since 1973. The Somali government has supported the ONLF against Ethiopia, which it confronted for control of the region between 1977 and 1978, a war in which Ethiopia defeated Somalia. The end of the war between Eritrea and Ethiopia in 2000 led to an increase in government operations to put an end to the insurgency in Ogaden and, after the elections held in 2005, the confrontations between the armed forces and the ONLF have increased.	

The Ethiopian armed forces continued to carry out military operations in the Ogaden region, while the ONLF claimed responsibility for various actions against the security forces. Together with the access difficulties of humanitarian organisations imposed by the government and the serious drought affecting the region, this aggravated the humanitarian crisis.¹¹ In addition, the new bill that will regulate the activities of NGOs will contribute to making this situation even more difficult, according to the USA, the EU and human rights protection organisations, such as HRW. NGOs and the communications media were subjected to tough restrictions by the government, which threatened them with expulsion if they broke silence concerning actions committed by the army. One of the most important issues of the year was the publication in June of two HRW reports in which the government was accused of committing war crimes in the region (extra-judicial executions, torture and sexual violence) in the course of the military campaign begun in June 2007. Based on this, at the end of November, the government published an investigation rebutting these claims, a document that was criticised by both HRW and the ONLF. Along these lines, during the year various sources documented the

11. See chapter 5 (Humanitarian crises).

increase in arrests of civilians accused by the Ethiopian security forces of collaborating with the ONLF.

Somalia	
Start of conflict:	1988
Type:	Government Internationalised internal
Main parties:	Transitional Federal Government (TFG), Ethiopia, the USA, two factions of the Alliance for the Reliberation of Somalia ([ARS], made up of the la Union of Islamic Courts [UIC], armed political opposition, including the armed group Al-Shabab and Muqawama [Resistance]), Eritrea, warlords, AMISOM.
Intensity:	3
Trend:	↑

Summary:

The armed conflict and the absence of effective central authority experienced by the country began in 1988, when a coalition of opposition groups rebelled against the dictatorial power of Siad Barre and, three years later, managed to overthrow him. This situation led to a new struggle within this coalition to occupy the power vacuum, and this has led to the destruction of the country and the death of more than 300,000 people since 1991, despite the failed international intervention at the beginning of the nineties. The various peace processes to attempt to establish a central authority have run into many difficulties, including the grievances between the different clans and sub-clans making up the Somali social structure, the interference of Ethiopia and Eritrea and the power of the various warlords. The last peace initiative established the TFG in 2004. This government has relied on Ethiopian support in an attempt to recover control of the country, partially in the hands of the UIC.

The violence **extended throughout the central and southern region, linked to the intensification of Al-Shabab's activities and the military operations of the TFG's militias and Ethiopian armed forces in an unsuccessful attempt to contain the insurgents' advances.** Negotiations in Djibouti were not reflected in the situation on the ground.¹² The TFG, involved in a deep internal crisis, recognised that it was on the verge of collapse, and to this were added desertions from the security forces to the insurgents and their involvement in illicit arms sales. The president of the TFG also resigned at the end of the year. **Ethiopia announced the withdrawal of its troops for the beginning of 2009,** urging the international community to assume responsibility, and this generated great concern within the TFG. AMISOM, which is militarily under-staffed (3,400 of the established 8,000 soldiers), became a target for the insur-

gents and could hardly guarantee security at the capital's port and airport. The United Nations also noted **the continuing violations of the arms embargo in an atmosphere of general anarchy, together with an increase in acts of piracy and armed robbery, kidnapping and the payment of ransoms,¹³ combined with the constant increase in indiscriminate violence and attacks against the civil population,** particularly against women and children, through the use of heavy weapons in densely populated areas. The Somali group the Elman Peace and Human Rights Organization announced that, since the start of the Ethiopian offensive in December 2006, more than 16,210 civilians had been killed and another 29,000 had been wounded. According to the organisation, 7,574 civilians died during 2008, a lower figure than the previous year, when the death toll was 8,636 people.

Sudan (Darfur)	
Start of conflict:	2003
Type:	Self-government, Resources, Identity Internationalised internal
Main parties:	Government, pro-government <i>Janjaweed</i> militias, JEM, NRMD, NRF and various factions of the SLA
Intensity:	3
Trend:	=

Summary:

The Darfur conflict broke out in 2003 over demands for greater decentralisation and development in the region from various insurgent groups, largely the SLA and JEM. The Government responded to the rebellion using the armed forces and the *Janjaweed* Arab militias. The magnitude of the violence committed by all the warring parties against the civilian population has led to the consideration of whether there has been genocide in the region, where more than 300,000 people have already been killed, according to the United Nations. Despite the signing of a peace agreement (DPA) between the government and a faction of the SLA in May 2006, violence has broken out again, generating the fragmentation of the opposition groups. A serious regional impact has been caused by the displacement of population as well as the Sudanese involvement in the Chadian conflict and Chadian involvement in the Sudanese conflict. In 2007, the AU observation mission AMIS, set up in 2004, was integrated into a joint AU/UN mission, UNAMID. This mission has been subjected to multiple attacks and in 2008 its numbers did not reach even half the established strength of 26,000 soldiers, so it has been incapable of fulfilling its mandate to protect the civilian population and humanitarian workers.

Violence in Somalia intensified as a result of the activities of Al-Shabab and the military operations of the TFG militias and the Ethiopian armed forces

During the year, confrontations continued between the armed forces, the *Janjaweed* militias and the insurgents in **Darfur**, as did attacks on UNAMID. The armed agents persisted in their attempt to achieve a military solution to the conflict, as the UN Secretary General,

12. See chapter 3 (Peace processes).

13. In 2008, more than one hundred boats were attacked in Somali waters, of which 40 were hijacked. It is estimated that more than 30 million dollars were paid in order to liberate them. At the end of November, Kenyan government sources highlighted that the figure resulting from the payment of ransoms could reach 150 million dollars.

Ban Ki-moon, has highlighted. There were many attacks against camps of displaced persons and HRW also highlighted the fact that systematic acts of sexual violence and attacks were committed against women in and around these camps.¹⁴ In May, the JEM carried out an offensive against the capital, Khartoum, for the first time, with the intention of overthrowing the government. The attack was repulsed, but it caused more than 220 fatalities. However, the most important event of the year was **the issue in September of an order by the ICC prosecutor for the arrest of President Omar al-Bashir, accusing him of genocide, war crimes and crimes against humanity.** The AU, the Arab League and China criticised the decision and asked for the trial to be adjourned, fearing a possible impact on UNAMID, the peace process and the humanitarian situation. From then on, al-Bashir attempted to give an image of commitment to the search for peace, and in mid-November he declared a unilateral ceasefire with a view to the holding of a summit in Qatar,¹⁵ although it was repeatedly violated, according to a report by Ban Ki-moon. A demonstration of this was a report from various organisations indicating that the government was continuing to promote attacks against the civilian population despite the truce and was intimidating humanitarian organisations with total impunity.¹⁶

A group of United Nations experts certified that DR Congo and Rwanda were reciprocally supporting the respective insurgencies

c) Great Lakes and Central Africa

DR Congo (east)	
Start of conflict:	1998
Type:	Government, Identity, Resources Internationalised internal
Main parties:	Government, Mai-Mai militias, Rwandan Hutu armed group, FDLR, Rasta militias, Congrès National pour la Défense du Peuple (CNDP, General Laurent Nkunda), armed Ituri groups (FNI, FRPI, MRC), Burundian armed opposition group (FNL), Ugandan armed opposition groups ADF-NALU and LRA, MONUC
Intensity:	3
Trend:	↑
Summary:	The current conflict has its origins in the coup d'état launched by Laurent Desiré Kabila in 1996 against Mobutu Sese Seko, which culminated in the latter giving up power in 1997. Later, in 1998, Burundi, Rwanda and Uganda, together with various armed groups, tried to overthrow Kabila, who received the support of Angola, Chad, Namibia, Sudan and Zimbabwe in a war that has caused around five million fatalities. The control and plundering of natural resources have contributed to the perpetuation of the conflict and the presence of foreign armed

forces. The signing of a ceasefire in 1999, and of various peace agreements between 2002 and 2003, led to the withdrawal of foreign troops and the establishment of a transitional government and, subsequently, an elected government, in 2006. However, this has not led to an end to the violence in the east of the country because of the presence of undemobilised factions of various groups and of the FDLR, responsible for the genocide in Rwanda in 1994.

The violations of the ceasefire signed at Goma at the beginning of 2008 increased during the year, along with rearmament and the recruitment of children, according to MONUC. This went on until, **at the end of August, Laurent Nkunda's CNDP finally broke the fragile ceasefire, leading to a serious escalation in violence from then onwards.** The CNDP launched a large-scale offensive from the north of the province of North Kivu which stopped at the gates of Goma after inflicting successive defeats on the Congolese armed forces. During their retreat, the military were guilty of plundering and committing systematic human rights violations. The United Nations pointed out the unprecedented increase in sexual violence and other serious human rights violations by all parties involved in the conflict, which was classified as a humanitarian disaster due to the difficulties in gaining access to the civilian population trapped in the middle of the

violence. **In November, faced with the seriousness of the situation, the incapability of MONUC to cope with the tragedy and local and international pressures, the UN Security Council approved the temporary expansion of the mission with 3,000 blue helmets and police.** Meanwhile **General Nkunda unilaterally declared a ceasefire** and his militias withdrew and allowed humanitarian access. However, although the fighting between the armed forces and the CNDP was interrupted, the group continued to fight the government's allies, the Mai Mai militia and the Rwandan Hutu group the FDLR. In December, the mediation of the United Nations and the AU formalised negotiations between the government and the CNDP in Nairobi, at the same time as **a group of experts certified that DR Congo and Rwanda were reciprocally supporting the respective insurgencies.**¹⁷

Central African Republic	
Start of conflict:	2006
Type:	Government Internationalised internal
Main parties:	Government, APRD, UFDR, UFDR splinter groups (FURCA, MJLC), FDPC, France, MICOPAX, EUFOR RCA/CHAD and highway robbers (Zaraguina)
Intensity:	1

14. Human Rights Watch, *Five Years on, No Justice for Sexual Violence in Darfur*, 7 April 2008, in <<http://hrw.org/reports/2008/darfur0408/darfur0408web.pdf>>.

15. See chapter 3 (Peace processes).

16. Human Rights Watch, *Rhetoric vs. Reality. The situation in Darfur*, 2 December 2008, in <http://www.hrw.org/sites/default/files/related_material/darfur1208.pdf>.

17. See chapter 2 (Tensions).

Trend: ↓

Summary:

During 2006, the situation in the country was aggravated by the increase in the activities of various insurgent groups condemning the lack of legitimacy of François Bozizé's government, the result of a coup d'état against President Ange Félix Patassé between 2002 and 2003. Bozizé's government has been accused of mismanaging public funds and dividing the nation. There are two fronts of insurgency: firstly, in the populous central area and north-west of the country, the APRD, led by Jean-Jacques Demafotuh, has confronted Bozizé's government, demanding a new division of political power. Secondly, the escalation of insurgency operations in the north-east of the country by the UFDR coalition of groups should be highlighted. To this instability was added the emergence in the north-east of numerous bands of roadside robbers, the Zaraguinas.

The government forces, the rebels and the Zaraguinas were responsible for serious human rights violations in the north, including extra-judicial executions, torture and arbitrary arrest, largely committed by the security forces, according to the BONUSCA. Alongside this, the signing of the Overall Peace Agreement by the government, the APRD and the UFDR in June facilitated the advance with the beginning of the Inclusive Political Dialogue (IPD) which was postponed several times and finally took place between 8 and 20 December, with a positive result.¹⁸ Before this, the specially designed amnesty bills presented by the government in September forced the suspension of participation of the political and armed opposition in the IPD. However, on 15 September a new agreement was reached to relaunch the IPD, and the government pledged to review the controversial laws. Despite these advances, sporadic violations of the ceasefire persisted, resulting into several battles and ambushes involving the armed forces and the UFDR, the APRD and splinter groups of the UFDR, which led to fears of a breach of the above agreements. The regional factor aggravated the instability, as **the armed Ugandan group the LRA, which was operating in the south-east of the country, kidnapped hundreds of children, and various sources estimated that the UFDR, which receives support from Sudan, was supporting the LRA.**

Chad	
Start of conflict:	2006
Type:	Government Internationalised internal
Main parties:	Government, FUC, UFDD, UFDD-Fundamental, RFC, CNT, FSR and UFCD, Alliance Nationale (UFDD, UFDD-Fundamental, UFCD, FSR), <i>Janjaweed</i> militias, Sudan, France. New UFR coalition (Alliance Nationale and RFC), Toro Boro militia
Intensity:	3
Trend:	=

Summary:

The frustrated coup d'état of 2004 and the reform of the Constitution in 2005, boycotted by the opposition, were the seed resulting in an insurgency that intensified its activity during 2006, with the aim of overthrowing the authoritarian government of Idriss Déby. This opposition is made up of various groups and soldiers discontented with the regime. To this is added the antagonism between Arab tribes and black populations in the border area between Sudan and Chad. This is linked to local grievances, competition for resources and the extension of the war suffered by the neighbouring Sudanese region of Darfur as a result of cross-border operations by Sudanese armed groups and pro-Sudanese government Arab *Janjaweed* militias. These groups have attacked towns, villages and Darfur refugee camps in eastern Chad, which has contributed to an escalation of tension between Sudan and Chad, which support one another's respective insurgencies.

The offensive against the capital by various groups in February, which was on the point of overthrowing Idriss Déby's regime, must be highlighted, although French military intervention forced it to withdraw. The confrontations caused more than a hundred deaths (160 people according to the MSF and Red Cross, 700 rebels according to the Government), and left more than 1,000 people wounded and another 400 missing. Based on the offensive on N'Djamena, the fragile Alliance Nationale (AN) coalition was established, and it launched several attacks against the Chadian army during the year. In November, **the main rebel movements in the country decided to set up the Union of Resistance Forces (UFR), which includes the AN and the RFC.** According to various sources, based on the relative improvement in relations between Chad and Sudan, the Chadian insurgency moved its bases from Sudan inside Chad before the border mission was deployed.¹⁹ In March 2009, the EUFOR mission is due to be replaced by a UN peace-keeping mission. Despite the presence of this mission, **the eastern region continued to be afflicted with violence, in a similar way to Darfur,** as while the army focused on fighting off rebel incursions against the big cities, other areas went without protection, leaving the local population and the camps of displaced persons and refugees at the mercy of the armed groups. These camps were used as a rearguard and base for Chadian and Sudanese rebels, who recruited children there. The *Janjaweed* militias, connected to local Arab militias, also committed various attacks against non-Arab civilians in the eastern part of Chad.

Uganda (north)	
Start of conflict:	1986
Type:	Self-government, Identity Internationalised internal
Main parties:	Government, LRA
Intensity:	2
Trend:	↑

Summary:

Since 1986, the northern Uganda has been suffering from a conflict in which the LRA armed opposition group, moved by

18. See chapter 3 (Peace processes).

19. See chapter 2 (Tensions).

the religious messianism of its leader, Joseph Kony, has been trying to overthrow the government of Yoweri Museveni, establish a regime based on the Ten Commandments of the Bible and bring the northern region of the country out of its marginalisation. The violence and insecurity caused by the LRA's attacks against the civilian population, the kidnapping of children to swell their ranks (around 25,000 since the beginning of the conflict) and the confrontations between the armed group and the Armed Forces (together with the pro-governmental militias) have led to the death of around 200,000 people and the forcible displacement of two million people at the peak of the conflict. The LRA was expanding its activities in the south of Sudan, a country which was providing it with support, until, in 2002, that country allowed the Ugandan armed forces into its territory in order to pursue the group. Since 2006, a peace process has been under way and this has managed to establish a cessation of hostilities, although, during 2008, the process was on the verge of failure.

The attempts to revive the peace process, frozen after April 2008, and the gradual increase in military activities by the LRA (sporadic attacks and child kidnapping) marked the tone of the year. The efforts of the special envoy of the UN Secretary General, Joaquim Chissano; the Vice-President of Southern Sudan, Riek Machar; local leaders of the Acholi community, and even the Ugandan government, failed to convince Joseph Kony to commit himself to the April initiative or to subsequent ones in May, August and November.²⁰ The government established 30 November as a deadline, although this also failed to put sufficient pressure on Kony. **The group had continued recruiting children in southern Sudan, north-eastern DR Congo and southern Central African Rep. (about 1,000 new child soldiers). It also had new bases and could be exploiting diamond mines in the Central African Rep.** According to various sources, the LRA had taken advantage of the peace process in order to strengthen itself. So, the group violated the cessation of hostilities in southern Sudan, north-eastern DR Congo and southern Central African Rep. several times. After the failure of the last initiative at the end of November, **DR Congo, Uganda and Southern Sudan launched a military operation against the LRA in the Garamba National Park** in north-eastern DR Congo. The military operation destroyed its bases and forced Joseph Kony to flee, pursued by Ugandan troops towards the Central African Rep. It was followed by an LRA offensive in the border area, causing the deaths of between 400 and 500 civilians to the end of December.

d) The Maghreb and North Africa

Algeria	
Start of conflict:	1992
Type:	System Internationalised internal
Main parties:	Government, Salafist Preaching and Combat Group (GSPC) / Al-Qaeda Organisation in the Islamic Maghreb (OQMI)

20. See chapter 3 (Peace processes).

Intensity:	2
Trend:	↑

Summary:

The conflict began with the banning of the Islamic Salvation Front (ISF) in 1992 after it won the municipal (1990) and legislative (1991) elections against the party which had historically led the independence of the country, the National Liberation Front. The triumph of the ISF occurred in the context of the growth of an Islamist movement in the 1970s responding to the discontent of the population, exacerbated in the eighties by the economic crisis and the lack of opportunities for political participation. After the banning of the ISF by the military high command and the dismissal of the government, a period of armed struggle began between various groups (EIS, GIA and GSPC), splitting from the GIA and becoming the OQMI in 2007) and the army, supported by self-defence militias. The conflict led to 150,000 deaths during the nineties, most of them civilians, amid accusations that the army was involved in the massacres. Despite the reconciliation processes promoted by the government, the conflict remains active, and has claimed thousands of victims since 2000.

The country continued to be afflicted by violence throughout the year. **The attacks in August, which claimed almost 80 victims, constituted a turning point, as they saw the most deaths during the year.** On 19 August, a suicide attack targeted the Issers police academy, to the east of Algiers, while the following day a double explosion near a hotel and military barracks in Bouira, in the south-east of the capital, caused the death of a dozen employees of a Canadian company. A communiqué from the OQMI claimed responsibility for the actions and declared that it was responding to operations by the security forces against members of its organisation. In addition, at the beginning of June a double explosion caused the deaths of 12 people, including a French citizen—the first fatality from that country since 1994. During 2008 the government also announced the deaths of the leader Emir Hamza, one of those allegedly responsible for the fatal attack of 11 December 2007 in Algiers, and, in March, of another member of the organisation who was supposedly planning to assassinate the president, Abdelaziz Bouteflika. Meanwhile, the authorities announced that 115 people were kidnapped in the context of terrorist activity in 2007. Concerning the conflict between Berber groups and the government, the violence intensified during the year, with several confrontations between Berber and Arab gangs in the province of Ghardaia. The response was tough police action.

America

Colombia	
Start of conflict:	1964
Type:	System Internationalised internal
Main parties:	Government, FARC, ELN, new paramilitary groups

Intensity: 3
Trend: =

Summary:

In 1964, two armed opposition movements were born in the context of an agreement between the liberal and conservative (Frente Nacional) parties to alternate power, which excluded all alternative politics. In this context two armed opposition movements emerged. These were the ELN (a Guevara-inspired movement with worker and university support) and the FARC (with Communist influence and based in the countryside). During the seventies, various other groups (M-19, EPL, etc.) appeared. These ended up negotiating with the government and promoting a new Constitution (1991), which established the basis of a social state based on the rule of law. At the end of the eighties, various paramilitary self-defence groups appeared, instigated by sectors of the armed forces, business people and traditional politicians, backing the status quo and the maintenance of illegal businesses, promoting a strategy of terror. Drug profits are now the main fuel keeping the war alive.

2008 was characterised as the most critical in the history of the FARC, as, to the death of its historic leader Manuel Marulanda was added the death in Ecuadorian territory of its international spokesman Raúl Reyes in bombardment by the Colombian armed forces, together with the freeing of 15 hostages, including the ex-presidential candidate Ingrid Betancourt, in a controversial operation by elite armed forces commandos. The movement of the conflict across the border led to sensitive diplomatic friction between the governments of the region. **The so-called re-paramilitarisation of the country as a result of the failure of official policies to rehabilitate thousands of ex-AUC combatants saw a rising number of murders and threats against opponents of the Government.** The institutional crisis was heightened as a result of the arrest of almost fifty pro-government members of congress, accused of criminal links with extreme right-wing paramilitaries. This was accompanied by the sacking and trial of senior armed forces officers linked to a string of murders of hundreds of young people living in poor areas who were subsequently claimed to have been guerrillas killed in combat. Despite the fact that the number of armed clashes between the army and the FARC and ELN fell in the main economic centres of the country, others broke out in peripheral rural areas.

Asia and the Pacific

a) South Asia

Afghanistan	
Start of conflict:	2001
Type:	System Internationalised internal
Main parties:	Government, international coalition (led by the USA), ISAF (NATO), Taliban militias, warlords

Intensity: 3
Trend: ↑

Summary:

The country has lived with almost uninterrupted armed conflict since the invasion by Soviet troops in 1979, beginning a civil war between the armed forces (with Soviet support) and anti-Communist, Islamist guerrillas (Mujahideen). The withdrawal of Soviet troops in 1989 and the rise of the Mujahideen to power in 1992 in a context of chaos and internal confrontations between the different anti-Communist factions led to the emergence of the Taliban movement, which, at the end of the nineties, controlled almost all Afghan territory. In November 2001, after the Al-Qaeda attacks of 11 September, the USA invaded the country and defeated the Taliban regime. After the signing of the Bonn agreements, an interim government was established, led by Hamid Karzai and subsequently ratified at the polls. Since 2006, there has been an escalation of violence in the country caused by the reformation of the Taliban militias.

The deaths of Afghan civilians in the first eight months of the year —1,445— already exceeded the figure for the whole of 2007, according to UNAMA. Meanwhile, by the end of the year **the total death toll —civilians and combatants— was over 5,400.** Suicide attacks by militias and USA bombing raids were mainly responsible for the high level of civilian mortality. Particularly serious were a suicide attack in February in Kandahar (south-east), with more than 100 deaths —the majority of them civilians— making it the most deadly since the beginning of the war; and a USA air attack in August on Herat (west), with 90 civilians killed, 60 of them children, according to UNAMA. Meanwhile, insurgent and counterinsurgent attacks continued throughout the year, increasing in summer and particularly fierce in the south and east. Outstanding among insurgent activities was the attack on a jail in Kandahar, freeing about a thousand prisoners. An increase in violence was also recorded in northern and western areas, normally less subject to conflict, and in the capital. **The international coalition suffered the most casualties since 2001, with 294 deaths.²¹ In November, the Taliban militias had a permanent presence in 72% of the country, compared to 54% at the end of 2007.²²** Alongside this, the Afghan government held talks with ex-Talibans.²³ In turn, the USA undertook a review of its strategy, with plans to increase the number of soldiers. Relations between Afghanistan and Pakistan deteriorated after the attack in July on the Indian embassy in Kabul, with 40 deaths and the Afghan government's accusation that the Pakistani intelligence service was behind the outrage.

India (Assam)	
Start of conflict:	1983
Type:	Self-government, Identity Internationalised internal
Main parties:	Government, ULFA, DHD, Black Widow, NDFB

21. Icasualties.org: Operation Enduring Freedom, in <<http://icasualties.org/OEF/Default.aspx>>. [consulted on 15.01.09]

22. International Council on Security and Development, *Struggle for Kabul: The Taliban Advance*, ICOS, 2008, in <http://www.icosgroup.net/modules/reports/struggle_for_kabul>.

23. See chapter 3 (Peace processes).

Intensity: 2
Trend: ↓

Summary:

The armed opposition group the ULFA emerged in 1979 with the aim of liberating the state of Assam from Indian colonisation and establishing a sovereign State. The demographic transformations the state underwent after the partition of the Indian subcontinent, with the arrival of two million people from Bangladesh, are the source of the demand from the population of ethnic Assamese origin for recognition of their cultural and civil rights and the establishment of an independent State. During the 1980s and 1990s there were various escalations of violence and failed attempts at negotiation. A peace process began in 2005, leading to a reduction in violence, but this process was interrupted in 2006, giving rise to a new escalation of the conflict. Meanwhile, during the eighties, armed groups of Bodo origin, such as the NDFB, emerged demanding recognition of their identity against the majority Assamese population.

There was a certain reduction in levels of violence in Assam, with an annual death toll of 360, compared to 437 the previous year.²⁴ Several units of the ULFA group declared ceasefires and asked for negotiations to begin, while the Government intensified operations against the rest of the group. Meanwhile, insurgent activities by other groups increased. From the beginning of the year, the government warned that there were Islamist armed groups active in Assam. In October, **13 almost simultaneous explosions in several towns in the state left 81 dead and about 300 injured.** Responsibility for the action was claimed by the Islamic Security Force of Indian Mujahideen (ISF-IM), which, according to the police was set up in 2000 in the Dhubri district to protect the interests of the Islamic minorities against armed Bodo groups. However, the prime minister of the State declared that the participation of the ULFA and NDFB in the attack had been proved, an accusation they both rejected. Meanwhile, in the North Cachar Hills, the armed Black Widow group, a splinter group of the DHD, carried out a campaign of violence against infrastructure projects. The police attributed to them the deaths of at least 50 people between January and June, the majority of them railway workers. Meanwhile, the state suffered the worst wave of violence between the Bodo and Muslim populations in 25 years, with an official balance of 55 dead and 111 injured in clashes that affected 54 towns and villages in the Udalguri and Darrang districts. The violence forced the displacement of 85,000 people.

India (Jammu and Kashmir)	
Start of conflict:	1989
Type:	Self-government, Identity Internationalised internal
Main parties:	Government, JKLF, Lashkar-e-Tayyeba, Hizb-ul-Mujahideen
Intensity:	2

Trend: ↑

Summary:

The armed conflict in the Indian state of Jammu and Kashmir has its origin in the dispute over the region of Kashmir, which has brought India and Pakistan into conflict since their independence and partition. On three occasions (1947-1948; 1965; 1971) the two countries have clashed in armed conflict, both claiming sovereignty over this region, which is divided between India, Pakistan and China. The armed conflict between India and Pakistan in 1947 gives rise to the current division and creation of a de facto border between the two countries. Since 1989, the armed conflict has moved to the interior of the state of Jammu and Kashmir, where a multitude of insurgent groups in favour of the full independence of the state or unconditional adherence to Pakistan confront the Indian security forces. Since the beginning of the peace process between India and Pakistan in 2004, the violence has reduced considerably, although the armed groups remain active.

Confrontations between the armed forces and armed Kashmiri groups, particularly near the Control Line, led to the deaths of more than 520 people. Since 2001, when more than 4,500 people died, a sustained reduction has been observed in the number of deaths and armed clashes. However, human rights organisations claimed that, as part of the counterinsurgency policy, the armed forces continue to commit continuous human rights violations and that between 8,000 and 10,000 people might have disappeared as a result of the armed conflict. Most important along these lines were the protests recorded in the city of Srinagar in the middle of the year after 1,000 unmarked graves were found which could, according to some sources, belong to members of armed opposition groups. **At the end of June, shortly after the government of Jammu and Kashmir assigned some land for a Hindu community pilgrimage, the strongest protests of the last 20 years were recorded.** The government imposed a curfew and deployed thousands of additional security force personnel to deal with the community confrontations, road-blocks and massive mobilisations of people, during which dozens of people died and many others were wounded or arrested, including senior independence movement leaders. In November, the state elections were held, achieving a higher turnout than in previous polls, despite the boycott by many political and armed organisations.

India (Manipur)	
Start of conflict:	1982
Type:	Self-government, Identity Internal
Main parties:	Government, PLA, UNLF, PREPAK, KNF, KNA, KYNL
Intensity:	2
Trend:	=

24. Figure provided by the SATP think tank. The mortality figures for the various conflicts in India, Pakistan and Sri Lanka have been drawn from the same source. At <<http://www.satp.org/default.asp>>.

Summary:

The armed conflict that sees the government confronting various armed groups operating in the state, as well as some of them confronting one another, has its origin in the independence demands of several of these groups, and in the tensions existing between the different ethnic groups coexisting in the state. In the 1960s and 1970s various armed groups emerged, some inspired by Communism and others of ethnic origin. These groups remained active throughout the subsequent decades. Meanwhile, the regional context, in a state bordering Nagaland, Assam and Myanmar, also marked the development of conflict in Manipur, and the tensions between Manipuri ethnic groups and the Naga population were constant. The economic impoverishment of the state and its isolation from the rest of the country have decisively contributed to the consolidation of a feeling of grievance among the population of Manipur.

Concerning insurgent violence, **the confrontations between armed groups and security forces continued, resulting in more than 440 deaths** by the end of the year. As well as a succession of attacks with few fatalities, there were attacks near the residence of the prime minister of Manipur, against the Parliamentary complex and against the residence of the health minister. The explosion of a car bomb in October in the state capital, Imphal, causing 14 deaths and injuring about thirty people, should also be highlighted. The authorities accused the PREPAK group, based in Myanmar, while the Military Council faction of the Kangleipak Communist Party (KCP) claimed responsibility for the explosion. Meanwhile, the security forces also announced in October that they had put an end to the ten-year presence of insurgents in the Dingpi area (on the Indian border with Myanmar). A second focus of violence, with armed groups confronting one another, remained active during the year, with periodic clashes between rival ethnic groups. Thirdly, **the harassment of the civilian population in the form of kidnapping, execution and extortion** by the armed groups continued. So, between April and June a total of 230 civil servants resigned from their jobs as a rejection of these forced payments. In addition, there were new incidents against Hindi-speaking immigrant workers, with two successive days of violence causing 12 deaths, for which no group claimed responsibility, while the police accused the KYKL. Finally, the coalition of 11 groups known as the Kuki National Organisation signed a peace agreement with the state government and the central executive.

India (Nagaland)	
Start of conflict:	1955
Type:	Self-government, Identity Internal
Main parties:	Government, NSCN-K, NSCN-IM
Intensity:	1

Trend: ↑

Summary:

The conflict affecting the state of Nagaland has its origins in the process of British decolonisation of India (1947), when a Naga movement emerged demanding the recognition of collective rights of this majoritarily Christian population against the Indian Hindu majority. The establishment of the NCC Naga organisation in 1946 marked the beginning of political demands for independence for the Naga people, which, throughout subsequent decades developed both in terms of content (independence for Nagaland or the creation of Greater Nagaland incorporating territories from neighbouring states inhabited by Nagas) and in forms of opposition, with the armed struggle beginning in 1955. In 1980, the armed opposition group the NSCN was set up as a result of disagreements with more moderate political sectors, and, eight years later it, in turn, split into two factions: Isaac-Muivah and Khaplang. Since 1997, the NSCN-IM has maintained a ceasefire agreement and negotiations with the Indian government, but, over the last few years, confrontations between the two factions have multiplied.

Throughout the year, armed confrontations were repeated **between the different Naga insurgent factions**, particularly between the NSCN-IM and the NSCN-K groups. Nagaland was one the three states in the north-eastern region of India most affected by armed violence, together with Assam and Manipur.²⁵ The **weak supervision of the ceasefire agreement in force in the state** was one of the factors contributing to the increase in violence. The figure for deaths during the year as a result of insurgent violence exceeded a hundred people. However, during the last few months of the year a slight reduction in violence was recorded. This reduction could be the result of different initiatives carried out by organisations from Naga civil society in an attempt to unify the different factions and groups confronting the State. On the other hand, government sources attributed this reduction in violence to the increase in military operations against the insurgency. However, **some organisations warned that the government's lack of sincerity in the peace process could lead to a new increase in violence.**²⁶

India (CPI-M)	
Start of conflict:	1967
Type:	System Internal
Main parties:	Government, CPI-M (Naxalites)
Intensity:	2
Trend:	↓

Summary:

The armed conflict in which the Indian government confronts the armed Maoist group the CPI-M (known as the Naxalites, in honour of the town where the movement was created) affects many states in India. The CPI-M emerged in West Bengal at the end of the sixties with demands relating to the erad-

25. See India (Assam) and India (Manipur) in this chapter.

26. See chapter 3 (Peace processes).

ication of the land ownership system, as well as strong criticism of the system of parliamentary democracy, which is considered as a colonial legacy. Since then, armed activity has been constant and it has been accompanied by the establishment of parallel systems of government in the areas under its control, which are basically rural ones. Military operations against this group, considered by the Indian government as terrorists, have been constant. In 2004, a negotiation process began which ended in failure.

Levels of violence reduced slightly throughout the year (585 deaths compared to 650 in 2007), although the conflict continued to cover a large part of India. An Interior Ministry report estimated that in 2008 only six Indian states were free of CPI-M actions: Himachal Pradesh, Arunachal Pradesh, Goa, Nagaland, Sikkim and Mizoram, while the number of clandestine members was estimated at 20,000, with 50,000 regular members and a support base of 100,000. The Naxalite insurgency was particularly active in the states of Orissa, Chhattisgarh, Jharkhand, Bihar and Andhra Pradesh, while it reduced in other areas. In Orissa, several hundred fighters attacked various police posts in February, killing 14 members of the security forces and civilians. Meanwhile, another 24 police officers died in an explosion in July and another 40 soldiers were killed in a CPI-M attack on a patrol boat with 60 soldiers. In Jharkhand, the Interior Ministry attributed the increase in violence to clashes between rebel factions rather than with the security forces. During the year, several extra-judicial executions of civilians accused by the insurgents of being informers for the security forces, were recorded, along with kidnappings and looting. The police arrested dozens of fighters, including local leaders, including one of the longest-serving commanders, Himadri Sen Roy. Meanwhile, the police accused the CPI-M of being behind the murder of a Hindu religious leader in Orissa, a killing which unleashed acts of violence between the Hindu and Christian populations, with at least 10 deaths and thousands of displaced persons.

Pakistan (Baluchistan)	
Start of conflict:	2005
Type:	Self-government, Resources Internal
Main parties:	Government, BLA, BRA and BLF
Intensity:	2
Trend:	↑

Summary:
Since the creation of the state of Pakistan in 1947, Baluchistan, the richest province in natural resources but with some of the highest rates of poverty in the country, has experienced four periods of armed violence (1948, 1958, 1963-69 and 1973-77) in which the insurgents have spelled out their objective of obtaining greater autonomy or even independence. In 2005, armed insurgency reappeared on the scene, basically attacking infrastructures linked to gas extraction. The armed opposition group BLA became the main force

opposing the presence of the central Government, which it accused of taking advantage of the wealth of the province without any of this coming back to the local population. As a consequence of the resurgence of the armed opposition, a military operation was begun in the province in 2005, causing displacement of the civilian population and armed confrontations.

Constant levels of violence were maintained throughout the year, at a higher level than the previous year. The death toll as a result of bomb attacks exceeded one hundred people, to which were added the casualties from the confrontations between the Baluchi insurgents and the security forces. The most serious took place in July, with a balance of 43 deaths, 33 of them insurgents, in the Dera Bugti district. According to some sources, the total number of people killed in the months of August, September and October was around 130, the majority of them civilians. The pattern since the reactivation of violence in 2005 of **numerous attacks against infrastructures, basically linked to gas extraction**, continued. After the February general election, the new central government announced a change of strategy to deal with the armed conflict, prioritising the political route over the military one, **although counterinsurgency operations continued**. However, in October the government announced a route map for resolving the conflict.²⁷ However, the announcement in September of the indefinite suspension of armed activities by the main armed opposition organisations BLA, BRA and BLF did not materialise, and the insurgents continued to carry out attacks during the last few months of the year.

Pakistan (north-west)	
Start of conflict:	2001
Type:	System Internationalised internal
Main parties:	Government, Taliban militias, tribal militias
Intensity:	3
Trend:	↑

Summary:
The armed conflict in the north-western area of the country emerged linked to the armed conflict in Afghanistan after the USA' bombings in 2001. The area includes the Federally Administered Tribal Areas (FATA), which had remained inaccessible to the Pakistani government until 2002, when the first military operations began in the area —and the North-West Frontier Province (NWFP). After the fall of the Taliban regime in Afghanistan at the end of 2001, members of the Taliban militias with alleged connections to Al-Qaeda, took refuge in this area, giving rise to large-scale military operations by the Pakistani armed forces (about 50,000 soldiers have been deployed) with USA support. The local population, largely from the Pashtun ethnic group, have been accused of providing support to the fighters from Afghanistan. Since the first operations in 2002, the violence has been increasing.

27. See chapter 3 (Peace processes).

Following intensive confrontations in January, particularly in Waziristan, and after several months of a certain reduction in violence linked to various ceasefires²⁸ and the orientation of the new Pakistani government,²⁹ the conflict deteriorated from the middle of the year onwards. New insurgent and counterinsurgency offensives in the FATA and the NWFP caused well over a thousand deaths. **The situation in the Bajaur agency (FATA), where an air and land counterinsurgency campaign begun in August by the army left an official death toll of 1,500 rebels, more than 90 civilians and about 70 soldiers by October and forced the displacement of 300,000 people, was particularly serious. The Khyber and Kurram agencies (FATA) and the Swat district (NWFP) were also greatly affected by violence. In Swat, more than 15,000 people were displaced and at least 200 died in the last few months of the year. Also there, since 2007 about 200 schools, the majority for girls, have been burned by Taliban militias. The civilian population of the whole north-west was also the victim of suicide attacks. In North and South Waziristan there were 750 casualties, including both Talibans and soldiers, during the year. Another factor causing instability were the air attacks by the USA from Afghanistan against Taliban positions, with dozens of deaths. Meanwhile, the violence between the Turi and Bangash tribes in Kurram caused the deaths of more than 400 people.** The violence in the north-west of the country was added to the instability in the rest of Pakistan, with more than 6,400 deaths of civilians, rebels and soldiers throughout the State in 2008.³⁰

The increase in violence in Sri Lanka following the end of the ceasefire caused the deaths of 10,500 people, more than double the figure for 2007

After the government formally abandoned the ceasefire agreement at the beginning of January, **the number of confrontations between the armed forces and the LTTE**—including many air and sea combats—increased dramatically. **According to some sources, this caused the displacement of at least 160,000 people and the deaths of another 10,500, a figure that doubles the death toll for 2007** and includes the deaths of more than 400 civilians. In addition, an unprecedented increase in the number of bomb attacks in public places was recorded, particularly in Colombo and other areas with a Sinhalese majority. The armed forces notably intensified their military operations, occupying many bastions of the LTTE and bombarding the group's strategic installations in the northern and eastern regions of the country, as well as stating that they were on the point of taking the LTTE's headquarters in Kilinochchi. The United Nations and other humanitarian organisations were obliged to close their headquarters after the government banned their presence in the northern regions of the country.³¹ The President, Mahinda Rajapaksa, rejected the LTTE's offers of a truce and declared on various occasions his determination to military defeat the LTTE in the near future, a statement strongly rebutted by the armed group. Meanwhile, the TMVP organisation, a splinter group of the LTTE under the leadership of Colonel Karuna and currently controlling the eastern province, announced its intention to disarm and for all or some of its 6,000 members to join the armed forces.

b) South-east Asia and Oceania

Sri Lanka (north-east)	
Start of conflict:	1983
Type:	Self-government, Identity Internal
Main parties:	Government, LTTE, TMVP (splinter faction of the LTTE led by Colonel Karuna)
Intensity:	3
Trend:	↑
Summary:	
In 1983, the armed Tamil independentist opposition group the LTTE began the armed conflict that has afflicted Sri Lanka for the past three decades. Following the decolonisation of the island in 1948, the growing marginalisation of the Tamil population by the government, largely consisting of Sinhalese elites, led the group to fight for the establishment of an independent Tamil state. Since 1983, each of the three phases in which the conflict has developed has ended with a failed peace process. In 2002, peace negotiations began once again with Norwegian mediation, following the signing of a ceasefire agreement. The failure of these talks led to a ferocious conflict escalation in 2006.	

Philippines (NPA)	
Start of conflict:	1969
Type:	System Internal
Main parties:	Government, NPA
Intensity:	1
Trend:	=
Summary:	
The NPA, the armed section of the Filipino Communist Party, began the armed struggle in 1969 and reached its peak in the 1980s under the dictatorship of Ferdinand Marcos. Although internal purges, the democratisation of the country and an amnesty to the NPA weakened its support and legitimacy at the beginning of the nineties, it is currently estimated that it is operational in most of the provinces of the country. After the attacks of 11 September 2001, its inclusion in the list of terrorist organisations by the USA and EU enormously eroded trust between the parties and was the main cause of the interruption of peace talks with Gloria Macapagal Arroyo's government. The NPA, whose main aim is access to power and the transformation of the political system and socio-economic model, has as political references the Philippines' Communist Party and the National Democratic Front (NDF), which brings together several Communist-inspired organisations.	

28. See chapter 3 (Peace processes).

29. See chapter 2 (Tensions).

30. SATP, at <<http://www.satp.org/satporgtp/countries/pakistan/database/casualties.htm>>.

31. See chapter 5 (Humanitarian crises).

On several occasions the government reaffirmed its commitment to defeat the NPA militarily by 2010, but it also recognised that counterinsurgency operations had not produced the expected results and that the number of NPA camps and fronts dismantled was less than expected. It also admitted that, during the year, the NPA reinforced its presence in urban areas to recruit new members, as it had done before, in the eighties, and that it substantially increased its attacks against telecommunications installations, mining companies and farms. Along these lines, the Government announced its intention to form militias and private security units to protect the mining sector, which has become one of the main pillars of the economy since they were opened up to foreign investment. Despite this, **the armed forces declared that the NPA currently has 5,500 members, the lowest figure in its history.** The armed group denied this figure, claiming that not only was it operating in 80% of the territory but that it was also defeating the armed forces in several parts of the Philippines, such as Southern Mindanao, Eastern and Western Visayas and Ilocos-Cordillera. Trust between the parties was eroded by the constant confrontations throughout the country, by the blockage of the peace negotiations, by the failure of the informal meeting in Oslo at the end of November, and by the NPA's rejection of all government offers of amnesty and ceasefire³² and by accusations from Manila that the NPA was massively recruiting children and attacking the civilian population (according to the government, 94 of the 104 people killed in different NPA attacks during the year were civilians).

The suspension of a peace agreement led to the most important spiral of violence of the last few years and generated fears of a new high-intensity war in the southern Philippines

The conflict brought the most important spiral of violence in the last few years and generated fears over a new, high-intensity war on Mindanao. The blockage of the peace negotiations at the end of 2007 led to the whole first half of the year being marked by sporadic confrontations between the parties and mutual accusations of ceasefire violations and illegal troop movements. However, **the most important outbreak of violence occurred shortly after the Supreme Court suspended the signing of the agreement concerning the ancestral territories of the Moro people at the beginning of August**, a few hours before it was to be ratified. In the previous few days there had been many protests instigated by local politicians from communities that feared being included in the Bangsamoro Legal Entity. In the three months following the failed peace agreement, the confrontations between the MILF and the armed forces and the attacks by the former on some communities led to the deaths of 300 people and the displacement of another 530,000. In addition, at least another hundred people died because of the precarious conditions in the evacuation centres where tens of thousands of people lived. At the end of the year, the climate of trust between the parties deteriorated once again

because of the withdrawal of Malaysia from the International Monitoring Team —an international team that has supervised the ceasefire since 2003. Other factors included the continuing confrontations in various parts of Mindanao and the government's accusations against certain factions of MILF (lead by Umbra Kato and Kumander Bravo) of attacks against civilian population and collaboration with Abu Sayyaf.

Philippines (Mindanao-MILF)

Start of conflict:	1978
Type:	Self-government, Identity Internal
Main parties:	Government, MILF
Intensity:	2
Trend:	↑

Summary:

The armed conflict on Mindanao goes back to the end of the 1960s, when Nur Misuari founded the MNLF to demand self-determination for the Moro people, a set of Islamised ethnolinguistic groups politically organised into independent sultanates since the 15th century. For strategic, ideological and leadership reasons, the MILF split from the MNLF at the end of the seventies and has carried on the armed struggle down to the present day. Meanwhile, the MNLF signed a peace agreement in 1996 establishing a degree of autonomy for the areas of Mindanao with Muslim majorities (Autonomous Region of Muslim Mindanao). It is currently estimated that the MILF has about 12,000 members, despite the fact that in 2003 it signed a ceasefire (supervised by an international mission) and that in recent years several rounds of negotiations have been held with the government, facilitated by Malaysia and focused on the ancestral territories of the Moro people.

Philippines (Mindanao-Abu Sayyaf)

Start of conflict:	1991
Type:	Self-government, Identity, System Internationalised internal
Main parties:	Government, Abu Sayyaf
Intensity:	1
Trend:	=

Summary:

The Abu Sayyaf group has been fighting to establish an independent Islamic state in the Sulu archipelago and the western regions of Mindanao (south) since the 1990s. Although it initially recruited disaffected members from other armed groups, like the MILF or the MNLF, it subsequently moved away ideologically from both these organisations and became increasingly involved in systematic kidnappings, extortion, decapitation and bomb attacks, which earned it a place on the USA and EU lists of terrorist organisations. The Filipino government also accuses it of maintaining links with organisations considered as terrorists, such as Al-Qaeda or Jemaah Islamiyah. According to the government, its counter-insurgency strategy, which enjoys the military support of the USA, has resulted in the deaths, in 1998 and 2006, of the leaders of Abu Sayyaf (the Janjalani brothers) and a notable reduction in the group's military capacity.

32. See chapter 3 (Peace processes).

The armed forces declared that both the offensive begun in 2006 (called Oplan Ultimatum) and this year's military actions against the group considerably damaged its military capacity, neutralised a good part of its leadership and reduced its international sources of logistics and economic support. Most important were an attack in April against one of the group's camps, in which around 200 people may have died or been wounded, and the stepping up of the army's offensive at the end of the year on the islands of Basilan and Jolo, in which several dozen people died. According to Manila, Abu Sayyaf currently has about 360 members (a few years ago it was estimated to have more than 1,000) with very fragmented units and without clear leadership (during the year, some of the main leaders of the group, such as Ahmad Edris and Abu Salomo, died or were arrested). In addition, its growing use of extortion and kidnapping—more than 30 people were kidnapped in 2008—to compensate for the loss of foreign finance increased its ideological isolation and gradual rejection by the population. Despite this, the government recognised that the group continues to maintain its capacity to weave alliances with other armed organisations, such as Jemaah Islamiyah or the MNLF, in order to carry out joint attacks. Meanwhile, at the end of the year, the USA's ambassador in the Philippines stated that the new USA administration will not withdraw its troops from the south of the country, where they have been helping the Filipino army to fight terrorism for several years.

Myanmar	
Start of conflict:	1948
Type:	Self-government, Identity Internal
Main parties:	Government, armed groups (KNU/KNLA, SSA-S, KNPP, UWSA, CNF, ALP, DKBA, KNPLAC, SSNPLO)
Intensity:	1
Trend:	↓

Summary:

Since 1948, dozens of armed insurgent groups of ethnic origin have confronted the government of Myanmar, demanding recognition of their particular ethnic and cultural features and calling for reforms in the territorial structure of the State or simply for independence. Since the start of the military dictatorship in 1962, the armed forces have been fighting armed groups in the ethnic states. These groups combined demands for self-determination for minorities with calls for democratisation shared with the political opposition. In 1988, the government began a process of ceasefire agreements with some of the insurgent groups, allowing them to pursue their economic activities (basically trafficking in drugs and precious stones). However, the military operations have been constant during these decades, particularly directed against the civil population in order to do away with the armed groups' bases, leading to the displacement of thousands of people.

Despite the fact that the lack of humanitarian organisations and independent journalistic sources on the ground restricts information about the conflict, it is estimated that the number of fatalities was lower than last year. This was particularly true in the two states—Karen and Shan—which have had the highest rates

of violence over the last few years. However, Amnesty International reported that the armed forces were committing crimes against humanity during the military offensive begun in 2006 in the Karen state and in the east of Pegu Division (centre), forcibly displacing 150,000 people. For example, the confrontations in these regions between the KNU and the armed forces and its ally the DKBA (a KNU splinter group) led to massive population displacement. At the beginning of the year, the Military Junta accused the KNU of having orchestrated simultaneous attacks on railway stations at Napydaw, Rangoon, Pyibonegy and Mandalay. In September it once again accused the KNU of exploding two devices in the Pegu Division. The KNU denied all the charges and, at the same time, accused the army of having assassinated its leader, Mahn Sha, who had been living in Thailand, in February. The death in May from natural causes of the founder and chairman of the KNU, Saw Bha Thin Sein, led to the appointment of a new board which showed itself to be prepared to negotiate if the government withdrew its troops from the Karen state and freed political prisoners. In the Shan state, sporadic confrontations were recorded between the armed opposition group SSA-S and the armed forces and pro-government militias. Finally, it should be pointed out that the Military Junta pushed the different groups with which it had signed ceasefire agreements in recent years (such as the NMSP, DKBA, KPF, UWSA and PNO) to hand over their weapons and constitute themselves into political parties to stand in the elections planned for 2010.

Thailand (south)	
Start of conflict:	2004
Type:	Self-government, Identity Internal
Main parties:	Government, opposition secessionist armed groups
Intensity:	2
Trend:	↓

Summary:

The conflict in southern Thailand goes back to the beginning of the 20th century, when the then Kingdom of Siam and the British colonial power on the Malay peninsula decided to partition the Sultanate of Patani, with some territories coming under the sovereignty of modern Malaysia and others (the northern provinces of Songkhla, Yala, Patani and Narathiwat) falling under Thai sovereignty. Throughout the 20th century there were groups that fought to resist the political, cultural and religious homogenisation policies promoted by Bangkok or to demand the independence of these provinces, which have a Malay-Muslim majority. The conflict reached its peak in the 1960s and 1970s and eased in the following decades thanks to the democratisation of the country. However, the arrival in power of Thaksin Shinawatra in 2001 led to a drastic shift in counterinsurgency policy and resulted in the outbreak of the violence the region has suffered from since 2004.

The police stated that the number of attacks reduced by half compared to 2007, although also admitted that the actions by armed groups, especially the remote detonation of explosive devices, killed more people than in previous years. During 2008, according to official

sources, more than 600 people were murdered, bringing the death toll since the beginning of 2004 to 3,500 people dead and another 8,000 injured, mainly civilians. The armed forces indicated that the reduction in rates of violence was largely due to greater cooperation from the civilian population and to the greater effectiveness of its counterinsurgency strategy: more than 9,200 people are awaiting trial for alleged insurgent activities. However, some analysts attribute the reduction to the talks between some armed organisations and the government.³³ Despite the fact that responsibility is rarely claimed for violent episodes, the secessionist armed groups continue to have notable military capability, as demonstrated by the simultaneous attacks in Songkhla (August) and Narathiwat (October) or the attacks against schools and teachers (since the beginning of 2004, more than 300 schools have been set on fire and about 130 teachers murdered). In this sense, the armed forces indicated that the insurgency is well organised and structured into five main groups with different tasks (training, recruitment, infiltration into administrative structures, instigation of protests, etc.). BRN-Coordinate is the umbrella organisation and Runda Kumpulan Kecil (RKK), with between 3,000 and 3,500 active members, is the main military branch. Meanwhile, **human rights organisations criticised human rights violations by the armed forces under cover of the state of emergency that has been operating in the region for many years** and the growing use of self-defence militias in counterinsurgency tasks.

Europe

Georgia-Russia	
Start of conflict:	2008
Type:	Self-government, Identity International
Main parties:	Georgia, Russia, government of the self-proclaimed government of Republic of Abkhazia, government of the self-proclaimed Republic of South Ossetia
Intensity:	2
Trend:	End
Summary:	Since the break-up of the USSR and the independence of Georgia (1991), relations between Russia and Georgia have been tense. This is largely because Georgia has moved closer to Western military and political institutions (NATO and the EU) and due to its position as an ally of the USA against Russia's interest in preserving its sphere of influence. In addition, the wars in South Ossetia (1991-1992) and Abkhazia (1992-1994), in which Moscow played an ambiguous role, have marked subsequent bilateral relations. Georgia always considered Russia as a direct agent in the conflict, while Russia defined itself as a mediating agent and refused to alter its preponderant role in the negotiation framework and the peace-keeping forces. Tension escalated in September 2006 and

was aggravated in the first half of 2008 in the two secessionist regions, until it resulted in armed conflict. Some important issues of the conflict are also the eastward expansion of NATO, the resurgence of Russia as an international power and the struggle for power over energy in Eurasia.

The increase in regional tension in the second half of the year resulted, in early August, in an escalation of violence in South Ossetia.³⁴ Despite a unilateral ceasefire declaration by Georgia on 7 August, boycotted by Ossetia, **the Georgian army launched a large-scale military offensive against the Ossetian capital. Russia responded with an immediate, massive military intervention, which gave rise to an international war lasting several days.** By the time Georgia announced its withdrawal from South Ossetia on 11 August, the Russian army had already entered Georgia. Alongside this, Russia supported Abkhazian forces in taking the Kodori Gorge and it deployed from Abkhazia into other areas of Georgia. In its offensive, **the Russian army occupied military bases and systematically destroyed military and civil infrastructures, blocking the country's main east-west road.** A ceasefire agreement on 12 August, mediated by France,³⁵ marked the end of large-scale hostilities and began the Russian withdrawal, although it extended its presence in the areas adjacent to Abkhazia and South Ossetia, where there were abuses against civilians by secessionist militias. Georgia counted 326 Georgians dead (155 civilians) and Russia 133 Ossetian fatalities, while the ACNUR estimated the number of displaced persons at 192,000,³⁶ including the majority of Georgians from South Ossetia. A new agreement in September gave rise in October to an almost total Russian withdrawal to Abkhazia and South Ossetia. Russia maintained 3,800-strong forces in each territory and blocked access by the EU mission.

Russia (Chechnya)	
Start of conflict:	1999
Type:	Self-government, Identity, System Internal
Main parties:	Russian federal government, government of the republic of Chechnya, armed opposition groups
Intensity:	1
Trend:	=
Summary:	After the so-called Chechen War (1994-1996), which brought the Russian Federation into conflict with the Chechen republic, largely over the latter's independence (self-declared in 1991 in the context of the break-up of the USSR) and which ended in a peace treaty that did not resolve the status of Chechnya, the conflict reopened in 1999, in the so-called Second Chechen War, sparked by incursions by Chechen rebels into Dagestan and attacks in Russian cities. In a pre-electoral context and with an anti-terrorist discourse, the Russian army entered Chechnya once again in order to fight the moderate independentist regime that had emerged after

33. See chapter 3 (Peace processes).

34. See chapter 2 (Tensions).

35. See chapter 3 (Peace processes).

36. See chapter 5 (Humanitarian crises).

Box 1.1. The Russian-Georgian conflict and Russian motives for making war

In just a few days —the time open warfare lasted between Georgia and Russia— South Ossetia moved from being a region forgotten by the international community and marginal for the international conflict resolution machinery to become a world press headline mobilising the top Western diplomatic services. The identity-related aspirations and grievances based on a small territory measuring just 3,900 km², and with 70,000 inhabitants, including Georgian, Ossetian and some mixed villages, was just one driving force in the conflict. Other factors were more important, both for the open war between Georgia and Russia and for the mobilisation of European governments and media machines. The fact is that the southern Caucasus, beyond being a crossroads of cultures, ethnic groups and traditions, is also a key geostrategic area, located on the southern borders of Russia and an area still confined by the process of post-Cold War realignment. Because of this, the motivations and views of the August war go far beyond standard arguments concerning the ethno-nationalist conflict in South Ossetia and Russian claims to protect fellow citizens,³⁷ particularly concerning Russia's role.

The aspirations of the Georgian government, in the hands of President Mikhail Saakashvili, to recover South Ossetia by force were cut short in the face of the great military offensive launched by Russia, which went beyond the administrative borders of the secessionist region. There were various Russian reasons for what the majority of analysts considered a disproportionate reaction to Georgian military unilateralism, and these can be considered as messages: a) a warning to the ex-Soviet republics, particularly Georgia and Ukraine, to reconsider their distancing from Russia and their move towards the Euro-Atlantic political and defensive structures (NATO, EU), while at the same time demonstrating the lack of direct action by these western organisations in support of those countries; b) alongside this, a warning to NATO about its policy of eastward expansion, that is, expansion towards the Russian sphere of influence; c) an injection of national, political and military national reaffirmation, with an eye on Russian public opinion in the context of absolute State media control; d) a reminder to the international community, especially the western powers, that Russia's new international policy includes playing an outstanding and influential role in international relations, and that it will not accept snubs such as USA' unilateralism over the status of Kosovo; and, among others, e) a warning and demonstration of vulnerability surrounding schemes for transporting hydrocarbons other than those passing through Russia.³⁸

Although the conflict has renewed fears over a new Cold War in some political and media offices —joining other focuses of suspicion, such as that created around the anti-missile shield—³⁹ with the consequent headlines of confrontation between the West and Russia, the economic interdependence between the two is so great as to indicate that Russia will not so much seek to revive the old antagonism as to strengthen itself within the exclusive circle of great powers. Far from resolving the basic conflict in South Ossetia (that of the identity-related aspirations of Georgians and Ossetians), it is probable that a new situation will come to be accepted —an unresolved conflict transformed in accordance with balances of interests and foreign powers. However, Russia's ultimate aims and room for manoeuvre, and the international response to these, have yet to be seen. Because of all this, with this new war, one of the big loses, together with the civilian population on both sides, is once again the sphere of resolution of conflicts, while the powers that still consider war as a valid extension of politics gain ground.

the first war and which was itself afflicted by internal disputes and rising crime. Russia considered the war over in 2001, with no agreement or definitive victory, and produced a statute of autonomy and a pro-Russian Chechen administration. However, confrontations persist, alongside a growing Islamisation of the Chechen rebel ranks and a regionalisation of the armed struggle.

Rebel attacks and low-intensity violence between armed groups and federal and local security forces continued, with a limited **but constant trickle of fatalities**. The insurgent attacks, which covered the entire south-eastern area of the republic, were extended towards the east after the middle of the year, according to some analysts. Among the important insurgent actions was a rebel attack in the Urus-Martanovsky district, with nine

37. The majority of the Ossetian population in South Ossetia have Russian passports and the Russian government increasingly often refers to them as "Russian citizens". Georgia has repeatedly denounced what it considers to be a Russian attempt to annex the territories of South Ossetia and Abkhazia via "passportisation". International Crisis Group, *Georgia's South Ossetia Conflict: Make Haste Slowly*, Europe Report no. 183, ICG, 7 June 2007, in <<http://www.crisisgroup.org/home/index.cfm?id=4887&l=4>>; BBC, *Regions and territories: South Ossetia*, in <http://news.bbc.co.uk/2/hi/europe/country_profiles/3797729.stm>[consulted 25.09.08]; García Guitián, E., *Georgia, 7 de agosto de 2008: la crisis en su contexto*, Real Instituto Elcano, 27 August 2008. Russia, in turn, based itself on the supposed Russian citizenship of the population of South Ossetia to invoke the international principle of the Responsibility. According to several experts, this use of the principle was incorrect. Evans, G. "Russia and the responsibility to protect", *Los Angeles Times*, 31 August 2008; International Crisis Group, *Russia vs Georgia: The fallout*, Europe Report no. 195, ICG, 22 August 2008, at <<http://www.crisisgroup.org/home/index.cfm?id=5636&l=4>>.

38. International Crisis Group, 2008, Op. Cit.; Boonstra, J., *Georgia y Rusia: Una guerra corta con consecuencias prolongadas*, FRIDE September 2008; De Waal, T., *South Ossetia: An avoidable catastrophe*, Institute for War and Peace Reporting, 11 August 2008; Blank, S., "Russia, Georgia and South Ossetia: Notes on a war", *Central Asia-Caucasus Institute Analyst*, Central Asia-Caucasus Institute & Silk Road Studies Program, 20 August 2008; Hancilova, B. and Frichova, M., "Russia's invasion of Georgia: Bleak prospects for the South Caucasus", *Central Asia-Caucasus Institute Analyst*, Central Asia-Caucasus Institute & Silk Road Studies Program, 20 August 2008; Pannier, B., *Russia-Georgia conflict raises concerns about Caspian energy exports*, RFE/RL, 13 August 2008; Illarionov, A., *Preliminary conclusions from the war in Georgia*, RFE/RL, 12 August 2008; Kimmage, D., *Russian 'Hard Power' Changes Balance in Caucasus*, RFE/RL, 17 August 2008; Nemtsov, B. and Milov, V., "Putin and Gazprom", *Novaya Gazeta*, 2 September 2008; Lipsky, A., "We want peace. Or maybe we want half the world?", *Novaya Gazeta*, 3 September 2008.

39. See chapter 6 (Disarmament).

fatalities. Federal and local authorities admitted there was still a flow of young Chechens joining the rebel ranks. The Russian NGO Memorial counted 33 insurgents dead and 70 injured in its observation areas in the republic, between June and August, the months with the highest rates of violence. The same organisation detected an **increase in the number of kidnappings in the period following May, altering the falling trend of the last few years in this practice**. It also warned of the burning of the homes of families of alleged rebels by the authorities as a new counterinsurgency method of the Chechen regime. At least 17 houses were burned during the summer months. To insurgent violence was added the power struggle between forces loyal to the Chechen president, Ramzan Kadyrov, and the Vostock battalion, led by Commander Sulim Yamadaev and integrated into the chain of federal command. Confrontations between the two sides caused 18 deaths in April, while Kadyrov finally managed to have the battalion disbanded by the Russian army at the end of the year.

Selective attacks against high-ranking members of the political, judicial and security structures of the republic of Ingushetia increased

as the vice-president of the Supreme Court and the number two in the federal security forces in Ingushetia. Quite large rebel ambushes were recorded in the middle of the year in Nazran, Muzhichi and Yandare, and, in the locality of Ordzhonikidzevskhaya, at least 10 civilians and a policeman were kidnapped. Civilians were increasingly victims of human rights violations. **A Parliamentary committee warned of the illegal actions committed by security forces as part of the fight against terrorism**. The death in police custody in August of Magomed Yevloyev, owner of a news portal opposing the regime, was seen as a new turning point for civilian activists. Throughout the year, **abuses by the authorities, corruption and power struggles increased social and political tension** between the government of the president, Murat Zyazikov, and opposition sectors, including various clans, which demanded Zyazikov's resignation. At the end of October, the Russian president sacked Zyazikov and, in his place, appointed General Yunus-Bek Yevkurov, who promised to investigate the human rights violations and to combat corruption.

Russia (Ingushetia)	
Start of conflict:	2008
Type:	System Internal
Main parties:	Russian federal government, government of the republic of Ingushetia, armed opposition groups (Jamaat Ingush)
Intensity:	1
Trend:	↑

Summary:

The low-level violence experienced in Ingushetia since the beginning of the 21st century sees the local and federal security forces confronting a network of armed Islamist cells known as the Jamaat Ingush and forming part of the Caucasus Front (movement bringing together the various insurgents in the northern Caucasus). With origins going back to the participation of Ingush fighters in the first Chechen War (1994-1996), since 2002 Ingush insurgency has been restructured on territorial lines, promoting a campaign of local violence. Without the nationalist impulse of Chechnya, it pursues the establishment of an Islamic state in the Caucasus. The beginning of violence in Ingushetia occurred alongside the presidency in the republic of Murat Zyazikov, whose period in power (2002-2008) is said to have been responsible for problems of human rights violations, corruption, poverty, social and political tension and a climate of lack of governance. The Ingush insurgents periodically attack military and civilian personnel belonging to the Russian and local state machinery. 2008 marked an increase in violence and tension.

Selective attacks against high-ranking members of the political, judicial and security structures of the republic of Ingushetia increased, together with clashes between insurgents and local and federal security services. Dozens of people were killed and a similar number were injured. The president, prime minister and interior minister suffered several attacks from which they escaped unhurt. Those killed included outstanding figures such

Turkey (south-east)	
Start of conflict:	1984
Type:	Self-government, Identity Internationalised internal
Main parties:	Government, PKK, TAK
Intensity:	2
Trend:	↑

Summary:

In 1984, the PKK, set up in 1978 as a Marxist-Leninist political party led by Abdullah Öcalan, announced an armed offensive against the government, starting a campaign of military insurgency to demand independence for Kurdistan. This drew a strong response from the government in defence of its territorial integrity. The resulting war between the PKK and the government particularly affected the Kurdish civilian population in south-eastern Turkey, trapped in the crossfire and victim of persecutions and forcible evacuation campaigns carried out by the government. The conflict took a new turn in 1999, with the arrest of Öcalan and the subsequent announcement that the PKK was giving up the armed struggle and transforming its objectives, abandoning its demand for independence to focus on claiming recognition of the Kurdish identity within Turkey. With Turkey's anti-terrorist discourse and the PKK claiming self-defence, the conflict remained alive in the form of tension in subsequent years and escalated in 2007.

The wave of aerial offensives by the Turkish army, relaunched at the end of 2007, culminated in February in an eight-day cross-border land operation, with an official balance of 240 PKK casualties and 24 soldiers dead (100 according to the PKK) and about ten from the armed group. According to the Turkish army, in the first nine months of the year 408 Kurdish rebels died in Iraq. In October, shortly after the PKK's most serious attack of the year against the army on Turkish territory (17 soldiers killed, according to the army, in an ambush against a military post in Hakkari province), the Turkish parliament extended authorisation for

attacking the group in Iraq for another year. This was followed by new aerial offensives. **Within Turkey, the situation also deteriorated, with more than a hundred deaths. 2008 saw the most casualties of recent years for the army**, with 178 in the first six months alone (compared to 114 in 2007). Several attacks **in cities should also be highlighted**: a double attack in Istanbul in July, with 17 dead and 150 injured, initially attributed to the PKK; a PKK attack in Diyarbakir in January, with seven deaths, including five students, and 70 injured, and two explosions in Mersin and Izmir, for which responsibility was claimed by the Kurdish group the TAK, with 29 wounded. Meanwhile, the PKK kidnapped and released eight tourists and claimed responsibility for sabotaging oil pipelines. Moreover, factors involving political and social tension added further instability. This was the result of legal action against the governing AKP party, the pro-Kurdish DTP and the ultra-nationalist network Ergenekon, as well as Kurdish protests in the south-east.

Middle East

Iraq	
Start of conflict:	2003
Type:	System, Government, Resources Internationalised internal
Main parties:	Government, international coalition led by the USA/United Kingdom, internal and external armed opposition groups
Intensity:	3
Trend:	↓

Summary:

The invasion of Iraq by the international coalition led by the USA in March 2003, using the supposed presence of weapons of mass destruction as an argument in order to overthrow Saddam Hussein's regime because of his alleged link to the attacks of 11 September 2001 in New York, led to the beginning of a new armed conflict. Many agents gradually became involved in the violence, including international troops, the Iraqi armed forces, militias and insurgent groups and Al-Qaeda, among others. The new division of power between Sunnite, Shiite and Kurdish groups within the institutional framework established following the overthrow of Hussein led to discontent among many sectors. Violence has increased, with the armed opposition against the international presence in the country superimposed on the internal struggle for the control of power. This has shown a marked sectarian component since February 2006, largely involving Shiites and Sunnites.

The country continued to show high levels of violence despite the general reduction compared to previous year, with the continuous trickle of suicide attacks and explosions throughout the region, principally affecting the province of Nineveh (north) and its capital, Mosul. Particularly serious were the attacks against the Chris-

tian community which, in mid-October, led to the displacement of thousands of people amid accusations against the Kurdish security forces for not preventing it and an unusual condemnation from Al-Qaeda, which denied all responsibility. Meanwhile, **at the end of March and weeks after the renewal of the ceasefire by the Al-Mahdi of the Shiite cleric Moqtada al-Sadr, the Iraqi army began a large-scale operation, with American and British aid, against Shiite militias** in Basora and later in Bagdad. In three weeks, more than 1,000 people died and more than 2,000 were wounded, most of them civilians. In August, Al-Sadr announced the conversion of his militia into a social movement and the creation of an elite unit that would continue to fight USA' troops. Political tension throughout the year revolved around two issues: voting on the electoral law for the provincial elections, finally postponed until January 2009 and with the Kirkurk area excluded; and the negotiation of an agreement on the status of the USA troops, which includes their withdrawal before the end of 2011.

Israel – Palestine

Start of conflict:	2000
Type:	Self-government, Identity, Territory International ⁴⁰
Main parties:	Israeli government, colonists' militias, ANP, Fatah (Brigades of the Martyrs of Al Aqsa), Hamas (Ezzedin al Qassam Brigades), Islamic Jihad, FPLP, FDLP, Popular Resistance Committees
Intensity:	3
Trend:	↑

Summary:

The conflict between Israel and the various Palestinian agents began again in 2000, with the outbreak of the 2nd Intifada brought about by the failure of the peace process promoted at the beginning of the 1990s (Oslo Process, 1993-1994). The Israeli-Palestinian conflict emerged in 1947, when the UN Security Council resolution 181 divided the territory of Palestine under British mandate into two States. Shortly afterwards, the State of Israel was proclaimed (1948) but, to date, no Palestinian State has ever materialised. After the 1948-49 war, Israel annexed West Jerusalem, and Egypt and Jordan controlled Gaza and the West Bank respectively. In 1967, Israel occupied East Jerusalem, the West Bank and Gaza, after defeating the Arab countries in the "Six-Day War". It would not be until the Oslo agreements that the autonomy of the Palestinian territories would be formally recognised, although their implementation would be impeded by military occupation and by the control of the territory imposed by Israel.

The fierce Israeli offensive against the Gaza Strip beginning on 27 December followed the end of the truce between Hamas and Israel and led to the deaths of hundreds of Palestinians. This figure reached a thousand in the first few days of 2009, as well as several

40. Although "Palestine" (whose Palestinian National Authority is a political entity linked to a particular population and a territory) is not an internationally recognised state, the conflict between Israel and Palestine is considered as "international" and not "internal" because it involves an illegally occupied territory whose supposed ownership by Israel is not recognised by International Law or by any United Nations resolution.

thousand injured. United Nations' sources indicated that about a third of the victims were women and children, and various international organisations warned of the seriousness of the humanitarian situation, while they denounced violations of International Humanitarian Law by Israel. After the end of the truce on 19 December, Hamas declared it would not renew the agreement due to Israel's breach of the agreement by attacking its militia men in an incident in November, as well as its maintenance of an iron blockade of the territory during this period. The Israeli authorities indicated

that the aim of the military operation was to stop the launching of rockets from the Strip. In the first few days of the offensive, these caused the deaths of three Israelis. During the first half of 2008, the violence also claimed many victims, above all in Gaza, where, in February, another large-scale attack by the Israeli army caused the deaths of 125 Palestinians in five days. A few days later, there was a suicide attack in Negev whose responsibility was claimed by Hamas. A dozen Israelis died in Jerusalem in other isolated incidents throughout 2008.

Box 1.2. Israel – Palestine: scenarios for escaping a war economy

The Israeli-Palestinian conflict has continued to be fully active for several decades, causing death and violence every day, as the serious events in Gaza at the end of the year and systematic violations of the human rights of the Palestinian population in the context of the Israeli occupation have demonstrated. Meanwhile, a negotiation process continues without advances. In this context it is relevant to look at the "war economy" within Israel and to different analyses of the economic effects of the conflict. On this issue, two broad conclusions can be drawn: firstly, Israel as a whole is losing from the occupation; secondly, there are sectors within Israel which are benefiting from it. The issue raised is: are the benefits sufficiently great or the beneficiaries sufficiently powerful for this to be a disincentive for peace? And the most important question is: would eliminating these benefits and/or a solution based on the achievement of two States (a solution which is on the table in the negotiating process) mean the end of the occupation? Or could other sufficiently attractive benefits be generated to promote a change towards peace?

To begin with, in economic terms, Israel and the Israelis are "losing" with the occupation because of the need to set aside a considerable share of public spending for areas such as the army, weapons or the construction of settlements. This leads the country to divert investment in other sectors that would improve welfare for the population. So, Israel appears among a dozen countries, including Cambodia and Ethiopia, that set aside a higher percentage of their budget for military spending than for health and education.⁴¹ But, who within Israel gains from the occupation? There are three broad groups of beneficiaries. Firstly, a good portion of the settlers (approximately 10% of the population), who receive considerable subsidies, have better education and health services than other Israelis and pay lower taxes. Secondly, the military industry, which, with the conflict, has achieved considerable income and which has also used its specialisation in the "fight against terrorism" to increase its sales abroad, above all since 11 September 2001. Finally, Israeli companies which, in the last few decades, have benefited from the phenomenon known as the "captive market". This has seen Israel exporting some of its products and services to Palestine as part of an active policy of limiting the development of the Palestinian economy. So, Israel is the main supplier for Palestine in crucial sectors such as basic foods (flour, rice and sugar) and essential infrastructures (electricity, oil, gas, cement, a good part of its water and also the telecommunications sector). The paradox even occurs that a good part of the international aid aimed at the Palestinian population is purchased in Israel, leading to the calculation that for every dollar of aid, almost half is received by Israel. It must be pointed out that Palestinian dependence on Israel is translated into the continually-used capacity to block the supplies of essential products. The case of Gaza in 2008 is a paradigmatic example of this.

In order to deal with the issues raised, it is relevant to assess the economic gains and losses from the creation of a future Palestinian State. Firstly, on the side of the positive effects of the possible new scenario for those who until now have gained economically from the occupation or for those who could begin to do so with the new situation, it must be borne in mind that the creation of a Palestinian State would bring with it economic growth, which would ultimately benefit Israel. According to a study carried out,⁴² this would make it possible to increase the Palestinian demand for certain Israeli products (for example, electricity) and it need not lead to an interruption in business relationships between the two "entities" for other products, such as cement or fuel.⁴³ Concerning the above idea, it should be pointed out that the outbreak of the 2nd Intifada in 2000 and the sharp fall in the levels of development in the occupied territories have also had a negative effect on Israeli sectors that have seen the purchasing power of their "partner" notably reduced. From among other sectors broadly favoured by the particular features of the occupation, such as the construction of homes, it must be pointed out that the construction would have gone on anyway in an unoccupied territory. With respect to the building of the wall, it must be added that this has been an isolated element of expenditure.

41. Escola de Cultura de Pau, *Alerta 2007! Report on conflicts, human rights and the construction of peace*, Icaria, Barcelona, 2007, in <<http://www.escolapau.org>>.

42. Swirski, S., *Is there an Israeli Business Peace Disincentive?*, Adva Center – Information on Equality and Social Justice in Israel, Israel, 2008 <[http://www.adva.org/UserFiles/File/aa-Is%20there%20an%20Israeli%20Business%20Peace%20Disincentive_final\(1\).pdf](http://www.adva.org/UserFiles/File/aa-Is%20there%20an%20Israeli%20Business%20Peace%20Disincentive_final(1).pdf)>.

43. For more information, see Arnon, A. and Bamyá, S. (eds), *Economic Dimensions of a Two State Agreement Between Israel and Palestine*, The Aix Group, 2007.

On the negative side, and likely to generate resistance to the ending of the conflict, experts point out sectors that could, although would not necessarily, lose from the creation of a future Palestinian State: the agricultural sector, due to what is currently an extremely unbalanced situation in which all Israeli products have free access to the Palestinian market while Palestinian exports to the Israeli market are restricted, a situation that would probably be rebalanced in a new scenario; something similar would happen with the food industry (although the lack of agricultural opportunities in Gaza, which is a small, arid territory, may still mean that Israeli supplies are required). The greatest resistance to the end of the occupation could result from the existence of clear benefits for Israeli companies operating within the occupied West Bank: on one hand, employing Palestinian labour in conditions of extreme exploitation; on the other, because they scarcely pay taxes to the Israeli authorities. Faced with a new scenario, Israel would have to weigh up both elements, although the implications of the end of the armed conflict and the end of the deaths, including those of Israelis, should contribute to generate a critical mass in favour of real moves forward towards peace.

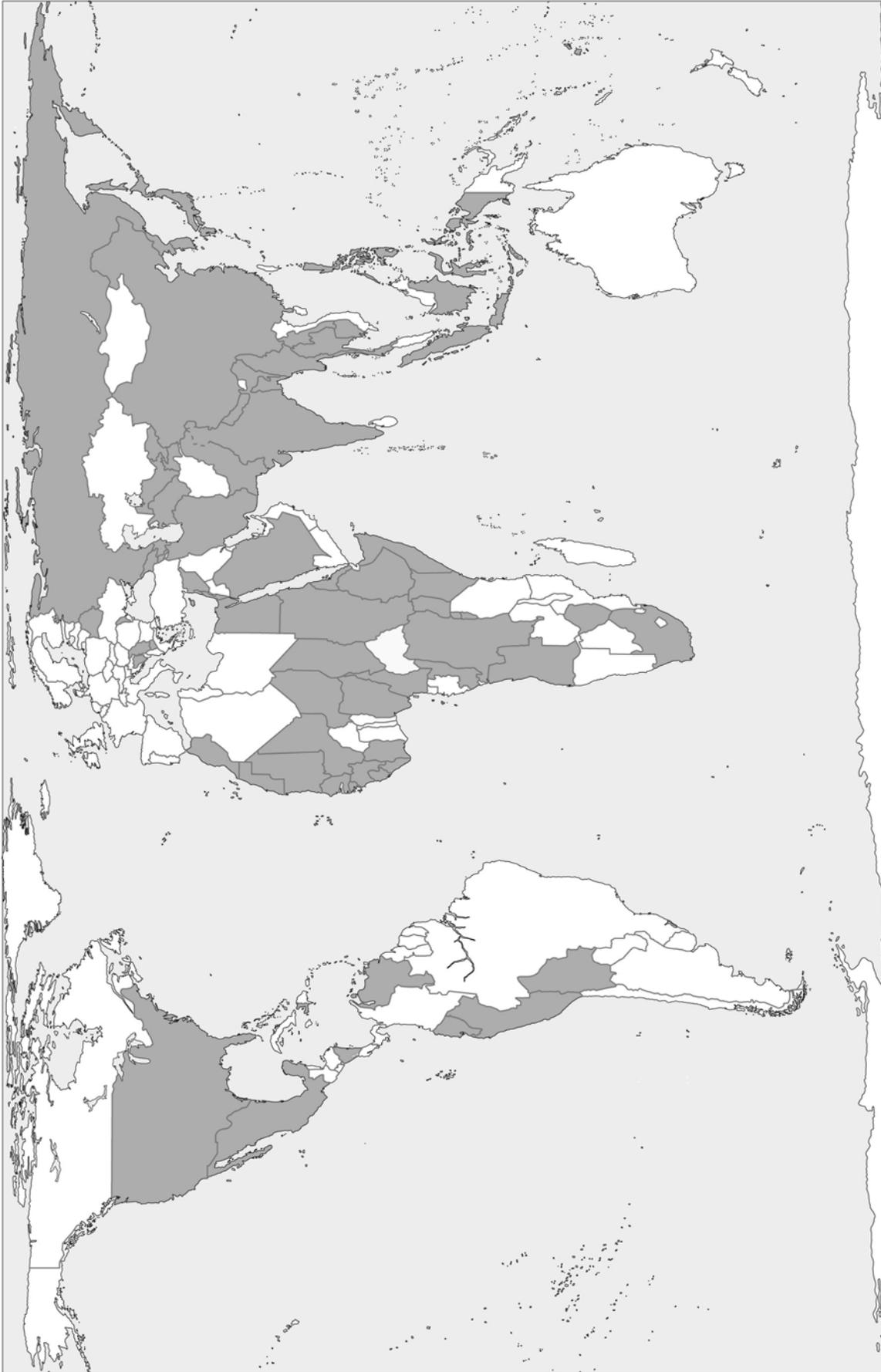
Yemen

Start of conflict:	2004
Type:	System Internal
Main parties:	Government, followers of the cleric Al-Houthi (Al-Shabab al-Mumen)
Intensity:	1
Trend:	↓

Summary:

The conflict began in 2004, when supporters of the cleric Al-Houthi, belonging to the Shiite minority, began a rebellion in northern Yemen with the intention of re-establishing an entire theocratic Sunnite regime similar to the one that disappeared in 1962. In addition, the rebels have always accused the government of corruption and of neglecting the mountainous northern regions. They have also opposed its alliance with the USA in the fight against terrorism. The conflict has claimed thousands of lives and has led to the displacement of thousands of people. The violence intensified at the beginning of 2007, until, in June that year, a peace agreement was reached. However, fairly sporadic confrontations and accusations of violation of the signed agreements have continued.

The conflict between the army and the followers of Al-Houthi in the northern province of Saada recorded considerable intensity in the first half of the year. **Fierce fighting took place in April and May, due to which 40,000 people were forcibly displaced in the city of Saada, according to the International Committee of the Red Cross (ICRC).** In the second half of the year there were lesser episodes of violence after which, in mid July, the parties achieved a new ceasefire. However, the government and the Al-Houthists mutually accused one another of violating the agreement and rebel leaders denounced the authorities' blocking of humanitarian aid. Meanwhile international organisations warned of the deterioration in the health conditions of the population in the affected areas. In addition, the ICRC put the number of people indirectly affected by the four years of conflict at 120,000. Meanwhile, the country was also the scenario for other elements of tension: firstly, there were various attacks for which responsibility was claimed by groups linked to Al-Qaeda, with the most serious being that aimed at the USA embassy in the capital, which caused the deaths of 16 people on 17 September; secondly, there were protests from the opposition, which, in mid November, launched a call to boycott the electoral registration process. This ended with several people injured in the capital due to clashes with the security forces.



■ Countries in a situation of tension (indicator no. 2)

2. Tension

- During 2008, 80 tension scenarios were recorded in the world, largely concentrated in Africa (35%) and Asia (34%).
- In Africa, the economic, political and social collapse of Zimbabwe resulted in a wave of violence causing the deaths of more than 160 people and the displacement of another 50,000.
- In America, the political crisis that saw the Bolivian government of Evo Morales confronting the eastern districts remained active throughout the year.
- In Asia, the Thai opposition defied the Government for weeks, and it was finally forced to resign.
- In Europe, the self-declaration of independence by Kosovo in February, recognised by 53 countries by the end of the year, generated international tension.
- In the Middle East, the outbreak of violence in May led by Hezbollah, which obtained a right of veto in the future Lebanese government, caused dozens of deaths.

This chapter identifies the contexts of tension existing throughout 2008 (indicator no. 2), and is divided into two parts: firstly the situations of tension and their characteristics are defined; secondly, the development of trends in tension is analysed. The start of the chapter also presents a map with all the areas of tension.

2.1. Tension: definition

Tension is considered to be any situation in which the pursuit of certain objectives or the failure to meet certain demands put forward by various agents involves high levels of political and social mobilisation and/or a use of violence with an intensity that does not reach the level of an armed conflict. This can include confrontations, repres-

Table 2.1. Summary of tensions in 2008

Tension ¹	Type ²	Main parties	Intensity ³ Annual trend ⁴
Africa			
Angola (Cabinda)	Internal	Government, armed FLEC group, political alliance of social movement and armed groups known as the Cabindan Forum for Dialogue	1
	Self-government, Resources		=
Burundi	Internal	Government, armed opposition (PALIPEHUTU-FNL, known as the FNL, and a dissident faction of the FNL) and political opposition (Hussein Radjabu's faction of the CNDD-FDD, UPRONA, FRODEBU)	2
	Identity, Government		↓
Cameroon (Bakassi) – Nigeria	International	Governments of Cameroon and Nigeria, Niger Delta Defence and Security Council, Bakassi Freedom Fighters	1
	Self-government, Resources		↑
Comoros	Internationalised internal	Government of the Union of the Comoros based on Grande Comore, Anjouan regional government, Moheli regional government, AU mission	2
	Self-government		↑
Chad – Sudan	International	Chad, Sudan, armed Chadian and Sudanese opposition groups	2
	Government		↓
Congo	Internal	Government, opposition CNR party and the Rev. Ntoumi's Ninja militias	1
	Self-government, Government		=
Côte d'Ivoire	Internationalised internal	Government, Forces Nouvelles armed alliance, pro-government militias, UNOCI, Forces Licorne	2
	Government, Resources		=
Djibouti – Eritrea	International	Djibouti, Eritrea	2
	Territory		↑

Tension	Type	Main parties	Intensity Annual trend
Africa			
Eritrea – Ethiopia	International	Eritrea, Ethiopia	2
	Territory		↑
Ethiopia	Internal	Government, political and social opposition (CUD, UEDF parties), EPPF armed group	1
	Government		=
Ethiopia (Oromiya)	Internal	Government, OLF armed group	2
	Self-government, Identity		=
Guinea	Internal	Government, armed forces, trade unions, opposition political parties	2
	Government		↑
Guinea-Bissau	Internal	Government, political opposition parties	1
	Government		↑
Kenya	Internal	Government, ethnic militias, political and social opposition (political parties, organisations from civil society), SLDF, Mungiki sect	3
	Identity, Government, Resources		↑
Mali	Internal	Government, Ibrahim Ag Bahanga's armed group ADC	2
	Identity, Resources		↓
Morocco – Western Sahara	International ⁵	Morocco, Sahrawi Arab Democratic Republic (SADR), POLISARIO Front armed group	1
	Self-government, Identity, Territory		=
Mauritania	Internal	Government, political and social opposition	1
	Government		↑
Niger	Internal	Government, armed opposition (MNJ, FFR, FARS)	2
	Identity, Resources		=
Nigeria	Internal	Christian and Muslim communities, political parties, community militias	3
	Identity, Resources		↑
DR Congo	Internal	Government, political and social opposition and formerly armed opposition groups	3
	Government, Resources		↑
Great Lakes Region	International	Governments of DR Congo, Rwanda, Uganda, Ugandan armed opposition groups ADF-NALU and LRA, FDLR Rwandan opposition armed groups and Rasta militias, Ituri Congolese armed opposition groups (FNI, FRPI, MRC) and CNDP, Mai Mai Congolese militias, FNL Burundian armed opposition group	2
	Identity, Government, Resources		↑
Senegal (Casamance)	Internal	Government, MFDC armed group and its different factions	1
	Self-government		↓
Somalia (Somaliland-Puntland)	Internal	Republic of Somaliland, autonomous region of Puntland, SUDA	2
	Territory		=
River Mano sub-region ⁶	International	Côte d'Ivoire, Guinea, Liberia, Sierra Leone, mercenary groups	1
	Resources		↓
Sudan	Internal	NCP and SPLM political parties, SPLA armed group, pro-government militias, Dinka and Nuer ethnic groups and sub-clans in the south	3
	Self-government, Resources, Identity		↑
South Africa	Internal	Government, unorganised South African groups, immigrant population	1
	Resources		↓
Zimbabwe	Internal	ZANU-PF and MDC political parties, militias of veterans and young people close to ZANU-PF	3
	Government		↑

Tension	Type	Main parties	Intensity Annual trend
America			
Bolivia	Internal	Government, political and social opposition (political parties, authorities and civil society organisations in the eastern districts)	3
	Government, Self-government		↑
Ecuador	Internal	Government, political and social opposition (Congress, organisations of peasants and indigenous people against trans-national extraction companies)	1
	Government, Resources		↓
Haiti	Internationalised internal	MINUSTAH, Government, political opposition (followers of ex-President Jean-Bertrand Aristide) and armed opposition (youth gangs)	2
	Territory, Government		↑
Mexico (Chiapas)	Internal	Government, political and social opposition (EZLN, social organisations)	1
	Identity, System		=
Nicaragua	Internal	Government, political and social opposition	2
	Government		↑
Peru	Internal	Government, armed opposition (remnant factions of Sendero Luminoso (Shining Path)) and political and social opposition (organisations of peasants and indigenous people)	3
	Government		↑
Venezuela	Internal	Government, political and social opposition	1
	Government		=
Asia			
Bangladesh	Internal	Government, political and social opposition (AL, BNP)	1
	Government		↓
Bangladesh (JMB)	Internal	Government, armed opposition (JMB)	1
	System		↓
Bangladesh (PBCP)	Internal	Government, armed opposition (PBCP)	2
	System		↓
China (Tibet)	Internationalised internal	Chinese government, Dalai Lama and Tibetan Government in exile, political and social opposition in Tibet and neighbouring provinces	3
	Self-government, Identity, System		↑
China (Eastern Turkestan)	Internal	Government, armed opposition (ETIM, ETLO), political and social opposition	3
	Self-government, Identity System		↑
Korea, DPR –USA, Japan, Rep. of Korea ⁷	International	DPR Korea, USA, Japan, Rep. of Korea	1
	System		=
Philippines (Mindanao-MNLF)	Internal	Government, factions of the MNLF armed group	2
	Self-government, Identity		↓
Fiji	Internal	Government, political and social opposition	1
	Government		=
India – Pakistan	International	India, Pakistan	2
	Identity, Territory		↑
India (Tripura)	Internal	Government, armed opposition (NLFT, ATTF)	1
	Self-government		=
Indonesia (Sulawesi)	Internal	Government, political and armed organisations operating on axes of religious division	1
	Identity		=
Indonesia (Moluccas)	Internal	Government, political and armed organisations operating on axes of religious division	1
	Self-government, Identity		=

Tension	Type	Main parties	Intensity Annual trend
Asia			
Indonesia (Western Papua)	Internal	Government, OPM armed group, political and social opposition (pro-autonomy, secessionist, indigenous peoples' and human rights organisations), indigenous Papuan groups, Freeport mining company	2
	Self-government, Identity, Resources		=
Indonesia (Aceh)	Internal	Indonesian government, Aceh regional government, political opposition	2
	Self-government, Identity, Resources		=
Kyrgyzstan	Internal	Government, political and social opposition	1
	Government		=
Laos	Internationalised internal	Government, Hmong political and armed organisations	2
	System, Identity		=
Myanmar	Internal	Government, political and social opposition (LND opposition group)	2
	System		=
Nepal (Terai)	Internal	Government, political Madhesis organisations (MPRF) and armed ones (JTMM, MMT, ATLF, among others)	3
	Self-government, Identity		=
Pakistan	Internal	Government, political and social opposition (PPP opposition party, judiciary), armed opposition (Taliban militias)	3
	Government, System		↓
Thailand	Internal	Government, political and social opposition	3
	Government, System		↑
Thailand – Cambodia	Territory	Thailand, Cambodia	2
	International		↑
Tajikistan	Internal	Government, political and social opposition, warlords	2
	Government		=
Timor-Leste	Internationalised internal	Government, International Security Forces mission, political and social opposition (sympathisers of the rebel leader Alfredo Reinado, sympathisers of the FRETILIN party, dismissed soldiers, armed gangs)	2
	Government		↓
Turkmenistan	Internal	Government, political and social opposition	1
	Government		=
Uzbekistan	Internal	Government, political and social opposition, armed Islamist groups	1
	System, Government		=
Europe			
Armenia	Internal	Government, political opposition	1
	Government		↑
Armenia – Azerbaijan (Nagorno-Karabakh)	International	Government of Azerbaijan, Government of the self-proclaimed Republic of Nagorno-Karabakh, Armenia	2
	Self-government, Identity, Territory		↑
Belarus	Internal	Government, political and social opposition	1
	Government		=
Bosnia and Herzegovina	Internationalised internal	Central government, Government of the Srpska Republic, Government of the Federation of Bosnia and Herzegovina, senior representative of the international community	1
	Government, Identity, Self-government		↑
Cyprus	Internal	Government of Cyprus, Government of the self-proclaimed Turkish Republic of Northern Cyprus	1
	Self-government, Identity, Territory		=
Georgia (Abkhazia)	Internationalised internal	Government of Georgia, Government of the self-proclaimed Republic of Abkhazia, Russia, CIS peacekeeping forces	3
	Self-government, Identity		↑

Tension	Type	Main parties	Intensity Annual trend
Europe			
Georgia (South Ossetia)	Internationalised internal	Government of Georgia, Government of the self-proclaimed Republic of South Ossetia, Russia, CIS peacekeeping forces	3
	Self-government, Identity		↑
Macedonia (north-west)	Internal	Government, political groups and armed agents from the Albanian community	1
	Self-government, Identity		↑
Moldova, Republic of (Transdnister)	Internationalised internal	Government of Moldova, government of the self-proclaimed Republic of Transdnister, Russia	1
	Self-government, Identity		=
Russia (Dagestan)	Internal	Russian government, government of the republic of Dagestan, armed opposition groups, social and political opposition	3
	System, Government Identity		↑
Russia (Kabardino- Balkaria)	Internal	Russian government, government of the republic of Kabardino, armed opposition groups	2
	System, Identity		=
Russia (Karachay- Cherkessia)	Internal	Russian government, government of the republic of Karachay-Cherkessia, armed opposition groups	2
	System, Identity		=
Russia (North Ossetia)	Internal	Russian government, government of the republic of North Ossetia, armed opposition groups	2
	System, Identity		=
Serbia – Kosovo	Internationalised internal ⁸	Government of Serbia, government of Kosovo, political and social representatives of the Serbian community in Kosovo, UNMIK, KFOR	2
	Self-government, Identity		↑
Middle East			
Saudi Arabia	Internationalised internal	Government, Al-Qaeda armed group	1
	System		=
Egypt	Internal	Government, political and social opposition (Muslim Brotherhood)	1
	Government		↑
Iran (north-west)	Internationalised internal	Government, PJAK armed group	2
	Self-government, Identity		=
Iran – USA, Israel⁹	International	Iran, USA, Israel	2
	System		=
Israel – Lebanon – Syria	International	Israel, Syria, Hezbollah Lebanese group and its armed wing (Islamic Resistance)	2
	System, Resources, Territory		↓
Lebanon	Internationalised internal	Government, political and social opposition, armed section of Hezbollah (Islamic Resistance), militias	3
	Government		↑
Palestine	Internal	ANP, Fatah, armed group Brigades of the Martyrs of Al-Aqsa, Hamas and its armed section the Ezzedin al-Qassam Brigades	2
	Government		↓

1: low intensity; 2: medium intensity; 3: high intensity; ↑: escalation of tension; ↓: reduction in tension; = : no change.

The areas of tension marked in bold are described in the chapter.

1. This column indicates the States where tension has developed, specifying in brackets the region within the state to which the tension is limited or the name of the most important armed group in the conflict. This latter option is used in cases when there is more than one tension in the same State or in the same territory within a State, in order to differentiate them.
2. This report classifies and analyses tensions based on a double classification, covering on one hand the causes or incompatibility of interests and, on the other, the confluence between the scenario of the conflict and the parties involved. Concerning the causes, the following can be distinguished: demands for self-determination and self-government (Self-government) or identity-related aspirations (Identity); opposition to the political, economic, social or ideological system of a State (System) or the internal or international policy of a government (Government), which in both cases provides motives for a struggle to achieve or erode power; or a struggle for the control of resources (Resources) or territory (Territory). Concerning the second type, tensions may be internal, internationalised internal or international. In this way, internal tension is considered as a situation involving parties from the same State operating exclusively in and from inside it. Secondly, internationalised internal tension is understood as a situation in which one of the main parties is foreign and/or when the tension extends to the territory of neighbouring countries. Thirdly, international tension is understood as a situation in which State or non-State parties from one or more countries confront one another.

sion, coups d'état, and bombings or other attacks. In certain circumstances, its escalation can lead to a situation that degenerates into armed conflict. Tension is normally linked to: a) demands for self-determination and self-government, or identity-related aspirations; b) opposition to the political, economic, social or ideological system of a State, or the domestic or foreign policy of a government. In both cases this provides motivation for a struggle to achieve or erode power; or c) control of resources or a territory.

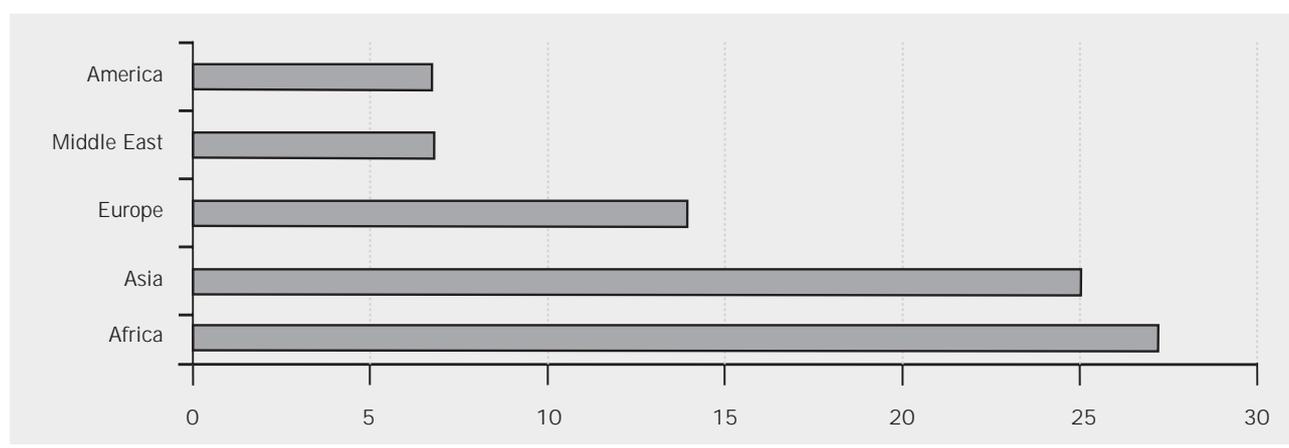
2.2. Tension: global trends in 2008

At the end of 2008, 80 tension scenarios could be counted. Compared to the previous year, **the situation in countries such as Mauritania, where a coup d'état in August returned the country to previous instability; Nicaragua, because of the electoral fraud protests formulated by the opposition; and the instability in the republics of the northern Caucasus, among others, contributed to an increase in the number of crises at a world level.** At the same time, the reduction in levels of violence compared to the previous year in one context made it possible to cease to consider it as an armed conflict, although tension remained high. This was the case with the internal dispute in Palestine, where the confrontations between Fatah and Hamas included sporadic but intense episodes of violence. In geographical terms, **tension was mainly concentrated in Africa (27) and Asia (25)**, and there were 14 situations of tension in Europe. In America and the Middle East there were 7 tension scenarios in each zone.

Continuing the trend observed over the last few years, **the majority of situations of tension were markedly internal.** In 68% of cases, the leading agents were from the country itself and 15%, although internal, were characterised by elements of internationalisation. In several cases this was due to the presence in the area of international missions and their active role (this was the case of the Forces Licorne in Côte d'Ivoire or the MINUSTAH in Haiti). The remainder (17%) were international tension scenarios; that is, two or more States were involved. As in 2007, these were largely concentrated in Africa (54%), where the lack of clearly defined borders —the result of the inheritance of the colonial period— continued to be a recurring cause of inter-State tension, as the AU Peace and Security Committee recorded at the end of the year. Tensions affected Chad and Sudan, Eritrea and Djibouti, Eritrea and Ethiopia, Nigeria and Cameroon, and two regional blocks where the causes of the dispute remain unresolved despite the formal end of some conflicts: the Great Lakes Region, including DR Congo, Rwanda and Uganda, and the River Mano area, with Côte d'Ivoire, Guinea, Liberia and Sierra Leone. On other continents, the historical rivalry between India and Pakistan, the dispute between Armenia and Azerbaijan over the enclave of Nagorno-Karabakh and the crisis over the nuclear issue in both the DPR Korea and Iran, with opposition from a group of countries led by the USA, were other inter-State tensions considered.

Concerning the factors causing the tensions, all of them were due to multiple factors, with **opposition to government policy standing out as the main element**

Graph 2.1. Regional distribution of the number of tension scenarios



- The intensity of tension (high, medium or low) and its trend (escalating, reducing, no change) is assessed mainly based on the level of violence recorded and the degree of political and social mobilisation.
- This column compares the development of the events of this year (2008) with the previous year (2007), with the symbol ↑ appearing if the general situation during 2008 is more serious than in the previous year, ↓ if it is better and = if there has been no important change.
- Despite the fact that the Western Sahara is not an internationally recognised State, the tension between Morocco and the Western Sahara is considered as "international" and not "internal" because it is a territory awaiting decolonisation whose supposed ownership by Morocco is not recognised by International Law or by any United Nations' resolution.
- The River Mano sub-region geographically includes Guinea, Liberia and Sierra Leone. However, it also includes the situation in Côte d'Ivoire because of its geographical proximity and influence on the other scenarios.
- This international tension affects other countries that are not mentioned and which are involved to different degrees.
- The tension between Kosovo and Serbia is considered "internationalised internal" as the legal and international status of Kosovo has not been completely clarified and defined yet, despite having been recognised as a State by several dozens of countries. Therefore, for 2008 this report keeps the same category used in previous editions.
- This international tension affects other countries that are not mentioned but which are involved to different degrees.

leading to instability. In 43% of cases, government action generated political and social opposition movements. In the majority of cases there were also armed movements confronting the authorities with the aim of achieving or eroding power. In many contexts, this generated mass protests, such as in Bolivia, where the position of the president came into conflict with that of the authorities in the eastern districts, or in Thailand, where weeks of demonstrations and police charges led to the resignation of two prime ministers. **Other situations of violence were linked to demands for self-government (30%) and identity-related matters (40%); to disputes over control of resources (20%) or territory (11%); and, finally, to opposition to the established system (21%).** While the majority of conflicts deriving from a demand for self-government were concentrated in Africa, Asia and Europe, with a third of them on each, the component of opposition to the established system was shown to be particularly significant on the Asian continent. 60% of all global claims of this kind were recorded here, particularly in Bangladesh (tension largely involving two armed opposition groups, the JMB and the PBCP); in China (both in the Tibetan region and in the province of Eastern Turkestan), and in other places such as Laos, Myanmar and Pakistan, the latter with a notable presence of armed Islamist groups. An analysis by continents reveals that the most widespread cause of tension in Africa is the resources component and that of opposition to the government, while in Asia the most important factors are identity and self-government issues, as well as opposition to the established authority.

Concerning **the most important agents in the confrontations, the existence of armed groups constitutes a defining element for tensions in almost half the cases.** The groups were diverse and their degree of articulation extremely varied, but, in all cases, their activity caused destabilisation. The range of agents is extremely wide: from firmly established armed groups, such as Hezbollah in Lebanon or the MNLF in the Philippines (Mindanao), to mercenary groups, militias, warlords or remnant factions of practically inactive groups, as in the cases of the River Mano region, Nigeria, Tajikistan and Peru, respectively, which have made their appearance more circumstantially or more recently.

An analysis of the intensity of the tension and its development also offers some important conclusions. On one hand, **more than a third of tensions (39%) had a negative development; that is, the violence was greater than in 2007. Some cases were particularly significant, such as Kenya at the beginning of the year, Peru because of the armed activity of Sendero Luminoso or the entire Caucasus area.** By contrast, in 19% of the contexts, the violence decreased compared to the previous year, while in 42% of cases there were no significant changes in intensity. Finally, more than a third of tensions (40%) were of low intensity, while 40% stood at medium levels and 20% at high ones. The contexts where the tension was most intense were Kenya, Nigeria, DR Congo, Sudan and Zimbabwe on the African continent; Bolivia and Peru in America; Tibet and Eastern Turkestan in China, Nepal (Terai), Pakistan and Thailand in Asia; Lebanon in the Middle East; as well as the two conflict scenarios in the Caucasus area (Abk-

hazia and South Ossetia in Georgia, and Dagestan in Russia), where the open warfare in August in South Ossetia captured the focus of international media attention.

2.3. Tension: annual trend by region

Africa

a) Southern Africa

Comoros	
Intensity:	2
Trend:	↑
Type:	Self-government Internationalised internal
Main parties:	Government of the Union of the Comoros based on Grande Comore, Anjouan regional government, Moheli regional government, AU mission

Summary:

Since its independence from France in 1975 the archipelago has been through a history of instability, with as many as 20 coups d'état and failed attempts to overthrow existing regimes. In 2001, a constitutional agreement was reached establishing a federal republic with a presidency rotating every four years between the islands of Grande Comore, Anjouan and Moheli. The cleric Ahmed Abdallah Mohamed Sambi, from Anjouan, won the elections in May 2006 and became the new president of the Union. Since 2006, the coup leader president of Anjouan, Mohamed Bacar has rejected cooperation with the presidency of the Union, and, in July 2007, elections were held in the archipelago. These were declared illegal on the island of Anjouan due to irregularities, according to the government and the AU, although Bacar was awarded a comfortable victory and he continued to govern by force. Since then, growing tension has been recorded.

The Comoros archipelago suffered from an escalation in tension in the first quarter of 2008 as a result of the invasion on 25 March by the armed forces and an AU force to recover control of the rebel island of Anjouan and capture its president, Mohamed Bacar. Previously, the AU had reviewed its role in the crisis, giving the green light to military action by the government of the Union in the face of the failure of previous diplomatic initiatives to overcome the tension, as Bacar had rejected the options of holding a new electoral process supervised by the AU or exile in another country. Bacar managed to flee to the neighbouring French island of Mayotte, where he requested asylum and was transferred to the island of Reunion. France refused to grant Bacar asylum, although it would not extradite him to the archipelago as the AU and the Government of Comoros had requested. Later, in July, he was expelled to Benin, a country which had offered to grant him asylum. The presidential elections were held on the island of Anjouan on 15 June without incidents. Moussa Toybou won in the second round held on 29 June. The federal president, Ahmed Abballah Sambi, appointed a new federal government in July. In August there were demonstrations on

Anjouan and Moroni demanding his resignation due to the increase in prices, non-payment of wages and failure of the reforms that had been announced. This led United Nations sources on the archipelago to warn of a possible increase in instability despite the positive development of the situation on Anjouan.

Zimbabwe	
Intensity:	3
Trend:	↑
Type:	Government Internal
Main parties:	ZANU-PF and MDC political parties, militias of veterans and young people close to ZANU-PF

Summary:

The government of Robert Mugabe, in power since the independence of the country in 1980 as the head of ZANU-PF, persists in persecuting members of the opposition parties and civil society. During these years, Mugabe's administration has been criticised for its high levels of corruption, the suppression of the political opposition, its mismanagement of agrarian reform and the country's economy, and for the systematic violation of human rights. The crisis originated after the 2008 elections, with high levels of violence perpetrated by pro-government militias and the lack of progress in establishing a power-sharing agreement. The political and economic crisis in the country increased, along with its international isolation.

The general elections held in April led to total collapse at economic, political and social levels. Proof of the large-scale use of fraudulent tactics by the party in power, ZANU-PF, could not prevent the opposition party, MDC, achieving a majority of seats in Parliament, while ZANU-PF continued to control the Senate. In the presidential elections, it was necessary to go to a second round as the results of the first—which were not made public for more than a month—did not give a majority to any candidate. The militias close to the ZANU-PF presidential party began a campaign of attacks against supposed MDC voters, with the direct support or at least indifference of the State security forces. According to data from local NGOs, more than 163 people died, another 5,000 were tortured and more than 50,000 were forced to move because of the violence, particularly in rural areas. Despite the fact that the two parties reached an agreement on 11 September for the formation of a government of national unity, under which President Robert Mugabe would maintain his position and the opposition leader Morgan Tsvangirai would be appointed prime minister, the lack of consensus over the share-out of the key ministries, such as Defence and Interior, blocked the negotiations and perpetuated the violence.

b) West Africa

Cameroon (Bakassi) – Nigeria	
Intensity:	1
Trend:	↑

Type:	Self-government, Resources International
Main parties:	Governments of Cameroon and Nigeria, Niger Delta Defence and Security Council, Bakassi Freedom Fighters

Summary:

On 10 October 2002 the International Court of Justice awarded the Bakassi Peninsula to Cameroon, after more than 30 years of sporadic confrontations on the border with Nigeria. The full transfer of sovereignty to Cameroon, however, did not occur until August 2008, after six years of work by the mixed commission set up to resolve various aspects concerning the future of the largely Nigerian population of the peninsula. Bakassi contains important oil reserves still to be explored, which has made the border dispute into a question of national strategic interest. The bad feeling caused by the change of flag generated the appearance in 2008 of armed Nigerian groups calling for a referendum to be held to decide the future of Bakassi.

On 18 August, Nigeria officially handed over sovereignty over the Bakassi Peninsula to Cameroon, following the decision by the UN's International Court of Justice, ending a territorial dispute between the two nations that emerged after their independence. In July, an armed group called the Niger Delta Defence and Security Council (NDDSC) claimed responsibility for two attacks against the Cameroon armed forces which had caused the death of one soldier. The group demanded that the handover of the Bakassi Peninsula should be halted until the population (90% of Nigerian origin) had been consulted over the future of the territory. More than 75,000 people moved from Bakassi to Nigeria after the change of flag, some of them claiming they had been threatened by the Cameroon security forces. However, several members of the United Nations team argued that it was difficult to determine the real origin of the displaced persons, as there could have been effect produced by the offer of new land for Nigerians living in Bakassi wanting to return to the country. In October there was a new attack against a boat in Cameroon territorial waters for which responsibility was claimed by the Bakassi Freedom Fighters, allies of the NDDSC. In view of the facts, Nigeria asked Cameroon to set up a joint surveillance system for their coasts.

Côte d'Ivoire	
Intensity:	2
Trend:	=
Type:	Government, Resources Internationalised internal
Main parties:	Government, Forces Nouvelles armed alliance, pro-government militias, ONUCI, Forces Licorne

Summary:

In 2002, a failed coup d'état, led by the Forces Nouvelles armed alliance, divided the country in half, with the northern area remaining under rebel control and the south under government control. The exclusion of the northern population from the decision-making political bodies and the social and economic discrimination against this population were the arguments behind the rising. In 2003 the Linas Mar-

coussis agreement was signed and a security zone was created, patrolled by the United Nations mission, ONUCI, to certify compliance with the ceasefire. The signing of the Ouagadougou political agreement in March 2007 opened up a new opportunity for peace and the implementation of previous agreements. However the slow progress in the process of identifying the population, establishing elections and disarming combatants continued to pose serious risks to stability.

The security situation in the country was kept stable, although this did not prevent successive outbreaks of violence during the year, largely involving members of the opposing forces. The greatest instability was experienced in the area under the control of the Forces Nouvelles coalition (north), specifically in the Séguéla district, where the sacking of the commander in the area, Koné Zacharia, led to an insurrection by his battalion in June and an attack on the alliance's arsenal in the area in November. The attempts by the prime minister and leader of Forces Nouvelles, Guillaume Soro, to place trusted people in positions of command showed the risk of increasing dissent and led to a split in the armed alliance. Meanwhile, attacks occurred against people who had returned, largely in the west of the country, which sometimes generated new displacements, despite the achievements in the facilitation of dialogue in communities receiving those displaced by the conflict. However, in terms of overall figures, the number of internally displaced people in the country fell considerably during the year.¹⁰ **The failure to implement the Ouagadougou agreement concerning the disarmament and demobilisation of combatants,¹¹ as well as the new delay in the presidential elections, continued to put the stability of the country in danger.** This led the UN Security Council to opt to renew the arms embargo in October.

Guinea	
Intensity:	2
Trend:	↑
Type:	Government Internal
Main parties:	Government, armed forces, trade unions, opposition political parties

Summary:

The regime of Lansana Conté, in power since his coup d'état in 1984, imposed harsh repression against the political opposition and civil society ever since. The serious situation of political instability, the constant violations of human rights and the economic decline of Guinea have many times led to increased social tensions and attempts to mount coups d'état and assassinate the president. Faced with the calling of a general strike in 2007, the president decreed a state of emergency, which led to a violent repression of the demonstrators and the appointments of a new consensus prime minister agreed with the main trade unions. Military mutinies are constant in a country controlled by senior army officers.

The 2008 concluded in Guinea with the death of the president, Lansana Conté, who had arrived in the post in 1984 after a coup d'état. Hours after his death had been made public, a group of soldiers took over the State radio station in Conakry and, in a communiqué, announced they had taken power, suspended the Government and the Constitution and established a military junta—the National Council for Democracy and Development—which would be made up of members of the army and civil society. **The leader of the new military coup, Moussa Dadis Camara, was appointed president and announced his intention to hold elections in 2010.** The USA and the EU condemned the military junta and the AU suspended Guinea from membership of the General Assembly. However, the civil population, trade union organisation and opposition parties celebrated the action of the soldiers, considering that they prevented anyone close to Conté from occupying the presidency and prolonging the political and economic crisis in the country. Camara pledged to fight corruption and drug trafficking, as well as announcing his intention to review all mining contracts held by international companies in the country. The former banker Kabine Komara was appointed prime minister of the country, replacing Ahmed Tidiane Souaré, who declared himself to be prepared to cooperate with the new government.

Mali	
Intensity:	2
Trend:	↓
Type:	Identity, Resources Internal
Main parties:	Government, Ibrahim Ag Bahanga's faction of the ADC armed group

Summary:

The Tuareg have peopled the regions bordering the Sahara desert since before the current African States were established. Since the independence of Mali, the Tuareg living in the north have led several revolts, which, in the 1990s became an armed conflict, demanding greater economic and political participation in the State. They are also calling for development in the regions where they live, strongly affected by worsening drought and the practical disappearance of trans-Saharan trade. The latest peace agreement, signed in 2006 between the government and the armed Tuareg group Democratic Alliance for Trade, made economic development and infrastructures key issues for the surrender of weapons and the end of the conflict.

Failure to comply with the agreement reached at the end of 2007 between the government and the faction of the armed Tuareg group ADC, called 23 May and led by Ibrahim Ag-Bahanga, which should have meant a reduction in the military presence in the Kidal region (north), led to an increase in attacks against military targets in the first half of the year, together

10. See chapter 5 (Humanitarian crises).
11. See chapter 6 (Disarmament).

with the explosion of anti-personnel mines. **The response to the escalation in violence was a tough army campaign in the area, leading to the displacement of more than a thousand people towards neighbouring Burkina Faso.** However, the confrontations did not impede the progress of dialogue between the two sides, with the mediation of Algeria and Libya. The success of the negotiations led to a sustained reduction in violence in the northern regions starting in the second half of the year.¹² Evidence of this rapprochement came with the arrest of members of the anti-Tuareg militia Ganda Izo, led by Amadou Diallo, a former member of the army who was arrested in Niger and subsequently extradited. However, a new attack against a military base in December, in which 20 people died, reopened doubts about the achievement of a final peace agreement.

Niger	
Intensity:	2
Trend:	=
Type:	Identity, Resources Internal
Main parties:	Government, armed opposition (MNJ, FFR, FARS)

Summary:

The Tuareg have peopled the regions bordering the Sahara desert since before the current African States were established. Since Niger's independence, the Tuareg living in the north have led several revolts, which, in the 1990s became an armed conflict. They are demanding greater economic and political participation in the State and the development of the regions where they live. The failure of the 1995 peace agreements to take shape was one of the reasons offered by the MNJ for beginning a campaign of violence against the armed forces in 2007, together with their lack of control over the natural resources (uranium) produced in their territories. The government's persistence in failing to recognise the pursuit of political ends in the MNJ's activities and its insistence in implicating the group in illegal arms and drug trafficking in the Sahara have only contributed to making the situation worse.

The MNJ armed Tuareg group continued attacking army positions and kidnapping various government officials who were subsequently released, although their actions were less significant and violent than those recorded during 2007. Their leader, Aghaly Ag Alambo, denied that negotiations with the Government had begun with Libyan mediation, while the army insisted on relating the MNJ with drug and arms trafficking in the Sahel region. The government began a campaign aimed at showing the weakening of the MNJ. It announced the voluntary surrender of weapons by disaffected members and the surrender of the Revolutionary Armed Forces of the Sahara (RAFS), a group of ethnic Toubou fighters who, at the beginning of the year, had announced an alliance with the MNJ. **President Mamadou Tandja maintained the state of emergency in**

the northern region of Agadez throughout the year. This seriously concerned human rights groups, which recorded acts of violence by soldiers against the civilian population during this period, leading to arbitrary arrests and extra-judicial executions.

Nigeria	
Intensity:	3
Trend:	↑
Type:	Identity, recursos Internal
Main parties:	Christian and Muslim communities, political parties, community militias

Summary:

Since 1999, when political power returned to civilian hands after successive dictatorships and coups d'état, the government has not managed to impose a democratic system in the country. There are still great economic and social differences between the various states making up Nigeria, because of the lack of decentralisation, and between the different social layers, something that promotes instability and outbreaks of violence. The strong inter-religious, inter-ethnic and political divisions are also feeding the persistence of violence throughout the country. The lack of openness and corruption in politics are also great scourges of democracy in Nigeria. Mafia-type practices and the tendency to resort to political assassination as an electoral strategy have, at least in the last two presidential elections, impeded the people's free exercise of their right to vote, increasing discontent and fraudulent practices.

The isolated focuses of violence that succeeded one another during the year in various states in the north of the country concerning disputes relating to land ownership and use were eclipsed by the **fierceness of the confrontations taking place in Jos (Plateau state, centre) between members of the Christian and Muslim communities after the news spread that the presidential party, the PDP, had won the local elections held in November.** Groups of young people from the Hausa ethnic group, belonging to the Muslim community, demonstrated violently in Jos to denounce what they considered to be a fraudulent result. The protests were followed by confrontations between militias from both communities, which generated more than 400 deaths in two days of violence. Hundreds of homes, mosques and churches were burned down and a curfew was imposed in the city, which allowed the armed forces to control the situation. At least 500 people were arrested for their involvement in the events. The roots of the antagonism go back to opposition between Christian communities, considered to be the original inhabitants of the area, and Muslim communities from the north of the country, who have settled in the area over many years. This has generated tension concerning the control of the land and water resources, issues which have also been utilised for political purposes.

12. See chapter 3 (Peace processes).

c) Horn of Africa

Djibouti – Eritrea	
Intensity:	2
Trend:	↑
Type:	Territory International
Main parties:	Djibouti, Eritrea

Summary:

The border between the two countries is a source of disagreement and tension. This border was fixed in a confused way in 1901 by a treaty between France (the colonial power in Djibouti) and Italy (the colonial power in Eritrea). This unresolved border led to the two countries confronting one another in 1996 and 1999. This legal dispute was aggravated at regional level due to the tension between Eritrea and Ethiopia, as the USA is a firm Ethiopian ally; to the war in Somalia, where Eritrea supports the opposition coalition, while Ethiopia and the USA support the Transitional Federal Government; and to the war in the Ethiopian region of Ogaden, where Eritrea supports the insurgency. Djibouti, a neutral country in the Somali conflict, has been the venue for the latest peace talks between some of the opposing Somali agents. Its location is strategic for control of sea traffic in the Red Sea (France and the USA have military bases there) and after the war between Eritrea and Ethiopia, Djibouti represents Ethiopia's only outlet to the sea.

During the year there was a serious deterioration in relations between the two countries. What in principle were Eritrean civil engineering works on the border resulted, in the middle of March, in **an incursion by the Eritrean armed forces. They occupied the area of Ras Doumeira and the island of Doumeira**, to date under the sovereignty of Djibouti but without a definitive agreement on the border issue. Djibouti sent a military contingent to the area in mid-April and promoted diplomatic contacts at the highest level, although these efforts were in vain. The Joint Military Committee set up between the two countries in April held only one meeting and, between April and 10 June, various desertions of Eritrean soldiers to Djibouti served as an excuse for beginning hostilities. That day there was a new desertion resulting in **Eritrean reprisals against Djiboutian military positions, causing the deaths of 44 Djiboutian soldiers, a hundred wounded and 19 missing**. There are no details of the Eritrean side. Djibouti accepted the withdrawal requested by the UN Security Council, although Eritrea ignored the call and France announced reinforcements for its military force in Djibouti. The UN Security Council, the IGAD and the USA condemned the aggression and subsequently sent a fact-finding mission which visited only Djibouti, as Eritrea refused the mission entry. In September, the results of the research were presented to the Council, which considered putting more pressure on Eritrea to prevent further escalation, although for the moment only the negotiation route has been suggested.

Eritrea – Ethiopia	
Intensity:	2
Trend:	↑
Type:	Territory International
Main parties:	Eritrea, Ethiopia

Summary:

In 1993, Eritrea became independent from Ethiopia, although the border between the two countries was not clearly defined, which led to confrontations between 1998 and 2000, causing more than 100,000 fatalities. A ceasefire agreement was signed in June 2000, the UN Security Council set up the UNMEE mission to supervise it and, in December, the two sides signed the Algiers peace agreement. This established that both should submit to the decision agreed by the Eritrea and Ethiopia Border Commission (EEBC), in charge of defining and marking the border based on the relevant colonial treaties (1900, 1902 and 1908) and on international law. In April 2002 the EEBC announced its decision, which assigned the disputed border hamlet of Badme (epicentre of the war and currently administered by Ethiopia) to Eritrea, a decision rejected by Ethiopia.

The situation underwent considerable change due to **Eritrean pressure on the UNMEE which forced it out of the country and, subsequently, in July, saw it disbanded.**¹³ This meant that any incident on the border could reopen the conflict that took place between 1998 and 2000. Eritrean interruption of fuel and food supplies to UNMEE forced its military component to regroup in Asmara in February. The UN Security Council was finally forced to cancel the mission on 31 July, without any changes to the status quo on the ground. Ethiopia continued to insist on resolving the dispute through dialogue and, in mid-October, the last UNMEE detachment left the border. Alongside this, the Secretary General of the UN passed the Council the latest report from the EEBC, highlighting that its mandate had been completed and all administrative issues had been dealt with. The EEBC had given both sides the deadline of 26 November 2007 to establish the basis of the agreed border, so, after the letter sent to both countries in June 2008, the Commission stated that, if there was no communication from either side, it would conclude that no further intervention on its part was necessary and it could consider its work to have been completed.

Somalia (Somaliland-Puntland)	
Intensity:	2
Trend:	=
Type:	Territory Internal
Main parties:	Republic of Somaliland, autonomous region of Puntland, SUDA

13. S/RES/1827, 30 July 2008. <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1827\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1827(2008))>

Summary:

The fall of the President of Somalia, Siad Bar, in 1991, led to a situation where several regions of the country had to develop internal organisation mechanisms. In 1991 the region of Somaliland, corresponding to British Somalia, declared its own independence from Somalia. In 1998, Puntland, corresponding to the north-eastern tip of Italian Somalia contiguous with Somaliland, declared itself an autonomous region within the country. This is where the dispute for the control of the border regions of Sool and Sanaag originated. Both regions are geographically within the borders of Somaliland defined during the colonial period, although the majority of clans in both districts are associated with those in Puntland. Since then there have been sporadic clashes and mediation attempts.

During the year sporadic confrontations between the respective security forces of both sides continued. In January, combats were recorded for control of the border town of Las Anod, in Sool, which caused a dozen deaths, and in February this led to incursions and troop movements by both administrations in Sool and Sanaag. In July, Somaliland troops occupied the strategic town of Las Qoray, in Sanaag, and Puntland threatened to respond to the movement. Subsequently, there were clashes between the two administrations in the region to proceed with the release of a group of hostages being held in the disputed area. In addition, **at the end of October, a wave of attacks took place in the capital of Somaliland, Hargeisa, specifically against the Ethiopian embassy, the United Nations' offices and the presidential palace, causing 25 deaths.** On the same day there were other actions in the town of Bossasso, in Puntland, which caused three deaths and for which no-one claimed responsibility. In mid-November, a new group, the Somali Unity Defence Alliance (SUDA), claimed responsibility for several attacks committed against Somaliland's forces in Sool and Las Anod, under the control of Somaliland, causing several fatalities. Although this group denied that it received support from Puntland, its leader is from the region, which aroused suspicions about Puntland's involvement.

The increase in military presence and recruitment in Southern Kordofan showed the high risk of the outbreak of a new armed conflict in Sudan

Sudan	
Intensity:	3
Trend:	↑
Type:	Self-government, Identity, Resources Internal
Main parties:	NCP and SPLM political parties, SPLA armed group, pro-government militias, Dinka and Nuer ethnic groups and sub-clans in the south

Summary:

In 2005, the SPLA armed group and the government of Sudan signed a comprehensive peace agreement (CPA), putting an end to 20 years of armed conflict which saw the north of the

country confronting the south. The failure to specify certain points in the agreement is making it difficult to move the peace process forward. Meanwhile, the conclusion of the conflict at national level led to the re-emergence of suspicion and disputes between the different ethnic groups and clans coexisting and competing for scarce resource in the south of the country. The duality between the elites of Khartoum and the states of the Upper Nile, controlling the economic wealth of Sudan, and the other states making up the country is at the heart of the tensions threatening peace in Sudan.

Tension severely increased during the year in the absence of a solution to define the border between the north and south of the country. The marking of the border, together with the final result of the population census, will be used to establish the division of oil profits between the two political entities, as well as territorially defining the southern region with a view to the self-determination referendum planned for 2011. This situation led to the increase in military presence and recruitment in Southern Kordofan, and specifically **in the oil district of Abyei. Here, in January, militias from the Arab Misseriya tribe, the SDF and the armed forces confronted the SPLA, causing nearly 300 deaths and displacing more than 50,000 people.** Despite the fact that in June the NCP (presidential party) and the SPLM (armed wing of the SPLA) reached a final agreement for marking the border of the area,¹⁴ UNMIS recorded that the presence of troops from both sides continued to be high. Another focus of tension during the year was the drawing up of the national census, due to the controversial borders of some divisions and the impossibility of counting the large numbers of people who were still displaced by the armed violence.¹⁵ This situation generated confrontations in some localities, while the SPLM warned that it would not recognise the results of the census as valid. Meanwhile, inter-community confrontations continued in the provinces of Bahr the-Gazal, Unity and Jonglei because of disputes related to control of land and livestock.

Chad – Sudan	
Intensity:	2
Trend:	↓
Type:	Government International
Main parties:	Chad, Sudan, armed Chadian and Sudanese opposition groups

Summary:

The beginning of the war in Darfur in 2003 marked the gradual deterioration of relations between the two governments, whose presidents were former allies in the overthrow of the Chadian President Hissène Habré by Idriss Déby in 1990. Although during 2004 Chad mediated between the Sudanese government and the insurgents in Darfur, the increase in violence, the number of Sudanese refugee popula-

14. See chapter 3 (Peace processes).

15. See chapter 1 (Armed conflicts) and section 5 (Humanitarian crises).

tion moving towards eastern Chad and the incursions by pro-Sudanese government *Janjaweed* militias in this area led to numerous criticisms of the executive in Chad for its policy of neutrality. It must be remembered that some of the armed groups in Darfur belong to the governing community in Chad, the Zaghawa. In 2004, various insurgencies against the government of Idriss Déby became established, and, since then, both Governments have supported the armed opposition in the other country.

A relative improvement occurred in relations between the two countries, although the process is not irreversible. The year began with bombing raids by the Chadian air forces on rebel Chadian positions in Western Darfur (Sudan). **The Chadian government threatened to carry out new bombing raids on Sudanese territory, which led to a new escalation in the war of words between the two countries** and concern over the possibility that it would result in a regional conflict. After the Chadian rebel offensive against the capital in February, for which Chad once again held Sudan responsible, a new peace agreement was reached in Dakar, the sixth in the last two years.¹⁶ Based on this agreement, a contact group was established, led by Libya. This designed the Chadian-Sudanese observation force, made up of 1,000 soldiers from each country, which would patrol the common border. The second part of the year was characterised by progress in the process, although a subsequent offensive by the JEM armed Sudanese group against the Sudanese capital, which, according to Khartoum, had been backed by N'Djamena,¹⁷ led to a new deterioration in relations. In September, a new meeting of the contact group was held in Asmara,, where an exchange of ambassadors was agreed, taking place in November, along with the establishment of a joint Chadian-Sudanese mission for January 2009.

d) Great Lakes and Central Africa

Burundi	
Intensity:	2
Trend:	↓
Type:	Identity, Government Internal
Main parties:	Government, armed opposition (PALIPEHUTU-FNL, known as the FNL, and a dissident faction of the FNL) and political opposition (Hussein Radjabu's faction of the CNDD-FDD, UPRONA, FRODEBU)

Summary:

The process of political and institutional transition begun with the signing of the Peace Agreement in Arusha in 2000, formally culminated in 2005. The approval a new constitution formalising the division of political and military power between the two principal communities - Hutus and Tutsis - and the holding of an electoral process that has led to the formation of a new government attempted to lay the future bases for overcoming the conflict that begun in 1993. These facts

represented the main opportunity for putting an end to the ethno-political violence affecting the country since its independence in 1962. However, mistrust between the political parties and power struggles within the governing CNDD-FDD, and between the government and the political opposition persist. To this is added the stagnation of the peace process with the last armed group, Agathon Rwasas's FNL.

On 4 December, the government and the FNL reached an agreement committing themselves to a final cessation of hostilities, to a division of power and to changing of the name of the group to avoid ethnic connotations, in accordance with the Constitution.¹⁸ Until then, this last issue had been the main obstacle to achieving an agreement. However, during the year there had been sporadic ceasefire violations, which, although they could have meant a definitive rupture, corresponded more to acts of pressure and abuse rather than to the desire of the government or FNL to restart the armed conflict. The local organisation **Itaka denounced the assassination of hundreds of people during the year, the precariousness of the human rights situation and the persistence of high levels of sexual violence.** All provinces were affected by the violence, particularly those where the FNL remained active. The organisation attributed the majority of the violence and murders to common criminals, followed by the security forces and the insurgents. Meanwhile, in April the former president from the CNDD-FDD party, Hussein Radjabu, was sentenced to 13 years' imprisonment, together with five other people, for conspiring to set up a new armed group. In October, the journalist and leader of the opposition Movement for Security and Democracy (MSD), Alexis Sinduhije, was arrested. Many local organisations and the international community replied by demanding his immediate release, as well as that of about twenty of his collaborators.

Kenya	
Intensity:	3
Trend:	↑
Type:	Identity, Government, Resources Internal
Main parties:	Government, ethnic militias, political and social opposition (political parties, organisations from civil society), SLDF, Mungiki sect

Summary:

Since Kenya's independence in 1963, its politics and economy have been dominated by the KANU party, controlled by the most numerous community in the country, the Kikuyus, to the detriment of the others. In 2002, the successor of the authoritarian and kleptocrat Daniel Arap Moi (in power for the last 24 years) was defeated by Mwai Kibaki, with the promise of ending corruption and redistributing wealth in an eminently poor, agricultural country basing its growth on tourism. However, Kibaki's broken promises promoted a climate of frustration, and Raila Odinga, from the Luo ethnic group, became a threat to Kibaki's hegemony in power, basing his campaign on

16. See chapter 3 (Peace processes).

17. See chapter 1 (Armed conflicts).

18. See chapter 3 (Peace processes).

change and on the construction of a fairer society, rather than on tribal affiliation. Fraud in the December 2007 elections was the trigger for subsequent violence. Alongside this, various areas of the country are affected by inter-community disputes over land ownership, which were also politically instigated during the electoral period.

Although the year began with an escalation in violence deriving from the elections of 27 December 2007, the situation was ended in February. The balance was 1,500 people dead (the majority in the first two weeks after the elections) and another 600,000 displaced. On 28 February, local and international pressure gave rise to a power-sharing agreement between the President, Mwai Kibaki, and the opposition leader Raila Odinga, setting up a unity government in April. In September, the commission whose job was to clarify the electoral process stated that the crisis was due to a dysfunction of the entire electoral system and that the electoral commission should therefore be reformed and replaced. In addition, the commission investigating the post-electoral violence indicated politicians on both sides as being responsible for the violence and recommended the setting up of a court to establish clear responsibilities.¹⁹ International pressure saw the cabinet approve both reports, so that the electoral system could be reformed and those responsible put on trial. Meanwhile, the wave of violence in the Mount Elgon region linked to abuses perpetrated by the Sabaot Land Defence Force (SLDF) militia and the army subsided during the year. HRW held the SDLF responsible for murdering around 600 people, terrorising thousands and torturing several hundred citizens from 2006 onwards, and the security forces responsible for torturing hundreds of men arrested in raids organised from March onwards.²⁰ The police response against the members of the Mungiki sect was also reduced. On the other hand, another wave of inter-clan violence broke out in October in the refugee camps in Mandera (north), and was harshly repressed.

The balance of the escalation of post-electoral violence in Kenya was 1,500 deaths and another 600,000 displaced persons

foreign troops and the establishment of the Transitional National Government (TNG) including the former government, the political opposition, the RCD-Goma, RCD-K-ML, RCD-N and MLC armed groups and the Mai Mai militias. After June 2003, the TNG was run by President Joseph Kabila and four Vice-Presidents, two of whom belonged to the former insurgent groups: Azarias Ruberwa of RCD-Goma and Jean-Pierre Bemba of the MLC. The TNG drew up the Constitution, which was put to a referendum in December 2005. Between July and October 2006 legislative and presidential elections were held, in which Kabila was elected president and Jean-Pierre Bemba came second, amid a climate of high tension and accusations of fraud. The formation of the new government in 2007 did not halt the instability and disputes in the political sphere.

The situation was characterised by the persistence of political instability and the escalation of violence in the east of the country.²² At the request of the ICC, the MLC opposition leader, Jean-Pierre Bemba, was arrested in May, and he appeared before the Court for the first time in July. During the year there was an increase in the persecution of the opposition in the context of the preparations for the local elections which could take place in mid-2009, although events in the east could see them postponed. HRW denounced the government for using violence and intimidation to eliminate political opponents, a situation that went unnoticed considering the serious crisis breaking out in the east.²³ At the end of September,

Antoine Gizenga, Prime Minister in the government since its formation in February 2007, resigned amid criticism over the failure of his policies to reactivate the economy and to put an end to the armed conflict. There was speculation over the possibility that Joseph Kabila might take advantage to place someone close to him in the post of prime minister, but finally the Budgets Minister, Adolphe Muzito, also from PALU, was appointed as the new prime minister. He appointed a new government in which Kabila's party, the PPRD, continued to have the main portfolios (security, reconstruction and finance). The tension deriving from the events of February and March against the Bundu dia Congo political and religious movement in the Lower Congo reduced, while the MONUC withdrew the contingent deployed there. Finally, a United Nations' investigation revealed that Indian blue helmets might have been involved in cases of sexual exploitation and abuse.

DR Congo	
Intensity:	3
Trend:	↑
Type:	Government, Resources Internal
Main parties:	Government, political and social opposition and formerly armed opposition groups

Summary:

The so-called "African First World War" occurred between 1998 and 2003 in DR Congo.²¹ The signing of various peace agreements between 2002 and 2003 led to the withdrawal of

Great Lakes Region	
Intensity:	2
Trend:	↑
Type:	Identity, Government, Resources International

19. See chapter 7 (Human rights and transitional justice).

20. Human Rights Watch, *All the Men Have Gone: War Crimes in Kenya's Mt Elgon District*, HRW, 25 July 2008, <<http://www.hrw.org/english/docs/2008/07/25/kenya19471.htm>>.

21. See the summary for DR Congo (east) in chapter 1 (Armed conflicts) and the summary for the Great Lakes Region in this section.

22. See chapter 1 (Armed conflicts).

23. Human Rights Watch, *We will crush you: The Restriction of Political Space in the Democratic Republic of Congo*, HRW, 25 November 2008, <<http://www.hrw.org/en/reports/2008/11/25/we-will-crush-you-0>>.

Main parties: Governments of DR Congo, Rwanda, Uganda; ADF-NALU and LRA armed Ugandan opposition groups, FDLR Rwandan opposition armed groups and Rasta militias, armed Ituri Congolese opposition groups (FNI, FRPI, MRC) and CNDP, Mai Mai Congolese militias, FNL Burundian armed opposition group

Summary:

The "African First World War", so called because of the participation of up to eight countries from the region, happened in DR Congo between 1998 and 2003.²⁴ The signing of various peace agreements between 2002 and 2003 brought the withdrawal of hostile foreign troops (principally from Rwanda and Uganda). They justified their presence with the existence of insurgent groups on Congolese territory which they were trying to eliminate in the face of the lack of will of the Congolese armed forces to do away with them. Meanwhile, they controlled and plundered the natural resources of the east of the country. DR Congo has enjoyed the support of these groups, hostile to Rwanda and Uganda, in pursuit of its own interests, particularly the FDLR, which caused the Rwandan genocide in 1994. The relations between the three countries continue to be difficult because of the existence of the groups and the failure to implement agreements to demobilise or do away with them.

During the year there was a significant deterioration in the situation at a regional level. On 15 March the deadline was reached when the FDLR should have been forcibly disarmed, as established in the Nairobi agreement reached between Rwanda and DR Congo in November 2007, but the Congolese army breached the agreement and managed to disarm only some splinter FDLR militias claimed by Rwanda. In addition, Global Witness accused the armed forces of collaborating with the FDLR in exploiting gold and tin mines instead of fighting the rebellion.²⁵ The offensive by Laurent Nkunda's Tutsi militia against the Congolese armed forces led to new accusations by the Congolese government against Rwanda of supporting the militia and even of having perpetrated a new invasion, claims which were denied by the Rwandan government. Subsequently, **a report by a group of United Nations experts on the arms embargo highlighted the fact that DR Congo and Rwanda had collaborated with and militarily supported the Rwandan Hutu militia the FDLR and the CNDP, respectively.** In the case of Rwanda, Rwandan militia had participated alongside Laurent Nkunda's Tutsi militia in his offensive in North Kivu. The increase in activities by the Ugandan group the LRA in the Garamba national park should be highlighted alongside the attacks, looting and kidnapping of children in localities in the region between DR Congo, Sudan and the Central

African Rep. In the face of this situation, the Congolese army and the MONUC deployed a contingent to begin a military operation, and, in mid-December, DR Congo, Uganda and southern Sudan launched a joint military operation against the LRA.²⁶

e) North Africa and the Maghreb

Mauritania	
Intensity:	1
Trend:	↑
Type:	Government Internal
Main parties:	Government, political and social opposition

Summary:

Since its independence in 1960, the country has passed through several periods of instability in which coups d'état led by army officers have been the habitual form of alternating power. After a period of more than 20 years of government of an authoritarian and repressive nature, particularly against the black African community in the country, President Ould Taya was dismissed by a coup d'état on 3 August 2005. The Military Junta that was installed provisionally appointed a civilian government and established a transitional period of a year and a half in which the first free elections in the country were held. So, in March 2007, Sidi Ould Sheick Abdallahi was elected president, although the tensions linked to the struggle for power between different tribes and between political sectors had not been neutralised amid a context of deep economic crisis and Jihadist threats.

The growing political tension culminated on 6 August with a bloodless coup d'état led by General Mohamed Ould Abdelaziz who acted after the four top army leaders were dismissed. This put an end to the presidency of Sidi Ould Cheick Abdallahi, elected in March 2007 as part of the transition process begun a year and a half earlier. The months preceding the coup had been characterised by threats of a motion censuring members of the party in power, claiming the lack of economic growth, insufficient openness in the State accounts and the influence of sectors linked to ex-president Ould Taya. The coup d'état, after which the president and prime minister were arrested, was condemned by the UN Security Council on 19 August,²⁷ and the AU, France, the USA and the World Bank suspended non-humanitarian aid to the country. Meanwhile, another focus of tension was the activity of the Al-Qaeda organisation in the Islamic Maghreb (QOIM). It called for Jihad to avenge the deposition of Abdallahi and, in mid-September, claimed responsibility for an attack on a detachment of the army in Tourine, in the north of the country, which caused the deaths of 12 people.

24. See the summary on DR Congo (east) in section 1 (Armed conflicts).
 25. Global Witness, *Control of Mines by Warring Parties Threatens Peace Efforts in Eastern Congo*, Global Witness, 10 September 2008, in <http://www.globalwitness.org/media_library_detail.php/663/en/control_of_mines>.
 26. See chapter 1 (Armed conflicts).
 27. Presidential Declaration S/PRST/2008/30, 19 August 2008, and <<http://www.un.org/News/Press/docs/2008/sc9428.doc.htm>>.

America

Bolivia	
Intensity:	3
Trend:	↑
Type:	Self-government, Government Internal
Main parties:	Government, political and social opposition (political parties, authorities and organisations from civil society in the eastern districts)

Summary:

At the end of 2003, the then president Gonzalo Sánchez de Lozada sought exile in the USA after the repression of various anti-government protests caused more than 100 deaths in the months of February and October. After a period of uncertainty in which two presidents took interim power, Evo Morales won the elections of December 2005, becoming the first indigenous leader of a majoritarily indigenous country. However, his actions in government, particularly agrarian reform and the nationalisation of hydrocarbons —Bolivia has the second largest gas reserves in Latin America— were obstructed by determined opposition to his political plans from various political parties and from the eastern regions of the country. These, led by the district of Santa Cruz, demanded greater autonomy. The new Constitution proposed by the Government in 2007, and utterly rejected by the opposition and the districts of the so-called "crescent", also notably increased political polarisation in the country.

The political crisis bringing Evo Morales' government and the eastern districts known as the "crescent" into conflict led to outbreaks of violence at various points in the year. Between the months of May and June, these districts majoritarily approved, although with high abstention rates, statutes of autonomy submitted to referendums but considered illegal by La Paz. During these months, dozens of people were injured in confrontations between supporters and opponents of autonomy. In the face of the failure of the negotiations undertaken by the parties to try to overcome the situation of social polarisation, **on 10 August a revocatory referendum was held, in which both the president and the prefects of the eastern districts were ratified with high percentages of the vote.** During the following days, however, **many people died or were injured during several confrontations in the eastern districts.** The prefect of Pando was arrested for encouraging and allowing a massacre in which 17 peasants died and several others disappeared. In the last quarter of the year the tension notably reduced after both sides reached an agreement, facilitated by the church and the international community. This brought forward the general election and amended a quarter of the articles in the new Constitution, which will be submitted to a popular vote in January 2009. However, at the end of the year the protests in the eastern districts began once again, as some prefects considered that the agreement did not include their main demands and that the government was encouraging the political persecution of the authorities in these districts.

Ecuador	
Intensity:	1
Trend:	↓
Type:	Government, Resources Internal
Main parties:	Government, political and social opposition (Congress, organisations of peasants and indigenous people against trans-national extraction operations)

Summary:

After a decades of constant political crisis during which up to six different presidents held the post and social demonstrations – most importantly marches by indigenous people and protests against trans-national oil or mining companies – Rafael Correa won the presidential elections of 2006. His main promise was to overcome the chronic socio-political instability, breaking with the traditional political parties and prioritising attention to the most excluded groups in the country. To do this, Correa pressed ahead with the establishment of a Constituent Assembly in order to approve a new Charter making it possible to change the political and economic model. Both the composition and powers of this Assembly, as well as the contents of the new Constitution led to numerous conflicts between supporters and detractors of the government and to a battle between the executive and legislative authorities, resulting in a serious institutional crisis.

The political and social tension reduced considerably compared to the previous year, even though the president, Rafael Correa, denounced the opposition for various attempts to remove him from power and destabilise the Government. In addition, in mid-2008 the main organisation of indigenous people in the country (CONAIE) threatened to lead a rising if the government did not agree to consult the indigenous communities about the exploitation of natural resources. Along these lines, various trade union organisations also showed themselves to be prepared to mobilise if the executive broke its promise to put an end to the neo-liberal policies which had held sway in the country in recent years. Despite all this, and the political tensions generated between the row between the opposition and the president, at the end of September **the new Constitution was approved by 64% of the votes, but rejected in the Guayaquil region, the most populous and prosperous part of the country and the main opposition stronghold.** Faced with demands for autonomy raised by the Guayaquil authorities and the parallels some voices raised between the situation in this region and that in the eastern districts of Bolivia, Correa declared that he would not accept Guayaquil breaching valid legislation or becoming a focus of instability. In addition, Correa indicated that the approval of the new Constitution opened the door to a new political and economic model of State.

Haiti	
Intensity:	2
Trend:	↑
Type:	Government, Territory Internationalised internal

Main parties: MINUSTAH, Government, political opposition (followers of ex-President Jean-Bertrand Aristide) and armed opposition (youth gangs)

Summary:

After ex-President Jean Bertrand Aristide left the country in February 2004, preventing an armed confrontation with the rebel group that had taken over a good part of the country, a Provisional Multinational Force and a UN peace-keeping mission (MINUSTAH) were deployed one after the other to help the provisional government re-establish order and security. Although since the election of René Prével as new president at the beginning of 2006 there has been greater political, social and economic stability, several problems still persist. These include accusations against MINUSTAH of rights violations, the high crime rate, control by armed gangs of certain urban areas, the difficulties of the Disarmament, Demobilisation and Reintegration process, the high levels of corruption, poverty and social exclusion, or the lack of trust and co-operation between the main political parties.

Despite the fact that the government has declared several times that security conditions have notably improved in recent years, in 2008 the Police and MINUSTAH continued to carry out numerous operations against various armed gangs in some poor districts of the main Haitian cities. In addition, the United Nations warned about the persistence of phenomena such as drug trafficking and kidnapping. **In mid-April, five people died and several dozen were injured during protests involving thousands of people against the increase in the prices of basic products.** During the disturbances, several public and United Nations buildings were looted and set on fire. In April, Parliament forced the resignation of the then prime minister because it did not believe he was able to manage the emergency situation. This led to a political and institutional crisis which was not resolved until the end of July with the appointment of Michèle Pierre-Louis as the new prime minister. Meanwhile, at various points of the year (February, April, July and December) **thousands of supporters of ex-President Jean-Bertrand Aristide (exiled at the beginning of 2004) demonstrated, demanding his return.** During these demonstrations, several people were injured in confrontations with the police. Finally, in July, dozens of ex-soldiers occupied military installations in the towns of Cap-Haitien and Ouanaminthe to demand the re-establishment of the Armed Forces and the payment of their wages since the former was dissolved in 1995.²⁸

Nicaragua	
Intensity:	2
Trend:	↑
Type:	Government Internal
Main parties:	Government, political and social opposition

Summary:

The Sandinista National Liberation Front (FSLN) achieved power after overthrowing the Somoza dictatorship in 1979

and ruled the country until 1990, when, against all expectations, the opposition leader Violeta Chamorro defeated the then president, Daniel Ortega. The political and social polarisation the country has suffered since then became notably more acute after the surprising pact achieved between the main parliamentary forces (the FSLN and the PLC) to weaken the then president Enrique Bolaños and increase their influence in various State institutions. The political tension increased again in November 2006, with the electoral victory of Daniel Ortega. He accused the opposition and certain de facto powers of blocking his agenda for change, while various political and social sectors accuse the current Government of governing with an authoritarian style and taking democracy backwards in Nicaragua.

The tension between Daniel Ortega’s Government and the opposition was considerably heightened during the year.

In mid-2008, tens of thousands of people protested against the increase in prices of basic products and against the Government’s economic policy. In addition, the restrictions the highest electoral authority placed on opposition candidates wanting to take part in the regional elections caused many confrontations, particularly in September and October. However, the biggest outbreak of violence occurred after the regional elections held on 9 November in which the official Sandinista National Liberation Front declared it had won 103 of the 146 disputed municipalities. The opposition immediately **accused the Government of having committed fraud in some of the main cities in the country, such as Managua and Leon, and it led demonstrations by thousands of people.** Over the following weeks, three people died, several dozen more were injured and more than 100 were arrested during the clashes, many of them armed, between supporters and opponents of the Government. Although several governments and NGOs expressed their doubts about the openness of the elections, the Nicaraguan executive rejected the mediation of the OAS. At the end of the year, the US Government threatened to suspend development aid if Managua did not present proof of the credibility of the elections and show the political will to resolve the conflict.

Peru	
Intensity:	3
Trend:	↑
Type:	Government Internal
Main parties:	Government, armed opposition (remnant factions of Shining Path) and political and social opposition (organisations of peasants and indigenous people)

Summary:

In 1980, precisely the year when the country recovered democracy, an armed conflict began between the Government and the Maoist armed group Shining Path which went on for two decades and cost the lives of more than 60,000 people. Under the cover of counter-insurgency policy, in the

28. See chapter 6 (Disarmament).

nineties the State suffered a return to authoritarianism at the hands of Alberto Fujimori, who was exiled to Japan in 2000 after being deposed by Congress and accused of many cases of corruption and human rights violations. Since then, the Governments of Alejandro Toledo and Alan García have had to deal with the actions of some remnant factions of Shining Path, allegedly linked to drug trafficking, and with the demands of several regions and groups —miners or coca-producing peasants— calling for greater attention from the State.

Faced with the renewed increase in actions by Shining Path, the Government decreed a state of emergency in various locations in the Andes and deployed thousands of additional troops in the region between the rivers Ene and Apurímac. The Government stated that in the last few months of the year more than 50 people had died or been injured in ambushes attributed to Shining Path and that, in the months of October and November alone, 22 police and soldiers had died at the hands of the group. According to the Government, Shining Path has about 150 members, is closely linked to drug trafficking and is trying to recruit peasants, but does not pose a real threat to the State. On at least two occasions, **the leaders of Shining Path, who declare that they are carrying out the “third phase of the extended people’s war”, demanded political negotiations with the Government, together with an amnesty so that they could deposit their weapons.** Meanwhile, at different times during the year there were protests by various groups against the agrarian and economic policies of Alan García’s executive. Particularly serious were the protests in the Moquegua and Tacna divisions (south), where the Government imposed a state of emergency to contain the protests of thousands of people who were demanding a better share of the income deriving from the Southern Peru company. In the Amazon regions, thousands of indigenous people carried out numerous protests against legislation making it easier to sell their land and for mining and energy companies to set up in the region.

Asia

a) Central Asia

Uzbekistan	
Intensity:	1
Trend:	=
Type:	System, Government Internal
Main parties:	Government, social and political opposition, armed Islamist groups

Summary:

The regime of Islam Karimov, in power since 1989 (first as leader of the Uzbek Communist Party and since 1991 as president of the independent country) has been characterised by systematic repression of the political, social and religious opposition. This has been achieved through a personalist political system, the iron control of public spaces and the breach of rights and freedoms. Since the end of the nineties, the country has suffered violent attacks by clandestine Islamist groups, largely the Uzbekistan

Islamic Movement. Tension in the country escalated after May 2005 due to the regime’s violent repression of demonstrations in Andijan, which left several hundred civilian deaths and caused a large exodus of refugees to neighbouring countries.

There were no significant changes in the situation of tension, in a context of social and political control and continuing persecution of human rights activists, independent journalists and political opponents. At the beginning of the year **several hundred people demonstrated in various areas of the country** (between 250 and 300 in Ferghana —south-east—, and several dozen in Khojeyli —north-west— and Zafarabad —centre—) **because of disruptions to gas and electricity supplies** at a time of exceptionally low temperatures. In May, **in the context of the third anniversary of the Andijan massacre, the Government continued to reject the establishment of an independent inquiry.** Despite this, the EU continued to move closer to the regime and approved the expiry of visa restrictions on various government officials, claiming improvements in human rights, although it maintained the arms embargo. International human rights NGOs and local activists criticised the lack of improvements. The authorities restricted news coverage of an explosion in a tank at a military base in Kagan (south), with three deaths and 21 people injured. These were officially attributed to an accidental fire, and versions pointing to a terrorist attack were denied. At the end of the year, the government began a land reform process by presidential decree, including the handover of small plots to be combined with larger ones. Some analysts warned that the discontent of small farmers could generate tensions.

b) South Asia

India – Pakistan	
Intensity:	2
Trend:	↑
Type:	Identity, Territory International
Main parties:	India, Pakistan

Summary:

The tension between the States of India and Pakistan originated with the independence and partition of the two and the dispute over the region of Kashmir. On three occasions (1947-1948; 1965; 1971) the two countries have clashed in armed conflict, both claiming sovereignty over this region, which is divided between India, Pakistan and China. The armed conflict in 1947 gave rise to the current division and *de facto* border between the two countries. Since 1989, the armed conflict has moved inside the Indian state of Jammu and Kashmir. In 1999, a year after the two countries carried out nuclear tests, the tension almost resulted in a new armed conflict, which was halted by US mediation. A peace process began in 2004, without substantial advances in resolving the dispute over Kashmir, although economic relations have become significantly closer. However, Indian accusations against Pakistan over its support for the insurgency operating in Jammu and Kashmir have persisted, as well as sporadic episodes of violence on the *de facto* border dividing the two States.

The tension between the two countries rose considerably in the last quarter of the year after the attacks that took place in the Indian city of Mumbai in November, causing the deaths of almost 200 people and injuring nearly 300. India pointed to the involvement of organisations originating in Pakistan, attributing a lack of control over insurgent groups based on its territory to the Pakistani Government, and even pointing out possible links between those responsible for the attacks and the Pakistani secret service. The Indian executive requested the extradition of various people who could be linked to the attacks. For its part, Pakistan, despite having offered full cooperation to clarify the facts and having suggested the establishment of a joint investigation committee led by the respective national security advisers, warned that it would transfer troops currently deployed in the tribal regions bordering Afghanistan to the border with India if the neighbouring country took any military action. Despite this, both countries ruled out carrying out military action. All Pakistani parties showed their support for the executive in protecting national security. It must be emphasised that in the days before the attack Pakistan had shown its commitment to not being the first to use its nuclear weapons against India, a gesture involving a notable change of attitude.

Nepal (Terai)	
Intensity:	3
Trend:	=
Type:	Self-government, Identity Internal
Main parties:	Government, political Madhesi organisations (MPRF) and armed ones (JTMM, MMT, ATLF, among others)

Summary:

The tension in the Terai region (in the south of the country, along the border with India) has its origin in the historical marginalisation of the Madhesi population and the dissatisfaction generated by the peace process begun in 2006. This process put an end to the armed conflict that had been afflicting the country since 1996. The population of Terai —about half the population of the country— has historically suffered political, social and economic exclusion. The signing of a peace agreement and the approval of an interim Constitution ignoring the feelings of grievance and the demands for greater recognition led Madhesi organisations to begin protests in the early months of 2007. These led to violent confrontations between Maoists and the police.

The agreements reached by the new Nepali Government, headed by the Maoist part CPN-M, with various Madhesi political parties led to a considerable reduction in tension in the most southerly region of Nepal. However, violence was constant throughout the year and led to at least 34 deaths, most of them civilians. **The most outstanding event was the integration into the Government resulting from the elections to the Constituent Assembly of several representatives of the Madhesi MPRF party, whose leader, Upendra Yadav, was appointed Foreign Minister.** A total of four posts in the new cabinet were occupied by members of the Madhesi organisation. However, at the end of the year, Yadav lamented the lack of solutions to the grievances

suffered by the Madhesi community and called for the implementation of the various agreements reached guaranteeing this population more rights. At a meeting held in India, various armed opposition groups (ATMM, MMT, MVK, TC, TA, SJTMM and a faction of the JTMM) explored the possibilities of unified action. Finally, the announcement of the start of peace negotiations with some of the armed organisations active in Terai was celebrated as an opportunity to put an end to the violence. The most active armed group during the year was the JTMM-J. Hundreds of people were also injured as the result of numerous bomb explosions.

Pakistan	
Intensity:	3
Trend:	↓
Type:	Government, System Internal
Main parties:	Government, political and social opposition (PPP opposition party, judiciary), armed opposition (Taliban militias)

Summary:

In 1999, a coup d'état perpetrated by General Pervez Musharraf put an end to the government of the then prime minister Nawaz Sharif. Musharraf accused the government and previous ones of mismanagement and corruption. The coup d'état led to international isolation for the new military regime, ending after the attacks of September 2001, when Musharraf became the main US ally in the region in the hunt for Al-Qaeda. Musharraf's self-perpetuation in power, his simultaneous roles as Head of State and of the Armed Forces, the attempts to put an end to the independence of judicial authority and the growing strength of the Taliban militias in the tribal regions of the country bordering Afghanistan are some of the elements explaining the fragility of the political situation in the country for many years. In 2008, Musharraf resigned as president after his defeat at the legislative elections and he was replaced in the post by Asif Ali Zardari.

2008 was characterised by deep transformations in the political sphere, which led to a change in the executive and the end of the regime led by General Pervez Musharraf. **The party of the deceased former Prime Minister Benazir Bhutto, the PPP, won the legislative elections in February, in which the main loser was Musharraf.** The attempt to establish a coalition government of the PPP, PML-N and ANP came to nothing, and Yussuf Raza Gillani, of the PPP, was appointed prime minister by Parliament. Musharraf's resignation in August was interpreted by many sectors as the beginning of a new stage. However there were still many challenges due to the growing violence in tribal areas and the many pending democratic reforms, including the judicial sector, the powers of the executive and the fight against poverty. The appointment of Bhutto's widow, Asif Ali Zardari, generated some question marks given the accusations of corruption levelled at him on several occasions. The attack on the Marriott hotel in Islamabad in September, which left 53 dead and 250 injured, responsibility for which was claimed by Al-Qaeda, demonstrated the precarious security situation throughout the country, not just in the north-eastern

areas and the province of Baluchistan. In November the Government announced reforms of the ISI intelligence services to put an end to their interference in the political life of the country and to focus their commitment on the fight against terrorism.

c) East Asia

China (Tibet)	
Intensity:	3
Trend:	↑
Type:	Self-government, System, Identity Internationalised internal
Main parties:	Chinese Government, Dalai Lama and Tibetan Government in exile, political and social opposition in Tibet and neighbouring provinces

Summary:

In 1950, a year after having won the Chinese Civil War, Mao Tse-tung's Communist Government invaded Tibet. During the following decade it increased its military, cultural and demographic pressure on the region and snuffed out several attempts at rebellion, in which thousands of people died. Faced with the brutality of the occupation, in 1959 the Dalai Lama and tens of thousands of people fled Tibet and went into exile in various countries, particularly in Nepal or northern India, where the Government has its seat in exile. In recent decades, both the Dalai Lama and numerous human rights organisations have denounced the repression, demographic colonisation and cultural attacks suffered by the Tibetan population, part of whose territory enjoys the status of autonomous region. The dialogue between the Dalai Lama and Beijing has been interrupted several times by Chinese Government accusations about the Dalai Lama's secessionist objectives.

Tibet experienced the biggest outbreak of violence in the last few decades when, in mid-March, thousands of people began protests against the Chinese Government. During the protests, which extended to other provinces and neighbouring countries with an important Tibetan presence, security forces, thousands strong, were deployed and journalists were expelled from the region. **According to the Tibetan Government in exile, about 140 people died and thousands more were arrested, although Beijing significantly reduced these figures** and accused the Dalai Lama of instigating acts of violence, having a hidden secessionist agenda and wanting to damage China's international image because of the Olympic Games being held in August. After April, the demonstrations were greatly reduced although throughout the year, particularly in the days before and after the holding of the Olympic Games, acts of protest continued to be recorded, both inside and outside Tibet. Meanwhile, criticism of political and cultural repression in the region and the punishments imposed on people accused of taking part in the protests continued. In the same way, Beijing stated that acts of protest and violence by the Tibetan community to demand independence continued throughout the year. At the end

According to the Tibetan Government in exile, about 140 people died and thousands more were arrested in the protests against the Chinese Government, the fiercest of the last few decades

of September, for example, more than 50 Tibetan monks were injured during confrontations with the Chinese police in a monastery that was the scene of many protests during 2008.

China (East Turkestan)	
Intensity:	3
Trend:	↑
Type:	Self-government, System, Identity Internal
Main parties:	Chinese Government, armed opposition (ETIM, ETLO), political and social opposition

Summary:

Xinjiang, also known as East Turkestan or Uyghuristan, is the most westerly region of China. It contains important hydrocarbon deposits and it has historically been inhabited by the Uyghur population. This majoritarily Muslim people has important cultural links to the countries of Central Asia. After several decades of policies of acculturation, exploitation of natural resources and intensive demographic colonisation that has substantially altered the structure of the population and caused community tensions since the 1950s, various armed secessionist groups began armed actions against the Chinese Government, particularly in the nineties. Beijing considers these groups, such as ETIM or ETLO, as secessionists and has tried to link its counter-insurgency strategy to the so-called global fight against terrorism.

In the months prior to the holding of the Olympic Games, more than 40 people died and several dozen were injured in different attacks mainly attributed by the Government to the armed opposition group ETIM. The attack against a border post in the town of Kashgar, in which 16 police officers died, and the simultaneous explosion of several bombs in the town of Kuqa, which caused the deaths of 11 people, should be highlighted. Previously, in March, about 60 people were arrested in Xinjiang accused of wanting to orchestrate terrorist attacks during the Olympic Games and of planning the hijacking of an aircraft. Beijing stated that dozens of people trained in Al-Qaeda's camps in Pakistan and Afghanistan were returning to take part in these attacks. However, Uyghur organisations in exile warned that these arrests in Xinjiang were being used to divert attention from the protests in Tibet. At the same time, they denounced the fact that the Chinese Government had repeatedly imposed a *de facto* state of emergency in the region and that it was increasing its repression against the secessionist movement, arresting hundreds of people. In the second half of the year, Beijing increased its anti-terrorist cooperation with neighbouring countries and, faced with intelligence reports about possible attacks, doubled security measures in Xinjiang. **According to various analysts, the biggest outbreak of violence in Xinjiang since the 1990s was recorded in 2008.**

Box 2.1. China: one country, four systems?

The holding of the Olympic Games in China gave the country the opportunity to definitively position itself as a world power after more than two decades growing at almost 10%. But, to consolidate its hegemony, the Chinese Government must not only carry out the structural reforms urged on it most strongly by the international community (democracy, human rights, the environment and free trade), it must also confront its politico-territorial configuration and resolve the situation concerning the three regions which have been the focus for national construction efforts over the last few decades: Taiwan, Tibet and Xinjiang.

In **Taiwan**, just 60 years after the defeat of the nationalist of General Chiang Kai-Chek at the hands of Mao Tse Tung's Communists, it is precisely the victory of the Kuomintang in the March presidential elections that could be a key factor in bringing the two China's closer together and overcoming several decades of diplomatic and almost military confrontation. Although the new Taiwanese president has ruled out the start of negotiations over the reunification of the two countries, he has shown himself to be more conciliatory towards China than his predecessor in the post (who, in his eight years in power flirted with promoting independence, faced with the threat of Chinese invasion). The new president has now shown himself to be prepared to demilitarise the region, strengthen economic links and promote measures to encourage trust, with the establishment of direct flights and an increase in tourism.

In **Tibet**, the protests recorded since March have once again put the region on the international agenda, but it is yet to be seen whether this will promote or hinder dialogue between the Tibetan Government in exile and Beijing, interrupted for many years and timidly restarted in 2003. The Chinese Government accuses the Dalai Lama of being behind the violent incidents and of promoting the secession of Tibet. For its part, the Tibetan Government in exile states that it has always preached non-violence. It denies that the Dalai Lama has any pro-independence agenda, indicating that his main objectives are respect for human rights and for the cultural idiosyncrasy of the Tibetan community and the reunification and autonomy of all Tibetan territory, which has six million inhabitants. The Autonomous Region of Tibet currently consists of only part of the Greater Tibet demanded by the Government in exile.

Xinjiang, also known as East Turkestan or Uyghuristan, is the most westerly region of China. It contains important hydrocarbon deposits and it has historically been inhabited by the Uyghur population. This mainly Muslim people have important cultural links to the countries of Central Asia. After several decades of intensive Chinese demographic colonisation, which has substantially altered the structure of the population, several armed secessionist groups began armed actions against the Chinese government, particularly in the nineties. Beijing considers these groups, such as ETIM or ETLO, as terrorists and has tried to link their counter-insurgency strategy to the so-called global fight against terrorism. During the year, about forty people died in various attacks attributed to one or other of these groups. For their part, Uyghur organisations consider that the Government is using the excuse of terrorism to increase repression against the Uyghur community.

In the eighties, the reformist Deng Xiaoping invented the concept of **"one country, two systems"**, alluding to the supposed compatibility of the capitalist and socialist systems, in an attempt to make the reunification of continental China and Taiwan viable. Although this principle did not work in the case of the former island of Formosa, it did in the case of Hong Kong, a British colony which kept its capitalist system and its representative democracy even after China recovered sovereignty over it in the mid-nineties. Under the principle of "one country, two systems", China has demonstrated that it is prepared to relax the sacred status of its economic system for the purpose of national unity and territorial integrity. This is the path that could be followed over the next few years to resolve the issue of Taiwan, promoting economic interdependence as a prelude to political integration. The independence of Tibet and Xinjiang appears quite improbable given the scarce support they would receive from an international community incapable of snubbing China over such a sensitive issue. In addition, both the Tibetan Government in exile and Uyghur organisations have declared that they would accept substantial autonomy that respects their political and cultural systems. Meanwhile, however, for decades the Tibetan and Uyghur communities have not only resisted repression and acculturation by the Chinese Government, they have also shown a certain capacity for political stabilisation, as has happened this year. Things being as they are, **it seems that the resolution of the three pending issues largely depends on Beijing's willingness to accommodate certain levels of political, religious, cultural and economic diversity in its rigid political structures.**

d) Southeast Asia and Oceania

Philippines (Mindanao-MNLF)

Intensity:	2
Trend:	↓
Type:	Self-government, Identity Internal
Main parties:	Government, factions of the MNLF armed group

Summary:

Although active throughout the 20th century, the pro-independence movement in Mindanao was expressed politically

during the sixties and the armed struggle began in the seventies, at the hands of the MNLF. A good many of the 120,000 people estimated to have been killed on Mindanao because of the conflict died during the seventies, in the middle of Ferdinand Marcos' dictatorship. A faction of the MNLF, the MILF, split from the group in 1976 after it signed a peace agreement with the Government providing for autonomy (and not independence) for Mindanao. Despite the agreement, the armed conflict went on until 1996, when another peace agreement was signed with similar content to that of 1976. In the last few years, some undisarmed factions of the MNLF have taken part in violent episodes to demand the full implementation of the peace agreement

and the release of the founder of the MNLF, Nur Misuari, arrested in Manila since 2001 accused of rebellion. However, tension has reduced since 2007 because of the agreement between the parties to review and implement the 1996 peace agreement and because of successive authorisations for Misuari to travel abroad and carry out political activities.

The number of confrontations between the MNLF and the Armed Forces reduced considerably compared to the previous year thanks to the meetings periodically held between the two sides to achieve definitive implementation of the 1996 peace agreement. Despite this, trust between the parties was eroded at various points during the year by protests from MNLF followers wanting to achieve freedom for Nur Misuari and by accusations that the MNLF was carrying out massive recruitment in Palawan (south) and building a training centre in Zamboanga or continuing to maintain links with organisations considered as terrorist ones. Along these lines, intelligence sources indicated in March that about 600 members of the MNLF and Abu Sayyaf had met in the Sulu archipelago to plan joint attacks against the Government. Tension increased in April when the MNLF accused the Government of having caused the deaths of several people and the displacement of many families by bombing one of its camps on Sulu. Meanwhile, tensions with the MILF armed opposition group, which had split from the MNLF at the end of the seventies, also increased after Nur Misuari declared in September that his forces were ready to protect the civilian population from attacks by the MILF. This group was accused of perpetrating several attacks against various majoritarily Christian communities during August.

Indonesia (West Papua)	
Intensity:	2
Trend:	=
Type:	Self-government, Identity, Resources Internal
Main parties:	Government, OPM armed group, political and social opposition (pro-autonomy, secessionist, indigenous peoples' and human rights organisations), indigenous Papuan groups, Freeport mining company

Summary:

After being administered by the UN during the sixties, West Papua (previously Irian Jaya) was formally integrated into Indonesia in 1969 after a referendum was held which many voices considered to be fraudulent. Since then, there has been a deep-rooted secessionist movement in the region and an armed opposition group (OPM) carrying out low-intensity armed activity. As well as constant claims for self-determination, there are other sources of conflict in the region, such as community confrontations between various groups of indigenous peoples, tension between the local population (Papu and largely Animist or Christian and the so-called transmigrants (largely Muslim Javanese), protests against the trans-national extraction company Freeport —the largest of its kind in the world— or criticisms of the armed forces for human rights violations and illicit self-enrichment.

The Armed Forces redoubled their security measures in the region and increased the number of arrests in the face of the **substantial increase in pro-independence protests** recorded during the year. The majority of these demonstrations were protesting about slowness in applying the Special Autonomy Act —approved by the Indonesian Parliament in 2001 to deactivate the secessionist movement— about the human rights violations committed by the State security forces in the region, or about the constant arrival of immigrant population. The demonstrations also demanded recognition of self-determination for the Papuan people and the repetition of the referendum which fraudulently sanctioned the annexation of Papua by Indonesia in 1969, leading to the beginning of insurgent activity in the region. Along these lines, the OPM threatened to increase its attacks if the Indonesian Government took no notice of the demands of the Papuan people. However, the Armed Forces denied that the group was training and reorganising in the Manokwari region, as some sources had indicated. Meanwhile, protests against the social and environmental impact of the extraction company Freeport continued. In mid September, **two bombs exploded near the American company's facilities and a third device exploded at an airport built by Freeport.**

Indonesia (Aceh)	
Intensity:	2
Trend:	=
Type:	Self-government, Identity, Resources Internal
Main parties:	Indonesian Government, Aceh regional Government, political opposition

Summary:

After almost 30 years of armed conflict between the Armed Forces and the GAM armed pro-independence group, the two sides signed a peace agreement in August 2005. This came a few months after the tsunami completely devastated the province, leading to the arrival of hundreds of NGOs. The peace agreement, which provided for broad autonomy for Aceh, the demilitarisation of the region, the disarmament of the GAM and the deployment of an international mission to supervise its implementation, brought about a significant reduction in levels of violence. It also made it possible to hold regional elections for the first time in the history of the region, with the former leader of the GAM emerging victorious. Despite the good progress of the peace and reconstruction process, in the years following the signing of the peace agreement various tensions have been recorded linked to the reintegration of combatants, demands for the creation of new provinces or criticisms of the public authorities for corruption and incompetence.

Although no serious incidents were recorded and the process of implementing the 2005 peace agreement continued satisfactorily, an **increase in ordinary crime and in the use of firearms was recorded. According to some analysts, both these phenomena are linked to the problems of demobilising ex-GAM combatants.** At a political level, the increase in tension linked to the general elections of April 2009, should be highlighted. This will be the first time in Aceh and in Indonesia that

local political parties have been able to stand. Along these lines, five ex-members of the GAM died after their office was attacked by a group of about 300 people in the Central Aceh district. This region was previously the scene of confrontations between the GAM and pro-Indonesian militias. Subsequently, in September, two explosive devices went off with a few days between them at the headquarters of Partai Aceh (a political group founded based on the GAM) and at its leader's home. The second focus of political tension was the **demand by certain local leaders for the formation of new provinces based on the central, southern and western districts of Aceh**. Although both the central government and the governor of Aceh, the ex-leader of the GAM, are opposed to the secession of these districts, some analysts consider that the utilisation of this issue by local politicians could generate inter-community confrontations.

Laos	
Intensity:	2
Trend:	=
Type:	System, Identity Internationalised internal
Main parties:	Government, political and armed organizations of Hmong origin

Summary:

During the so-called Indochina War of the sixties and seventies, a good part of the Hmong ethnic community allied with US troops in their fight against the advance of Communism in the region. Since then, the Communist Laotian government has repressed this community, which carries out low-intensity armed activity without sophisticated equipment for war. Despite the fact that 275,000 ethnic Hmong people currently live in the USA and that another thousand have spent the last few years in a refugee camp in Thailand, it is estimated that there are still 12,000 people living in the jungle areas of the south of the country. The tough humanitarian conditions and military pressure from the Governments of Laos and, to a lesser extent, Vietnam, lead to the death or surrender of many people every year. Hundreds of refugees resist repatriation to Laos because they consider that their safety is not guaranteed.

At the beginning of the year, leaders of the Hmong community condemned the fact that **their community inside Laos had been reduced from 18,000 to 7,000 people over the last few years. This was due both to military repression and to the precarious living conditions of the Hmong in the jungle areas of the country.** At the time, Radio Free Asia criticised the fact that the Laotian Armed Forces, aided by those of Vietnam, had increased repression against the Hmong community. Along these lines, the Fact Finding Mission organisation stated that between mid-January and mid-February alone, 72 Hmong people had died in Laos. Meanwhile, in the middle of the year **an important outbreak of violence was recorded in a Hmong refugee**

The prospects for change in the political situation in Myanmar completely evaporated in 2008

camp in north-eastern Thailand. According to several humanitarian organisations, about 1,500 homes had been set on fire (the Government reduced this figure to 400), accesses to camps had been blocked and there were confrontations between the Thai Armed Forces and refugees, resulting in about 600 people being arrested. The disturbances were caused by rumours concerning a massive repatriation of refugees to Laos, where the Hmong community, human rights organisations and some Governments consider that their safety is not guaranteed. Finally, the Thai Government repatriated 840 people and did not rule out doing the same in future with the 6,700 people remaining in Thailand.

Myanmar	
Intensity:	2
Trend:	=
Type:	System Internal
Main parties:	Government, political and social opposition (LND opposition party)

Summary:

A coup d'état in 1962 resulted in the government by military junta which has kept power since then. The military Government abolished the federal system and imposed a harsh dictatorship, known as the "Burmese way to socialism". In 1988, the economic crisis led thousands of people to show their discontent in the street, protests which were harshly repressed by the military regime, leaving a balance of 3,000 deaths. However, the Government called elections whose result it never recognised after the democratic opposition leader Aung San Suu Kyi was victorious. She was subsequently arrested, a situation which has intermittently continued since then. In 2004, the Government began a process of reforming the Constitution in an attempt to offer a more open image of the regime, a process discredited by the political opposition to the dictatorship.

The prospects for change in the political situation opened up in the second half of 2007 completely evaporated in the course of 2008 due to the lack of political will of **the Military Junta, which persisted in its isolationist practices and repression of the democratic opposition.** The **holding of a referendum to approve the draft Constitution, which according to the Military Junta obtained a result of 92.4% of votes in favour and a turnout of 99%,** was one of the most outstanding events of the year. **The opposition criticised massive fraud and intimidation of voters,** as well as pointed to much lower turnout figures. The referendum took place despite political opposition and opposition from the international community, including the UN secretary general. They called for it to be postponed considering the humanitarian crisis generated by Cyclone Nargis.²⁹ Concerning opposition organisations, the year ended with the imposition of tough sentences on dozens of activities, some of up to 65 years imprisonment. Before this, and coinciding with the anniversary

29. See chapter 5 (Humanitarian crises).

of the Saffron Revolution and the 1988 protests, there were many arrests. In addition, the Military Junta renewed the house arrest of the opposition leader and Nobel Peace Prize winner Aung San Suu Kyi. Meanwhile, discontent increased among the opposition with the role played by the UN peace envoy, Ibrahim Gambari, considering the lack of significant changes in the position of the military regime.

Thailand	
Intensity:	3
Trend:	↑
Type:	Government Internal
Main parties:	Government, political and social opposition

Summary:

After Thaksin Shinawatra came to power in 2001, many sectors criticised his authoritarian style, particularly concerning his campaign against drug trafficking (in which more than two thousand people died) and his militarist approach to the conflict in the south. However, the Government's successful handling of the situation caused by the tsunami of December 2004 earned him a comfortable victory at the 2005 elections. Since then, the polarisation between officialdom and the opposition has accelerated so that, at the beginning of 2006, when a case of corruption was made public, there were big demonstrations demanding his resignation. The political crisis became more acute during the year until, in September, a military junta carried out a coup d'état and Thaksin Shinawatra went into exile in the United Kingdom. The provisional Government drew up a new Constitution, approved by referendum in August 2007, and, in December that year, it called elections. These were won by a party loyal to Thaksin Shinawatra.

The situation of political tension and social polarisation was heightened throughout the year, when some of the most important episodes of violence of recent years were recorded. The demonstrations by the opposition, led by the People's Alliance for Democracy, began again shortly after the formation in January of a new Government. It was accused by the opposition of wanting to reform the Constitution approved by referendum in 2007, and of being a puppet organisation of the ex-prime minister Thaksin Shinawatra. At the end of February, he returned to the country to face the various cases of corruption he had outstanding with the judicial system. Demonstrations increased during the first half of the year until, in August, the demonstrators occupied the seat of the executive and the Government decreed a state of emergency after serious clashes between supporters and opponents of the Government. In September, Somchai Wongsawat, brother-in-law of Thaksin Shinawatra, was appointed prime minister after the Constitutional Court forced Samak Sundaravej to resign. **During October and November the violence increased once again. Some people died and several hundred were injured in various bomb explosions and clashes with the Police.** The Government once again imposed a state of emergency to tackle the huge demonstrations and the occupation of the capital's two airports. At the beginning of December, the Constitutional Court forced the resigna-

tion of the prime minister after dissolving three of the six governmental coalition parties for having committed electoral fraud. A few days later, the leader of the opposition, Abhisit Vejjajiva, was appointed as the new prime minister.

Thailand – Cambodia	
Intensity:	2
Trend:	↑
Type:	Territory International
Main parties:	Thailand, Cambodia

Summary:

The origin of the dispute between the two countries is a portion of land measuring approximately 4.6 km² surrounding the 11th-century Buddhist temple of Preah Vihear, on the border between Thailand and Cambodia. After several centuries of litigation, in 1962 the International Court of Justice declared that the temple belonged to Cambodia, but it made no decision concerning the territory attached to the temple. However, the fact that the best access is from the Thai side, and the fact that Thailand disagrees concerning the historical maps on which the decision of the International Court of Justice was based have fed Thai claims over the last few decades. A large number of deployed troops and land mines are concentrated in the disputed border region.

The dispute between the two countries saw its most important outbreak of violence of the last few years. The diplomatic tension escalated considerably after the United Nations declared the Preah Vihear temple a World Heritage Site in July. Since then the two countries have deployed extra troops on the border, where skirmishes were recorded in which members of the security forces of both States were injured. Several people were also injured by land mine explosions. In mid October, after the Government of Cambodia issued Thailand with an ultimatum to withdraw its troops, there were confrontations between the Armed Forces of both countries, causing the deaths of between two and four soldiers, according to the sources. In addition, another dozen soldiers were wounded and, according to the Government of Cambodia, 10 Thai soldiers were captured. On the same dates, more than 400 Thais living in Cambodia left the country on the recommendation of the Thai Government. After several days of diplomatic and military tension, in which the two countries accused one another of having caused the dispute, the conflict eased and both Governments, encouraged by neighbouring countries and by various international bodies, partially withdrew their troops from the border, stating their intention to resolve the dispute through dialogue.

Timor-Leste	
Intensity:	2
Trend:	↓
Type:	Government Internationalised internal
Main parties:	Government, international mission International Security Forces, political and social opposition

(sympathisers of the rebel leader Alfredo Reinado, sympathisers of the FRETILIN party, dismissed soldiers, armed gangs)

Summary:

After a quarter of a century of brutal military occupation by Indonesia, Timor-Leste achieved independence in 2002. Since then, several United Nations missions have helped the Government deal with institutional fragility, the high rates of poverty (it is the poorest country in Asia), the return of thousands of people who fled during the independence referendum of 1999, incursions by pro-Indonesia militia from West Timor, the tensions between the western and eastern regions and the activities of youth gangs. At the beginning of 2006, the expulsion of a third of the members of the Armed Forces began a wave of violence that led to the forcible displacement of almost 15% of the population, the dismissal of the prime minister and the deployment of an international force to restore the security situation. The rivalry between the Government and the main party in the country, FRETILIN, and the armed activities of a group of ex-soldiers are also a focus of tension.

The tension increased further when, in mid-February, **the group of rebels led by the ex-soldier Alfredo Reinado carried out a simultaneous double assassination attempt against the president, Jose Ramos-Horta, and the prime minister, Xanana Gusmao.** The latter escaped unhurt from the incident, in which Reinado died, while Ramos-Horta was seriously injured. The Government imposed a state of emergency and curfew and authorised the deployment of 200 more Australia troops to pursue those responsible for the double attack, along with the Armed Forces and International Security Forces. After various attempts at negotiation and failed military operations against the group of rebels led by Gastao Salsinha (Reinado's successor), he and some of his closest collaborators surrendered in April, handing over a large quantity of military equipment to the authorities. At the beginning of May, the Government of Indonesia handed over to Timor-Leste other suspects for the double assassination attempt. This followed insinuations by Ramos-Horta that the attackers had had the help of some Indonesians, which had caused a considerable diplomatic incident. The situation of tension was considerably reduced during the second half of the year, despite the demonstrations led by FRETILIN, the main opposition party, in an attempt to bring forward the elections.

Europe

a) Caucasus

Armenia – Azerbaijan (Nagorno-Karabakh)	
Intensity:	2
Trend:	↑
Type:	Self-government, Identity, Territory International

Main parties: Government of Azerbaijan,
Government of Armenia,
Government of the self-proclaimed
Republic of Nagorno-Karabakh

Summary:

The tension between the two countries concerning the region of Nagorno-Karabakh —a majority Armenian enclave surrounded by Azeris, formally part of Azerbaijan although with de facto independence— is associated with the failure to resolve the issues underlying the armed conflict which occurred between December 1991 and 1994. This began as an internal conflict between self-defence militias in the region and Azerbaijani security forces for the sovereignty and control of Nagorno-Karabakh. However, it gradually degenerated into an inter-State war between Azerbaijan and its neighbour Armenia. The armed conflict, which caused 20,000 fatalities and 200,000 displaced persons and which forcibly homogenised the ethnic composition of the population on both sides of the ceasefire line, gave way to a situation of unresolved conflict. The issue of the status of Nagorno-Karabakh and the return of the population are the main sources of tension, and there are periodic ceasefire violations.

The tension increased in March due to the most serious ceasefire violation of recent years: according to Azerbaijan, four of its soldiers and another 12 Armenians died in a shootout, while Armenia offered a balance of eight casualties on its side. Each country blamed the other for what happened. In succeeding months the tension at military level diminished, although there continued to be lesser incidents on the ceasefire line, including some fatalities. At a diplomatic level, a climate of hostility dominated most of the year because of the habitual warlike rhetoric and because of the approval in March of a non-binding United Nations resolution, promoted by Azerbaijan, urging Armenia to withdraw completely, immediately and unconditionally from Nagorno-Karabakh. The document, approved with only 39 votes in favour and without the backing of the countries co-chairing the OSCE mediation body in the conflict was utterly rejected by Armenia, which threatened to recognise the independence of the enclave. However, **the regional crisis between Georgia and Russia in August generated a certain inclination for closer relations between Armenia and Azerbaijan.** Turkey and Russia took a greater role in this process, culminating in **a joint declaration in November between Armenia, Azerbaijan and Russia, the first joint written document since 1994.**³⁰ However, during the year internal factors (post-electoral crisis in Armenia and pre-electoral tension in Azerbaijan) led both Governments to focus most of their attention on domestic politics.

Georgia (Abkhazia)	
Intensity:	3
Trend:	↑
Type:	Self-government, Identity Internationalised internal

30. See chapter 3 (Peace processes).

Main parties: Government of Georgia,
Government of the self-proclaimed
Republic of Abkhazia, Russia, CIS
peacekeeping forces

Summary:

The precarious security situation in the region corresponds to the failure to resolve the underlying issues leading to the armed conflict (1992-1994) between local Abkhazian leaders, supported by Russia, and the Georgian government. The former were claiming independence for the region while the latter wanted to maintain the country's territorial integrity, in the context of the break-up of the USSR. Despite the existence of a ceasefire agreement, a negotiation process and an international presence (UN observers and Russian peace forces), the tension has been maintained, with periodic ceasefire violations. Since the end of the war in the nineties, which caused the forcible displacement of around 200,000 Georgians, the territory of Abkhazia, controlled by pro-independence leaders, has operated as a non-State entity outside the control of Georgia. The internal conflict has been fed by tensions between Georgia and Russia, linked to geostrategic and balance-of-power issues in the southern Caucasus region.

The armed conflict in August between Georgia and Russia was a turning point for Abkhazia and was preceded by an escalation in tension from the second quarter,³¹ with various Russian measures classified as provocation by Georgia: Russia's withdrawal from the CIS military, financial and transport sanctions against Abkhazia; the beginning of formal cooperation links; the unilateral increase in the number of peacekeeping troops, within the limit of the Moscow agreements; and the additional deployment of a railway military unit of 300 troops. To this were added various security incidents, including illegal Georgian flights over Abkhazia and Russia shooting down at least one of these aircraft, according to UNOMIG. Between the end of June and the beginning of August the tension increased, with various fatal explosions and confrontations, while the peace process remained collapsed.³² After the open war, **the Upper Kodori area (in Georgian hands since 2006) came under the control of Abkhazian and Russian forces. About 3,000 Georgians fled from this area. Russia formally recognised Abkhazia's independence** in August, established diplomatic relations and signed a cooperation agreement with its authorities covering the construction of Russian military bases in Abkhazia, where the Russian army maintained 3,800 soldiers. The tension went on until the end of the year, with new incidents on the border between Georgia and Abkhazia, including some fatalities. Meanwhile, Russia refused the EU mission access to the region. In addition, UNOMIG's mandate was renewed for four months, but its future was left subject to forthcoming negotiations.

Georgia (South Ossetia)	
Intensity:	3
Trend:	↑

Type: Self-government, Identity
Internationalised internal

Main parties: Government of Georgia, Government
of the self-proclaimed Republic of
South Ossetia, Russia, CIS
peacekeeping forces

Summary:

The tension in the region is associated with the failure to resolve the underlying issues in the armed conflict between Ossetian forces and Georgia between 1991 and 1992. Since then, the parties have maintained their respective positions of demanding independence or unification with Russia and defending the territorial integrity of Georgia, but have failed to resolve the impasse through negotiation, while a large part of the region enjoys *de facto* independence. The issue of the forcibly displaced Georgian population, the periodic ceasefire violations, Russia's tacit support for the secessionist authorities and the warlike rhetoric are a continuing source of instability. In turn, the internal conflict has been fed by tensions between Georgia and Russia, linked to geostrategic and balance-of-power issues in the southern Caucasus region.

The situation in the region deteriorated seriously with the open war in August between Georgia and Russia.³³ While the first few months of the year passed without great changes, with periodic ceasefire violations and Moscow's decision to establish formal cooperation relations with the region, the tension escalated in the middle of the year. In July, and particularly at the beginning of August, the incidents multiplied, with a dozen fatalities, about thirty people injured and the evacuation of hundreds of Ossetians to North Ossetia. The Georgian president announced a unilateral ceasefire, attracting a response of Ossetian attacks against its positions. From then on, and with the Georgian offensive against the Ossetian capital, **a war began between Georgia and Russia, lasting several days. After it ended, the Ossetian position in South Ossetia was strengthened, with control by Russian and Ossetian forces of localities previously controlled by Georgia and with the flight of the majority of their Georgian population.** Russia recognised the independence of South Ossetia, signed an agreement that allowed it to build military bases in the region, announced that it would maintain 3,800 soldiers, and blocked access to the area by the EU mission. Meanwhile, the leader of South Ossetia remodelled his Government, with various former Russian officials. Tension remained high in the last few months, with frequent security incidents inside the region and on the Georgian side of the border, with several Ossetian, Georgian and Russian fatalities and injuries. Most important were the deaths of seven Russian soldiers in a car bomb in the Ossetian capital in October. At the end of the year Russia blocked the renewal of the OSCE mission in Georgia.

Russia (Dagestan)	
Intensity:	3
Trend:	↑

31. See chapter 1 (Armed conflicts).
32. See chapter 3 (Peace processes).
33. See chapter 1 (Armed conflicts).

Type:	System, Government, Identity Internal
Main parties:	Government of the Russian Federation, Government of the republic of Dagestan, armed opposition groups, political and social opposition

Summary:

Dagestan, the largest and most populated republic in the northern Caucasus, with the widest ethnic diversity, has been facing increasing conflict since the end of the nineties. Most important among the sources of tension is the violence between Islamist insurgents, calling for the creation of an Islamic State, and the local and federal authorities. This has taken the form of periodic attacks and counterinsurgency operations. The armed opposition is led by a network of armed Islamist units known as Sharia Jamaat. Human rights violations and abuses of power have increased, often coming within the context of the "fight against terrorism", increasing social discontent in a republic with high rates of unemployment and poverty despite its wealth of natural resources. Meanwhile, inter-ethnic tensions, rivalries for political power and criminal violence are other sources of conflict.

Changes in leadership in the rebel ranks because of the assassination of several leaders did not lead to a reduction in violence. Instead, **insurgent actions spread to almost the entire territory**. Abdul-Majjid, who had replaced the man known as Emir Rabani as leader of the Sharia Jamaat network of armed groups after the latter's assassination by the security forces in 2007, died in September in another counterinsurgency operation. According to various analysts, Abdul-Majjid, of Azeri origin, could have established a rebel cell in neighbouring Azerbaijan, expanding the rebel movement towards the southern Caucasus. At the end of the year, Emir Mu'adh was appointed the new rebel leader in Dagestan. Rebel attacks and large-scale operations against insurgent groups and their supposed bases of social support continued. **The special operation in Gimry, begun in December 2007, ended after nine months of isolation, arrests, searches and threats** against its inhabitants. Other areas also were decreed as anti-terrorist zones. Local and international human rights NGOs denounced the **increase in abuses by the authorities, including kidnappings, torture and assassinations**, as well as the general climate of violence. Since 2003 several hundred members of local and federal security forces, politicians, journalists and civil servants have died in the republic at the hands of rebel groups, according to International Crisis Group. Dozens of insurgents and about the same number of local and federal security forces and officials of the regime died during the year.

The insurgency actions in Dagestan were expanded to almost the entire republic in a context of increasing regional tension

b) Southeast Europe

Serbia – Kosovo	
Intensity:	2
Trend:	↑
Type:	Self-government, Identity Internationalised internal ³⁴
Main parties:	Government of Serbia, Government of Kosovo, political and social representatives of the Serbian community in Kosovo, UNMIK, KFOR

Summary:

The tension between Serbia and Kosovo is associated with the process of determining the political status of the region after the armed conflict of 1998-1999. This saw the KLA armed Albanian group confronting the Serbian Government, and NATO against the latter, following years of repression of the Albanian population by the Milosevic regime in what was then a province of Serbia, in the context of the Yugoslavian federation. The NATO offensive, not authorised by the UN, gave rise to an international protectorate. In practice, Kosovo was divided along ethnic lines, with an increase in hostilities against the Serbian community, whose isolationism was, in turn, encouraged from within Serbia. The final status of the territory and the rights of minorities have been at the centre of the continuing tension, to which are added Kosovo's internal problems (e.g. unemployment, corruption, crime). The process of determining the territory's final status, begun in 2006, did not achieve an agreement between the parties or the support of the UN Security Council for the UN special envoy's proposal. In 2008, the Kosovan Parliament proclaimed the territory's independence.

The proclamation of the independence of Kosovo in February by its Parliament, recognised at the end of the year by 53 countries —22 from the EU— marked developments for the rest in the year. The Albanian population of Kosovo peacefully celebrated the decision, while there were **protests from some Serbian groups during the first few months:** demonstrations in Belgrade, resulting in violence; protest actions in Mitrovica (northern Kosovo), which generated clashes between Serbian demonstrators and international troops, leaving one UNMIK police officer dead and 180 people injured; and boycott measures, such as the rejection of Albanian command by 300 Serbian police officers of Kosovo. However, and **despite various low-intensity inter-ethnic incidents, the region remained relatively calm** for the rest of the year. Meanwhile, Serbia held its municipal elections also in areas with Serbian majorities in Kosovo, which went without incidents. Although classed as illegal by UNMIK, they resulted in parallel municipal assemblies. In June the new Kosovan Constitution

34. The tension between Kosovo and Serbia is considered "internationalised internal" as the legal and international status of Kosovo has not been completely clarified and defined yet, despite having been recognised as a State by several dozens of countries. Therefore, for 2008 this report keeps the same category used in previous editions.

Box 2.2. Kosovo, the uncertain precedent

Kosovo's declaration of independence in February 2008, recognised by just over 50 countries, raises numerous dilemmas and reflections from the point of view of conflict resolution, particularly in a year when another two territories have been recognised as States by a member of the UN Security Council (Abkhazia and South Ossetia by Russia, after the August war with Georgia). Uncertainty also arises from the existence of other conflicts over territories that are functioning as *de facto* States without formal recognition (e.g. the enclave of Nagorno-Karabakh in Azerbaijan; Somaliland in Somalia; or the Transdniestrian region in Moldova; among others), and also in the light of a picture of international conflict in which more than half of current armed conflicts and tensions currently revolve around demands for self-government or identity-related aspirations.

The countries that have recognised the region's independence, **particularly the Western countries that led the recognition process, have done so arguing the exceptional nature of Kosovo, closing the doors to the debate on the review of the right of self-determination.** In the current international system, the majority interpretation of this includes the right of colonial peoples to external self-determination while it restricts national peoples' options to autonomy or internal self-determination.³⁵ This interpretation has meant that the third wave of expansion of the system of States in the 20th century has largely been caused by the implosion of multinational federations, such as the USSR and Yugoslavia,³⁶ and by the tacit criterion that only the republics making up these federations have the right to external autonomy, but not smaller autonomous units. The independence of Kosovo breaks with this interpretation, which inevitably sets a precedent because, regardless of whether each conflict or context is unique, as a result of specific historical processes, **the independence of Kosovo in practice questions the indivisibility of the State** and demonstrates the tensions between the two key principles of international law —territorial integrity and the right to self-determination. It also shows the tensions between the first of these principles, prioritising the international system of States, and the political pragmatism and interests that guide States in their foreign policy. In addition, other elements have come into play in a diffuse way in the recognition of Kosovo, such as the perception of historical grievances which —once negotiation routes have been exhausted— have reinforced the international community's view that it is impossible to achieve a solution situating Kosovo within Serbia. This appears to add more uncertainty to the debate, as identity-related conflicts bring with them long strings of grievances and changing historical processes mixed with strategic interests that could call into question appeals to "solutions of historical justice".

The repercussions of Kosovo's independence are complex. Although entities like South Ossetia and Abkhazia asked Russia to recognise their independence, pointing to Kosovo, it would appear to be reckless to conclude that without the August war the Kosovo precedent would have been enough on its own to move Russia to recognise the two South Caucasian regions. This argument is even stronger if it is considered that Russia was trying to get back at the West for its lack of respect for the international system of States. In any case, international recognition of Kosovo's independence as an exceptional and isolated event also does not seem, in fact, to constitute the last chapter which closes the process of the break-up of Yugoslavia. For the moment, in October the UN General Assembly approved a request for the non-binding opinion of the International Court of Justice on Kosovo's declaration of independence. The question raised by Serbia is clear: "Does Kosovo's unilateral declaration of independence by the provisional self-government institutions comply with international law?" Meanwhile, the ethno-territorial division of Kosovo, with a Serbian Kosovo operating in parallel to the Kosovo recognised by part of the international community, could perpetuate the conflict over status in northern Kosovo. **This is concerned with the complexity of establishing the limits of self-determination and the challenges concerning changes of position between majority and minority groups.**

However, far from radically reopening the debate on self-determination, which is as necessary as it is complex but which is something that has been ignored in the case of Kosovo, the independence of Pristina constitutes an uncertain historical step. It also forms part of a context of the strategic interests of the States making up the international system and the inconsistent ways in which parties are treated concerning decisions over whether or not to tackle unresolved conflicts. This raises many questions, whose answers are full of both opportunities and risks.

came into force, flatly rejected by Serbia. In addition, **the deployment of the EU's EULEX mission** was delayed by Serbian rejection. Its conditions (neutrality on status and the non-implementation of the Ahtisaari plan, among others) were finally included in the UN Secretary General's plan, approved by the Security

Council in November and rejected by Kosovo.³⁷ A hitherto unknown group, the Army of the Republic of Kosovo, claimed responsibility at the end of the year for an explosion in the office of the EU's special representative in Pristina, causing no personal injury, and threatened new attacks.

35. Bermejo García, R. and Gutiérrez Espada, C., *La independencia de Kosovo a la luz del derecho a la libre determinación*. Working Paper, no. 7, Real Instituto Elcano, 12 February 2008, in <http://www.realinstitutoelcano.org/wps/portal/rielcano/contenido?WCM_GLOBAL_CONTEXT=/Elcano_es/Zonas_es/DT7-2008>.

36. Osterud, O., "The narrow gate: entry to the club of sovereign states", *Review of International Studies*, no. 23, pp.167-184, 1997.

37. S/2008/692 24 November 2008, in <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2008/692>>.

Middle East

Egypt	
Intensity:	1
Trend:	↑
Type:	Government Internal
Main parties:	Government, political and social opposition (Muslim Brotherhood)

Summary:

Since the assassination of President Anwar al-Sadat in 1981, after he had signed a peace agreement with Israel under which Egypt recovered Sinai, the country has remained under a state of emergency. Sadat's successor, Hosni Mubarak, has run the country ever since, facing a political and social opposition claiming greater freedoms and rights. In this context, religious parties were prohibited, so the main opposition movement, the Muslim Brotherhood, is not technically permitted, although its activity is tolerated. During these years, there have been many accusations of fraud at elections, held in a climate of lack of freedom.

The country was the scene of general tension revolving around various elements. Firstly, **the municipal elections of 8 April were held amid a climate of tough political repression essentially directed against the Muslim Brotherhood (MB)**. The turnout reached only 3% after the MB's boycott in protest at the arrest of 900 of its members. In addition, the difficult economic situation in the country led to the calling of strikes and mass protests due to rising prices and the scarcity of bread. These ended with about fifteen deaths in various incidents between April and May. In May, and after 27 years in force, the executive extended the state of emergency until 2010 amid criticism from human rights organisations. Meanwhile, tensions in Sinai increased throughout the year **because of protests by Bedouins against their treatment by the police and their marginalisation by the Government**. In October, violence caused the deaths of three people, injuring another 30 and 25 police officers were kidnapped. The tension in the area was not isolated from the situation in neighbouring Gaza, amid pressure by Israel to close the border and control smuggling into the Palestinian territory. There were also episodes of violence involving Christian and Coptic communities at various points in country.

Iran – USA, Israel	
Intensity:	2
Trend:	=
Type:	System International
Main parties:	Iran, USA, Israel

Summary:

International pressure on the Iranian regime comes in the context of the policy begun after 11 September 2001 by the

USA Government of George W. Bush, which, in January 2002, declared Iran an enemy State because of its alleged links with terrorism. Since the Islamic revolution of 1979, which overthrew the regime allied to the USA of Shah Reza Pahlavi and proclaimed the Ayatollah Khomeini as supreme leader of the country, the USA has accused Iran of supporting armed groups, such as Hezbollah. Amid this opposition, the victory of the ultra-conservative Ahmadinejad at the presidential elections of August 2005 heightened a nationalist rhetoric proclaiming the right to develop an Iranian nuclear programme for peaceful purposes. Meanwhile the international community stirs up fears of imminent nuclear bomb making capability for a regime considered hostile to Western interests in the region.

International tension over the Iranian nuclear programme remained high for several reasons. Throughout the year, Iran carried out armament tests, including, in July, that of a long-range missile, seen by the USA as provocation. In addition, in response to Israeli military exercises in June and allusions to a possible attack, Iran threatened to close the Strait of Hormuz, a key route for oil transport. The USA continued to accuse Iran of training armed Shiite groups in Iraq, and Iran complained that USA helicopters have flown close to its border. The result of all this was the **reaffirmation of**

the sanctions policy, with a UN Security Council resolution in September ratifying the third round of sanctions imposed in March.³⁸ The Iranian authorities rejected all offers, including a freeze on sanctions in exchange for stopping the construction of new nuclear centrifuges (intended for civil use, according to the Iranian Government), formulated by the five members of the Security Council, together with Germany and the EU, meeting in Geneva in July. In November, the IAEA showed that Iran was continuing to increase its reserves of enriched uranium and it announced that the authorities had prohibited an inspection.

The election of Barack Obama as the new president of the USA earned congratulations from President Mahmoud Ahmadinejad, although he responded that Iran's development of nuclear weapons was unacceptable.

Israel – Lebanon – Syria	
Intensity:	2
Trend:	↓
Type:	System, Resources, Territory International
Main parties:	Israel, Syria, Lebanese Hezbollah group and its armed wing (Islamic Resistance)

Summary:

The background to the tension is the Israeli-Palestinian conflict and its consequences in the region. Firstly, the presence of thousands of Palestinian refugees who established themselves in Lebanon after 1948, together with the leadership of the PLO in 1979, led to continuous attacks by Israel on the south of the country until it occupied it in 1982. The

38. S/RES/1835 27 September 2008, in < [http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1835\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1835(2008))>.

birth of the armed Shiite group Hezbollah at the beginning of the eighties in Lebanon, with an agenda of resistance against Israel and the liberation of Palestine, led to periodic confrontations, culminating in the large-scale Israeli offensive of July 2006. Secondly, the 1967 war led to the Israeli occupation of the Syrian Golan Heights which, together with Syria's support for Hezbollah, explains the tension between Israel and Syria.

The regional climate between Israel, Lebanon and Syria was marked by several events that calmed the situation, although elements of tension were still present. Firstly, **in August, Lebanon and Syria signed a historic agreement for the re-establishment of diplomatic relations and for the beginning of the process to mark a common border.** However, attack in Damascus at the end of September in which 17 people died led the Syrian president, Bashar al-Assad, to accuse groups close to Saad Hariri, in the Lebanese Government, of being in league with those responsible, allegedly members of the Fatah al-Islam organisation. He subsequently strengthened military positions on the border. Secondly, **Israel and Hezbollah sealed an exchange of prisoners** which meant the handover of the bodies of the two Israeli soldiers killed in the 2006 conflict in exchange for five Lebanese prisoners and the remains of about 200 Lebanese and Palestinian victims. However, at the end of the year Israel repeated that Hezbollah's participation in the Lebanese Government provided it with sufficient reason for new attacks against the country. In addition, two Israeli agents were captured in Lebanon in November, allegedly for the murder of the Hezbollah commander in Damascus in February. Finally, **concerning relations between Israel and Syria, in May the two Governments announced the beginning of indirect peace negotiations with the mediation of Turkey.** However, their progress was suspended after the Israeli attack on the Gaza Strip at the end of December.

Lebanon	
Intensity:	3
Trend:	↑
Type:	Government Internationalised internal
Main parties:	Government, political and social opposition, armed wing of Hezbollah (Islamic Resistance), militias

Summary:

The assassination of the Lebanese prime minister, Rafiq Hariri, in February 2005 led to the so-called "Cedar Revolution". After mass demonstrations, this forced the withdrawal of the Syrian Armed Forces —present in the country for almost three decades— demanded by Security Council resolution 1559, promoted by the USA and France in September 2004. The immediate polarisation between, on one hand, opponents of Syria's influence (led by Hariri's son, who blamed the Syrian regime for the assassination) and, on the other hand, sectors more closely linked to Syria, such as Hezbollah, led to a political, social and institutional crisis permeated by religious divisions.

The huge tension suffered in the first few months of the year, culminating in a few violent incidents in May that ended with the deaths of more than 80 people, relaxed

considerably after the government majority and the opposition reached an agreement in Qatar that same month. The treaty established the election of Michel Suleiman as president of the country, after months of stalemate, and the formation of a government of national unity in which Hezbollah enjoyed the power of veto in exchange for renouncing the use of its weapons in an internal conflict. In fact, **it had been the Government's decision to act against the Shiite organisation, banning its telecommunications network, which had led Hezbollah to take West Beirut by force** and confront Sunnite militias. After revoking the government's decision and after the signing of the Doha Agreement, the tension reduced, although continuing confrontations maintained the state of alarm. Several bombs exploded in Tripoli, the most serious of them on 13 August, resulting in the deaths of 18 people, half of them soldiers. Two months later, the authorities arrested members of the armed group Fatah al-Islam for their alleged involvement in the attack. In the year when the third anniversary of the assassination of the former prime minister Rafiq Hariri was commemorated (coinciding with the funeral of the head of military operations of the armed wing of Hezbollah murdered in Damascus), the Secretary General of the UN announced that a special court to pass judgment on Hariri's death would become operational in March 2009.

Palestine	
Intensity:	2
Trend:	↓
Type:	Government Internal
Main parties:	ANP, Fatah, armed group Brigades of the Martyrs of al-Aqsa, Hamas and its armed wing the Ezzedin al-Qassam Brigades

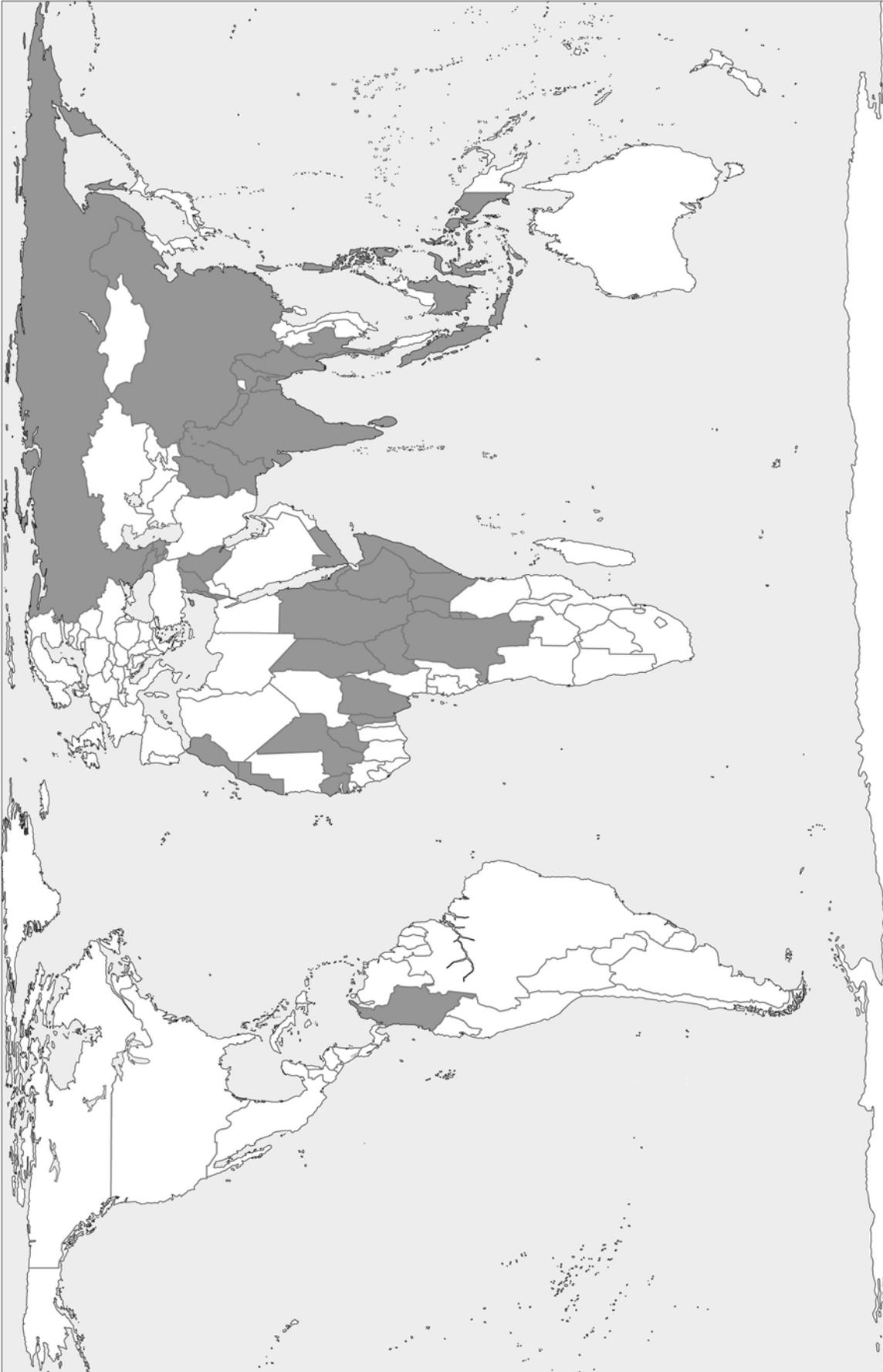
Summary:

The opposition between the different Palestinian sectors in the last few decades has largely been led on one hand by lay nationalist groups (Fatah and its armed wing the Brigades of the Martyrs of al-Aqsa; FPLP) and, on the other, by religious groups (Hamas and its armed wing, the Ezzedin al-Qassam Brigades; Islamic Jihad). The confrontation corresponds to the desire to control power within the Palestinian territories and has, in turn, been translated into different approaches to relations with Israel. After years when Palestinian politics has been dominated by Fatah (the movement led by Yasser Arafat and, subsequently, by Mahmoud Abbas), accusations of corruption and of not upholding Palestinian interests in the peace process led to the triumph of Hamas at the January 2006 elections. This led to a war of words and an armed struggle between the two groups for the control of political institutions, particularly the security forces.

The violence between rival Palestinian sectors, represented by Hamas —which won the 2006 elections and which controls the Gaza Strip— and Fatah —whose leader, Mahmoud Abbas, is the president of the PNA and holds majority power on the West Bank— remained active, although less intensely than the previous year running alongside many attempts at negotiation. On 20 October, Egypt presented a proposed agreement including the formation of a consensus government, although

Hamas' refusal to attend the planned meeting left any rapprochement in suspense. Throughout the year, Mahmoud Abbas repeated calls for Hamas to abandon power in Gaza, while arrests and mutual repression continued, particularly the closure of organisations linked to Hamas on the West Bank. **The high point of the tension occurred at the end of July, when the explosion of a bomb in Gaza caused the deaths of five members of Hamas and a child.** Hamas responded with an operation against the Hillis clan, linked to Fatah, causing the

deaths of a dozen people. About 180 members of the clan fled to Israel and, after being forced to return, 30 of them were arrested by Hamas. The disagreements between Hamas and Fatah were also related to the running of the border crossing from Gaza into Egypt and with the fact that Fatah maintained dialogue with Israel throughout the year despite the Israeli blockade against the territory of Gaza. The fierce Israeli military offensive against Gaza at the end of the year also contributed to reducing intra-Palestinian tension.



■ Countries engaging in peace processes or formal negotiations (Indicator no. 3)

3. Peace processes

- About 83% of the contexts of tension or armed conflict analysed had dialogues or formal negotiations open, although the majority were being carried on with difficulties.
- During the year, four disputes were resolved (Benin-Burkina Faso, Kenya, Colombia (ERG) and Lebanon) and, in Sri Lanka, the TMVP was demobilised.
- The main reasons for crisis in negotiation processes were, as in other years, mistrust on the institutions or people acting as mediators, the lack of a ceasefire and splits in armed groups.
- The number of cases in which both the conflict and the negotiations were regionalised increased.
- Many partial agreements were reached in countries with multiple armed parties, such as Mali, Somalia, Sudan, Afghanistan, India, Nepal, Pakistan, Thailand, Iraq and Palestine.
- The Burundian government and the FNL armed opposition group reached a peace agreement on 4 December as a result of the regional summit held at Bujumbura.
- In the Central African Rep., the Inclusive Political Dialogue concluded in December with proposals to form an inclusive government, the holding of free elections and the establishment of a committee to monitor the agreements and a truth and reconciliation commission.
- In Cyprus, the confidence building measures between the two communities and their leaders multiplied.
- Several armed groups asked to negotiate with their governments or demanded external mediation, without having their requests attended. These included MEND in Nigeria, the ONLF in Ethiopia, the FDLR in DR Congo, Hizbul Mujahedin in Pakistan, the NDF-NPA in the Philippines, the KNU in Myanmar and the PKK in Turkey.

This section analyses the conflicts and tensions in which negotiations are being carried out in order to reach peace agreements, regardless of whether these negotiations are formalised, at an exploratory stage, progressing satisfactorily or, by contrast, are stalled or in complete crisis. Some cases where the negotiations or explorations are partial—that is, not covering all the armed groups present in the country—are also analysed, such as the cases of Afghanistan and Iraq. Most negotiations concern tensions in which, although there are no armed confrontations worth considering, the parties have not reached a definitive agreement to end hostilities and any outstanding disputes. Negotiations, therefore, make sense in order to prevent the start or re-emergence of armed confrontations. After clarifying some concepts, this chapter analyses the development of each process by geographical region, together with the main reasons for crisis detected during the year's negotiations. Finally the "temperature of peace" is shown using a monthly index reflecting the development of a selected group of processes.

3.1. Peace processes: definitions and typologies

The negotiation is understood as the process by which two or more opposing sides (whether they are governments or internal parties in a single country) resolve to discuss their differences within an agreed framework in order to find a satisfactory solution to their demands. Negotiations may be held directly or via the mediation of third parties. Normally, formal negotiations have a preliminary or exploratory phase making it possible to define the framework (format, place, conditions, guarantees, etc.) of future negotiations. A **peace process** is understood as the consolidation of a negotiation scheme once the thematic agenda, the procedures to be followed, the schedule and the facilitation have been defined. The negotiation is therefore one of the stages of a peace process.

Depending on the final objectives sought and the dynamic followed in the different phases of negotiations, most peace processes can be classified with one of these five **categories or models**, although in some cases a process can combine two categories:

- a) Demobilisation and rehabilitation of militias and armed groups.
- b) Political, military or economic power-sharing.

- c) Exchange (peace for democracy, peace for territory, peace for the end of occupation, peace for recognition of rights, etc.).
- d) Confidence-building measures.
- e) Self-government or "intermediate political structures".

3.2. Evolution of peace processes

This section analyses the **situation in 70 contexts of conflict. Of these, 58 (83%) have open dialogues or formal negotiations** (see table 3.1.) regardless of their positive or negative development. This represents a significant and hopeful figure and reaffirms the historical tendency for the vast majority of conflicts to end at a negotiating table and without military victory by one of the sides, although this is not without its difficulties. The countries where there is still no negotiation with armed groups (or where it has broken down) are Angola (FLEC), Niger (MNJ), Ethiopia (ONLF), Chad (UFR), Algeria (OQMI), Colombia (FARC and ELN), Philippines (Abu Sayyaf), India (ICC-M), Sri Lanka (LTTE), Turkey (PKK) and Chechnya (various militias). Except for the first two cases (unresolved conflicts which are not classed as "armed conflicts"), the remaining 10 are conflicts of greater intensity, considered as armed ones.

Generally, there were many difficulties for progress in peace processes during 2008. **In 30% of the cases negotiations have gone well or have ended satisfactorily.** In a similar percentage, the negotiations have gone badly, which, together with the 12 cases where there have been no negotiations, makes 40% of failed cases. It should be pointed out, however, that five conflicts or tensions have been resolved (Benin – Burkina-Faso, Burundi, Kenya, Colombia (ERG) and the internal conflict in Lebanon). In addition, the TMVP was demobilised in Sri Lanka. The ten explorations indicated in the table, which could take the form of negotiations during 2009, are also interesting. In general terms, as indicated at the end of the chapter, there have been many crisis points in negotiation processes, so the "temperature of peace" has been falling continuously in the last five years.

As in previous years, and based on a sample of 250 cases, the reasons that usually lead to crisis points or paralysis in negotiations normally follow a pattern in terms of frequency, showing few differences compared to previous years. **The most important problems arise over the structure proposed for the negotiations,** particularly if there are differences with the people or organisations in charge of facilitation, especially when sporadic clashes persist. As in other years, **dissidence within the armed groups when it comes to negotiating** were another recurrent reason for difficulties, as were

Table 3.1. State of negotiations at the end of 2008

Good (11)	With difficulties (16)	Poor (14)	Exploratory (11)	Resolved (6)
<i>Mali (ADC)</i>	Nigeria (Niger Delta)	<i>Senegal (Casamance)</i>	<i>Ethiopia (OLF)</i>	<i>Benin-Burkina Faso</i>
Somalia (TFG-moderate ARS)	DR Congo (CNDP)	<i>Ethiopia-Eritrea</i>	Rwanda (FDLR)	<i>Kenya</i>
<i>Chad-Sudan</i>	<i>Uganda (ADF)</i>	Somalia (TFG-ARS radical faction)	Sudan (Darfur)	<i>Burundi (FNL)</i>
CAR (APDR)	<i>India (NDFB)</i>	Uganda (LRA)	Afghanistan (Heizb-i-Islami)	<i>Colombia (ERG)</i>
CAR (UFDR)	<i>India (NSCM-IM)</i>	<i>Western Sahara – Morocco</i>	<i>India (DHD-J)</i>	<i>Sri Lanka (TMVP)</i>
<i>Nepal (UDMF)</i>	India-Pakistan	<i>Colombia (AUC)</i>	<i>India (Hizbul-Mujahedin)</i>	<i>Lebanon</i>
<i>Nepal (FRNF)</i>	Pakistan (Baluchistan)	India (ULFA)	<i>Nepal (TSJP)</i>	
<i>China-Taiwan</i>	Philippines (MILF)	Pakistan (North-west)	<i>Nepal (MVK)</i>	
Thailand (TUSU)	<i>Philippines (MNLF)</i>	Philippines (NPA)	<i>China-Tibet</i>	
Cyprus	<i>Georgia-Russia</i>	<i>Indonesia (Western Papua)</i>	<i>Myanmar (KNU)</i>	
<i>Israel-Syria¹</i>	<i>Kosovo</i>	<i>Myanmar (NLD)</i>	Iraq (various groups)	
	<i>Armenia-Azerbaijan</i>	<i>Georgia (Abkhazia)</i>		
	<i>Iraq (Moqtada al-Sadr)</i>	<i>Georgia (South Ossetia)</i>		
	Israel-Palestine	Israel (Hamas)		
	<i>Palestine</i>			
	Yemen (al-Houthi)			

(Unresolved conflicts and tensions which are not at an armed phase or which, at the end of the year cannot be classified as "armed conflicts" are indicated in italics. If negotiations are classified as "resolved" at the end of the year, it does not mean that there cannot be subsequent new outbreaks of violence in these contexts).

Box 3.1. Main reasons for crisis in negotiations during the year

Very frequent

- Mistrust or rejection to mediators
- Existence of parallel fighting
- Splits or dissidence in armed groups
- Tension with neighbouring countries
- Fundamental disagreement on the subjects to be discussed (preconditions)

1. The 28th of December, after the attack of Israel in Gaza, the Syrian government suspended the negotiations with Israel's Government.

Quite frequent

- Breach of previous agreements
- Ceasefire violations
- Difficulties in forming a coalition government
- Existence of terrorist lists
- Internal political crisis
- Previous requirement of a ceasefire, cessation of hostilities or disarmament
- Pre-requisite for amnesty on the part of armed groups
- Intervention by foreign military forces
- Arrest of some armed groups' leaders or intermediaries

Other reasons

- Difficulties in reconciling divided communities
- Lack of trust in peace-keeping operation commanders or missions
- Requirement for direct negotiations, without external mediators or State interference
- Partial demobilisation of an armed group
- Disagreements over the role of the International Criminal Court
- Non-recognition of the armed group or demand by the group for status as a belligerent
- Absence of important leaders at the negotiations
- Behaviour of trans-national companies
- Non-recognition of the representativeness of some negotiators
- Disagreement or fraud in electoral results or in the conditions for holding elections
- Emergence of new armed groups
- Disagreements over political power-sharing
- Assassination of armed opposition leaders
- Withdrawal of ceasefire observer missions
- Fundamental decisions made unilaterally
- Interference by the judicial authorities
- Delay in the establishment of a peace-keeping operation
- Proliferation of mediators
- Lack of security for the armed groups' negotiators
- Continuance of the practice of kidnapping or failure to release hostages
- Presence of new paramilitary structures linked to drug trafficking
- Disagreement over armed group's troops number
- Disagreement over whether the name of a political group can refer to the ethnic group it belongs to
- Problems over the transition from armed group to political party
- Forcible colonisation
- Disagreement over the composition of observation missions
- Lack of manpower or resources in peace-keeping operations

differences over the matters on the agenda, particularly when one of the parties laid down preconditions or "immovable" demands. As a new feature during 2008, the number of cases of conflicts in which the crisis affects neighbouring countries increased. This provides evidence of the "regionalisation" of many conflicts in which negotiations are opened in one country but without a regional process.

3.3. Evolution of peace negotiations

Africa

a) Southern and Western Africa

Throughout the year there was no rapprochement between the government of **Angola** and the FLEC-FAC armed opposition group operating in the oil-producing region of Cabinda. In May, the group's leader, Nzita Tiago, sent out a message to all Cabindan political parties to put pressure on the Government to open negotiations. The latest attempt to reopen a dialogue occurred in Brazzaville (Rep. of Congo), with the medi-

ation of Pitra Petroff, the former Angolan Home Affairs minister, although no results were achieved.

In March, the governments of **Benin and Burkina Faso** reached a **historic agreement over the territories and localities in their disputed border region to prevent conflict**. Along these lines, representatives signed a pact for coordinated and peaceful administration of the area, pledging that neither country will carry out any visible act of sovereignty within the 68 square kilometres made up by the localities of Koalou, Niorgou I and Niorgou II. So, the establishment of buildings for military use or police stations is banned, as is the presence of any flag in the area. The population will also have the option to vote in the country of their choice. A joint commission will also be set up to supervise the establishment of infrastructures with the cooperation of both governments, as the failure to clearly define the borders has meant that neither of them has invested in creating basic social infrastructures.

In **Mali**, after the breakdown of a first agreement achieved with the mediation of the Gaddafi Foundation, **the Government and the armed Tuareg group the Democratic Alliance for Change (ADC, acronym in**

French) reached an agreement for the cessation of hostilities, with the mediation of Algeria. The leader of the faction which, since 2007, had once again resorted to violence to back its demands, Ibrahim ag Bahanga, of the so-called 23 May or ATNM faction, did not send any representatives to this meeting, showing the divergences within the group. At the end of the year, during a visit to the northern regions of the country, President Amadou Toumani Touré invited the Tuareg rebels to hold dialogue and make peace. Touré promised to visit Kidal (stronghold of the Tuareg rebellion) soon after taking part in a ceremony to open a new road linking the north of Mali with Niger.

In **Niger**, the Government continued not to recognise the MNJ Tuareg armed group as a political group. It should be highlighted that there was a split within this group, with the announcement of the establishment of a dissident group called the Front des Forces de Redressement (FFR). In September, members of the MNJ met Tuareg groups from Mali in Libya, as the Tripoli government had shown itself to be prepared to mediate with these organisations. At the end of the year, the UN Secretary-General's special envoy, Robert Fowler, was kidnapped in the Tillabery region, 45km from the capital, Niamey. Initially, the FFR stated that it had the diplomat and three other people under its control. However, a second communiqué issued by the president of the FFR denied that this was the case.

Concerning the situation in the Niger Delta region, in **Nigeria, the leader of the MEND armed group, Henry Okah, met the Nigerian Vice-President Goodluck Jonathan in South Africa** and established an informal pact with him so that it could participate in peace agreements. MEND asked the government of Nigeria to accept the mediation of the former United States President Jimmy Carter, who attempted to facilitate negotiations in 1999. Meanwhile, the special advisor for the region to the UN secretary general, Ibrahim Gambari, resigned after his neutrality had been questioned by several representatives of armed groups and civil society organisations in the region. **The Government set up a Committee for Peace and Conflict Resolution in the Niger Delta**, made up of at least three leaders from each of the nine oil states that make up the Delta region. MEND congratulated the President Elect of the USA, Barack Obama, for his electoral triumph and asked for his commitment to seeking a negotiated solution to the conflict, thereby reaffirming its interest in the USA getting involved in the negotiations. In December, MEND called on the government to begin a dialogue to resolve the conflict and begin the disarmament of the combatants in exchange for the release of its leader, Henry Okah. To do this, MEND relied on several local religious leaders to begin negotiations with the Nigerian executive.

The tension in the **Casamance region (Senegal)** continued without a definitive resolution, as dissident factions in the MFDC secessionist armed group continued to carry out attacks and make it difficult for displaced persons to return. A group of experts from agricultural organisations in Casamance stated that the increase in the price of cashew nuts was con-

tributing to the enrichment of the MFDC because of the increased profits obtained. This could explain the increase in attacks against the peasant civilian population for the control of crops. According to the same sources, these were being subsequently sold in Ziguinchor (capital of Casamance) or crossing the Guinea-Bissau border.

b) Horn of Africa

The UN Secretary-General urged the UN Security Council to become more involved in the border dispute between **Eritrea and Ethiopia**, which worsened during the year, returning to the 2000 situation. Evidence of this is that the 1,700 blue helmets present in the area were withdrawn after Eritrea cut off supplies to UNMEE. The Border Commission between the two countries (EEBC) declared that its mandate had been completed and that all administrative issues had been dealt with. By doing so, it gave to understand that the tensions could only be resolved through dialogue in good faith between the two countries. In December, the Ethiopian Foreign Ministry emphasised that his country had always maintained that the dispute could be resolved by peaceful means in accordance with international law. He also emphasised that Eritrea now needed to make some sort of statement, as he considered that the absence of any procedure was the sole responsibility of that country.

In the regions of **Ogaden and Oromiya (Ethiopia)**, the armed opposition group the **ONLF**, which operates in Ogaden, made a call for international mediation that would help to open negotiations with the Ethiopian government. To date there have not been any such negotiations. In the Oromiya region, however, at the end of November, a mediation team stated that **the Ethiopian government had agreed to hold peace talks with the OLF** armed opposition group without preconditions. For his part, the Prime Minister, Meles Zenawi, announced that he was giving the green light to these talks, but denied that they could be held without preconditions. In January, a group of mediators made up of three Oromo elders had already met the leaders of the OLF, Dawd Ebsa and Teman Yosuf, in Amsterdam. They signed an agreement to hold peace talks with the Government, in principle accepting the Ethiopian constitution. After this, Prime Minister Meles Zenawi contacted the mediation team and told them he was prepared to hold talks with the OLF, as Berhanu Dinka, one of the Oromo elder leaders and special envoy of the UN Secretary-General for the Great Lakes, highlighted. In this sense, Ethiopia agreed to go to the negotiating table after having analysed the so-called "agreement pact" reached in Amsterdam. The elders recently held a two-day discussions meeting with the 125 most influential elders in different parts of the Oromiya region, who urged the rebel group to listen to the people and pledge to hold peace talks without further delay. Subsequently, the government, under the recommendation of the Pardon Office of the Ministry of Justice, proceeded to release 44 members of the OLF after making public the Government's decision to hold peace talks which could begin in 2009. The former leader and founder of the

OLF, Ababiya Abajobir, who has held various posts within the group, announced that the armed struggle was not the way to achieve the Oromo people's objectives. He also declared that representatives of the federal government and the Oromiya regional government were committed to political dialogue.

In **Kenya**, after the violence unleashed at the beginning of the year because of fraud accusations in the legislative and presidential elections of December 2007, the EU and the USA exercised considerable pressure on President Mwai Kibaki to accept international mediation or begin a dialogue with the leader of the opposition. At the beginning of the first quarter, and with the good offices of the then president of the AU, the mediation of the former UN secretary general, Kofi Annan, was accepted. In April he managed to persuade **the political opposition and President Mwai Kibaki's government to reach a power-sharing agreement** under which the opposition leader Raila Odinga became the new prime minister of the country, with a new coalition cabinet. It is planned that, in 2009, the new government should work on drafting a new constitution to put an end to grievances connected with land and the distribution of wealth and power.

Concerning **Somalia**, whose conflict led to more than 7,500 deaths during the year, the institutions in the country were largely paralysed by internal disagreements, despite many attempts to reach a stable agreement to govern the country. **The Transitional Federal Government (TFG) and the moderate faction of the ARS, led by the Islamist Sheikh Sharif Ahmed, met in Djibouti, with the facilitation of the United Nations. Here they achieved an agreement for cessation of hostilities and political cooperation between the parties.** Afterwards, they pledged to share power and to expand Parliament as a possible way of achieving peace. The parties agreed to extend the TFG's mandate for two more years. Parliament will be expanded with 200 more seats, which will be occupied by the ARS, and the TFG will come to be called the Unity Government. Another 75 seats will be given over to civil society, including women and members of the business community. Internally, the president and prime minister of the TFG reached an agreement after 10 days of discussions in Addis Ababa, with the mediation of the Ethiopian government, to attempt to resolve differences between the two of them and put an end to the serious governability crisis within the TFG, but tensions began once again at the end of the year. Meanwhile, the Ethiopian Prime Minister, Meles Zenawi, announced the withdrawal at the end of the year of the troops that had been in Somalia for almost two years, supporting the TFG against the Union of Islamic Courts (UIC). In December the new prime minister, Mohamed Mohamud Guled, who had taken up the post a week before, resigned in order to facilitate the peace process in the country. It should also be pointed out that the AU and the USA made a call to the United Nations to promote an international mission for the country, but France had doubts about the decision and the UN Secretary-General declared that conditions were not favourable for this. For its part, the Arab

In Kenya, the political opposition and the Government reached a power sharing agreement after the fierce wave of violence at the beginning of the year

League reiterated its desire to participate in a multinational force that could be deployed in Somalia. **The IGAD appointed the elderly Kenyan minister Kipruto Kiowa as chief mediator for the peace process** in Somalia, to take charge of coordinating all current initiatives. At the end of the year, however, and as a new demonstration of the internal crisis within the Government, **the President of the TFG, A. Yusuf Ahmed, presented his resignation to the Somali Parliament**, to which he transferred responsibility for running the country.

At the beginning of the year in the region of **Darfur (Sudan)**, the deployment of the joint AU-UN peace-keeping mission —UNAMID— began, although with problems over manpower and equipment for carrying out its mission. During the year, facilitator countries and institutions multiplied excessively, making it difficult to open a peace process with prospects of success. **The JEM armed opposition group demanded direct peace negotiations with the government**, claiming it was the only important armed group remaining in the region. To re-establish dialogue, the leader of the JEM, Khalil Ibrahim, asked the former UN Secretary-General Kofi Annan to be the mediator. Meanwhile, the prosecutor of the International Criminal Court (ICC) asked for an order to arrest the president of Sudan, Omar al-Bashir, which split the UN Security Council and polarised the parties involved in the conflict. Representatives of United Nations humanitarian agencies and the most important armed opposition groups operating in the region —the JEM and SLA-Unity— met in Geneva (Switzerland) under the auspices of the Centre for Humanitarian Dialogue in

order to improve the protection of the civil population. Meanwhile, **the President of Sudan, Omar al-Bashir, announced a new peace initiative for Darfur called the Sudan People's Initiative.** This was an attempt to bring together representatives of all national political parties, civil society and the different political and traditional forces in Darfur, including the armed groups which had not signed the Juba peace agreement. Various sectors considered that this initiative was an attempt to counteract the indictment by the ICC. It should also be highlighted that **Qatar acted as facilitator in the last few months of the year**, complementing the work already being done by the government of Southern Sudan. JEM showed itself prepared to discuss the peace proposal for Darfur promoted by Qatar, which did not take shape until the end of the year. In December, an organisation bringing together more than 50 Sudanese NGOs, the Sudan Consortium, published a report in which it denounced the kidnapping of thousands of non-Arab people in Darfur who were subsequently forced to work for members of the army and the *Janjaweed* militias. The Secretary-General of the UN, in his latest report on the UNAMID peace mission, indicated that at the end of the year only 53% of the troops necessary to deal with tasks of protecting the population had been deployed. This was a long way from the 80% initially estimated for 2008.

The failure to implement the main aspects of the Comprehensive Peace Agreement, signed in 2005, raised tensions in the oil-producing region of **Southern Sudan**,

where the SPLA confronted militias from the Misseriya Arab tribe supported by troops of the Sudanese army in Abyei in May.² This situation led the presidential party, the NCP, and the SPLM, the political wing of the SPLA, to begin dialogue once again over the definition of the north-south border. Finally they opted to **set up an interim administration for Abyei, run jointly by representatives of the SPLM and the NCP, and to transfer the decision about the definition of the border to the International Court of Arbitration in The Hague.** However, both parties increased their military presence on the ground, as well as recruitment practices in Southern Kordofan, contradicting their expressed will to use dialogue as the only mechanism for resolving disputes and increasing tension in the area.

c) Great Lakes and Central Africa

In **Burundi**, the FNL armed opposition group, which maintains negotiations with the Government, rejoined the ceasefire verification mechanism and agreed a two-stage plan with the South African mediator: for the first six months they would focus exclusively on completing the demobilisation, disarmament and reintegration of the FNL combatants into the security forces. Concerning recognition as a political party, the Government side warned that the group would first have to change its name, as the current constitution bans parties with an ethnic label. The FNL initially maintained a negative attitude towards this condition. It should be highlighted, however, that in August an interview was held between President Pierre Nkurunziza and the FNL leader, Agathon Rwaswa, for the first time since June 2007. The two leaders decided to meet twice a week, showing an interest in ending the conflict. **On 4 December, the Burundian government and the FNL armed opposition group reached a peace agreement as the result of the regional summit held in Bujumbura.** As well as President Pierre Nkurunziza and the FNL leader Agathon Rwaswa, the summit was attended by the Ugandan president and leader of the Regional Peace Initiative (which bring together about twenty countries), Yoweri Museveni, and other leaders from the region along with key agents in the peace process, such as the President of Zambia, Rupiah Banda; the prime ministers of Rwanda and Tanzania, the Vice-President of Kenya and participant in the mediation process, Kalonzo Musyoka; the Chairman of the AU Commission, Jean Ping; and the principal South African mediator Charles Nkaqula, among others. According to the communiqué announced after the summit **the two sides committed themselves to a definitive ceasefire; to the change in the armed group's name to avoid ethnic connotations as a prerequisite for the FNL being able to register as a political party, as established by the Constitution; to power-sharing and to the disarmament of the armed group.** In addition, the communiqué highlighted that President Pierre Nkurunziza pledged to integrate the FNL into the Army, to transfer 33 government posts to FNL members and to proceed to release all political

prisoners, sending the combatants among them to cantonment areas. The communiqué added that the agreement reached had to be implemented before 31 December.

Concerning the process being followed in **Chad**, in January the EU's military bodies gave the green light to the EU peace-keeping mission on the border between Chad and the Central African Republic (EUFOR RCA/CHAD). In the face of difficulties in continuing the peace dialogues, President Déby once again asked his Libyan counterpart Muammar al-Gaddafi to help restore peace in the country. Meanwhile, the envoy of the RFC armed opposition group, Adoum Desallah, met the Government peace negotiator Adoum Togoï. Later, **contacts began in Tripoli between the Chadian government and an RFC delegation led by Timane Erdimi.** However, the Chadian president, Idriss Déby, repeated his rejection of dialogue with the National Alliance rebel coalition, which he accused of being supported by Sudan. Proof of this was that the main leaders of the Chadian rebellion met in Khartoum to organise a common political leadership in order to relaunch opposition to Idriss Déby's regime. At the end of November, **the rebel movements in the east of the country decided to come together in a new structure called the Union of Forces of Resistance (UFR).** After several weeks of negotiations in Khartoum, this new coalition included the National Alliance (union of about ten rebel groups) headed by General Nouri, leader of the UFDD; Abdelwahid About Mackaye's UFDD-Fundamental; Timane Erdimi's RFC (despite the fact it had already begun dialogue with the Government) and Colonel Adouma Hassaballah's UFCD. In a manifesto signed by the different leaders, they promised a transitional period of 18 months after the fall of Idris Déby's regime. The UFR would have a president and four vice-presidents. In November, the UN Secretary-General proposed to send a peace-keeping mission of 6,000 blue helmets to replace EUFOR.

Concerning the conflict in the **Central African Republic**, it must be highlighted that there were divisions in the UFDR armed opposition group. Michel Djotodia and Abakar Sabone, the president and spokesman of the UFDR, were released after having been detained by Benin, opening a space for negotiation. Meanwhile, the UN Secretary-General's special representative in the country, François Lonseny Fall, met the leader of the APRD, Jean Jacques Demafouth, for the first time in two years in the north-east of the country. Later, **the Government the APRD and UFDR armed opposition groups signed a Global Peace Agreement in Libreville, under the auspices of CEMAC.** The Government and armed movements in the country reached a new agreement for relaunching Inclusive Political Dialogue (IPD), which begun in December. The Government pledged to review the controversial amnesty law which forced the APRD to withdraw from the peace agreements. The IPD organising committee suggested six personalities to oversee over the work. At the end of November, the former Burundian president

2. See chapter 2 (Tensions)

Pierre Buyoya (1996-2003) was appointed chairman of IPD by presidential decree, while the APRD armed opposition group made its participation in the Inclusive Political Dialogue conditional on the release of 15 jailed supporters and the handover of the mortal remains of seven executed members of the group. At the end of December, with the facilitation of the Centre for Humanitarian Dialogue and the United Nations, **the IPD concluded, with recommendations for forming an inclusive government, holding free elections and establishing a committee to monitor the agreements and a truth and reconciliation commission.** Former presidents of the country took part in the dialogue, such as André Koulingba and Ange-Félix Patassé, deposed by François Bozizé's coup d'état; the leader of the APRD, Jean-Jacques Demafouth; the leader of the UFDR, Damane Zakaria; the leader of the UFR, Florent N'Djadder; and Abakar Sabone, who leads a separate faction of the UFDR, the MLCJ. However, the leader of the FDPC, Abdoulaye Miskine, was not present in the IPD due to the ambush his group suffered in November, although he travels later to Libya to take part in the process.

In relation to the continuing instability in the east of **DR Congo**, it should be highlighted that a conference was held in January on peace, security and development in the provinces of North and South Kivu. However, this initiative was not enough to resolve the many problems of the region. **The FDLR armed Hutu opposition group issued a call for the holding of peace talks with the Tutsi government of Rwanda**, under the auspices of the international community. For its part, the **CNDP** Tutsi armed opposition group, led by Colonel Laurent Nkunda, called for Germany and other countries to carry out mediation work between it and the government of DR Congo. Faced with the escalation of violence at the end of the year, several southern African countries forming part of the SADC, led by Angola, announced that they were considering sending troops to back up the Congolese armed forces, which would mean regionalising the conflict still further. At the end of the year Nkunda reiterated three demands: direct conversations with the Government, protection of minorities and integration of its soldiers and administrators controlling the rebel areas into the Armed Forces and the Government. Alongside this, factions of the FDLR (RUD-Urunana), Mai-Mai combatants and their families, some isolated members of the CNDP and hundreds of fighters belonging to the FNI and the FRPI handed over their weapons to MONUC. **The Congolese government accepted the demand for the holding of direct peace talks with Laurent Nkunda's CNDP militia under the auspices of the United Nations** and its special envoy, Olesegun Obasanjo, in Kenya. However, neither the Congolese president nor the rebel leader led their respective delegations. In addition, the Congolese government also invited the twenty or so armed groups present in the east of DR Congo and forming part of the Goma agreement reached in January 2008 and the Amani agreement. This led to rejection by the CNDP, which declared it would not sit down with them. However, when the talks started none of these groups appeared, so the two delegations began talks behind closed doors. After three days of talks, though, Obasanjo

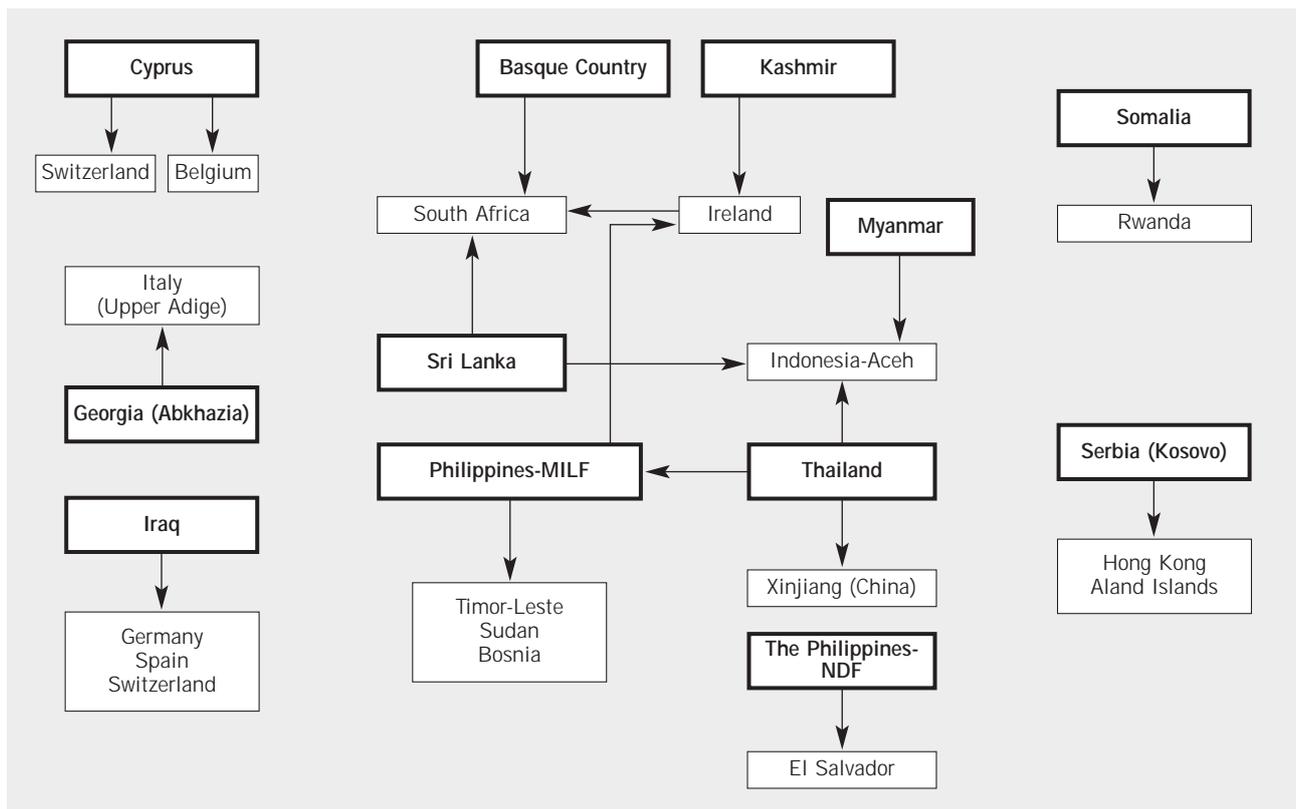
emphasised that two difficulties were blocking the process: firstly because of the desire of the armed group to discuss the overall situation in DR Congo and not simply the conflict in North Kivu and, secondly, because of the rebel delegation's lack of decision-making power at the talks. Also at December, the foreign ministers of DR Congo (Alexis Thambwe Mwamba) and Rwanda (Rosemary Museminali) reached an agreement in Goma to dissolve the FDLR armed Rwandan Hutu group whose presence in DR Congo was seen as one of the causes of the persistence of the conflict. The Congolese ministry declared that the implementation of this plan would involve foreign forces, such as the UN peace-keeping mission or soldiers from the Southern Africa organisation SADC, lead by Angola, which offered to send troops to try to pacify the area. For its part, the FDLR asked for an agreement that would allow them to go back to Rwanda and act as a political party. Finally, it should be mentioned that, at the end of the year, the traditional African authorities (kings, sultans, sheikhs and community chiefs), grouped into a forum chaired by Jean Gervais Tchiffi Zie, from Côte d'Ivoire, met to mediate in the country's conflicts and launch a proposal at the African summit to be held in January 2009 in Addis Ababa.

In **Uganda**, negotiations between the government and the LRA armed opposition movement were hampered by the disagreements occurring in this group following the assassination of the deputy commander and peace negotiator Vincent Otti by members of his own group, and by **continuous changes in the negotiating team.** Despite this, the government and the LRA reached an initial agreement to judge the LRA's crimes by traditional local methods, although the International Criminal Court (ICC) repeatedly threatened the leader of the LRA, Joseph Kony, with capture. **Kony therefore continued to threaten not to sign for peace until the capture order was withdrawn.** Faced with this impasse, the army of DR Congo and the United Nations began a military operation to attempt to contain the actions of the LRA leader, who four times failed to turn up at planned ceremonies for signing the peace agreement. For this reason, and in the face of continual breaches, the Cessation of Hostilities Monitoring Team was dismantled. At the end of December, the armed forces of southern Sudan, DR Congo and Uganda, with technological support from the USA, launched a new joint military operation against the LRA's bases in the Garamba national park, in north-eastern DR Congo. In another situation, **the ADF armed opposition group agreed to begin formal peace talks with the Government**, as the IOM, the organisation mediating in the negotiations, highlighted.

d) Maghreb

During 2008, no progress at all was achieved to end the terrorist actions by the Al-Qaeda Organisation in the Islamic Maghreb (OQMI acronym in French) in **Algeria.** Besides this absence of negotiations, it should be pointed out that, in November, the Parliament agreed to amend the Constitution, making it possible to extend the number of presidential terms, until then fixed at two.

Figure 3.1. The mirrors for peace



Note: Although all conflicts and their respective peace processes and negotiations are different, there are usually aspects in each of them explaining why they attract attention, either because of their methodology, their objectives or for other reasons. This diagram shows processes in which the agents - either governmental or armed groups - have studied, observed or travelled to other regions to find out more about what was done to develop processes there, creating interesting mirrors where inspiration can be found for facing their own difficulties.

Concerning the dispute over the **Western Sahara**, **two rounds of negotiations were held at Manhasset, near New York, under the auspices of the United Nations, but without results.** The Security Council therefore unanimously adopted a resolution in which it called on the parties to go into a more intensive and substantial phase of negotiations, while urging them to continue talks without preconditions. The UN Secretary-General's special envoy for the Western Sahara, Peter van Walsum, declared that, due to the lack of pressure on Morocco to abandon its demand for sovereignty over the territory of the Western Sahara, its independence was not a realistic proposition. He was subsequently forced to resign, and, by the end of the year, there had been no agreement between the parties to replace him. At the end of the year, and faced with the impossibility of holding a new round of talks in New York, the King of Morocco announced a reform to transfer power to the Western Sahara and other regions. The king also announced the establishment of a consultative committee to propose a "general concept of regionalisation", and he told the government to draw up a draft plan for decentralisation, including the creation of new provinces. These proposals could be interpreted as the provisional abandonment of the negotiations mediated by the United Nations.

Latin America

In **Colombia** no negotiations could be opened during the year with the armed groups operating in the country. **FARC** suffered important setbacks, as several of its leaders were assassinated or captured. In addition, supreme leader of this guerrilla group, Manuel Marulanda, alias "Tirofijo", died during the year. The release of some hostages generated mass demonstrations against the practice of kidnapping. There were also demonstrations against victims of the State and paramilitary groups. So, the so-called "para-politics" and later "Farc-politics" made it difficult to open dialogue with the guerrillas and increased tension in relationships between the president of the country and the legal system. The Peace Commissioner, Luis Carlos Restrepo, also stated that from now on the government would seek direct dialogue with FARC, without the aid of mediators, after condemning everyone who had attempted to build bridges between the guerrillas and the Colombian government in recent years. At the end of the year, FARC positively accepted the exchange of letters proposed by a broad group of Colombian personalities, with the participation of Latin American countries prepared to accompany the process. They also pledged to release six hostages during January 2009.

As for the **ELN** guerrilla, and in the face of the lack of progress, the Government considered the process of dialogue with this group to be at an end. For its part, the group stated that it did not consider it useful to move closer to the Colombian government. During the year the **Ejército Revolucionario Guevarista (ERG)**, a small guerrilla organisation that had split from the ELN in 1992, was demobilised. Meanwhile, condemnation of the **presence of new structures of paramilitary groups, closely linked to drug trafficking, in different parts of the country continued throughout the year.** President Uribe ordered the extradition to the USA of 14 paramilitary leaders held in Colombian jails and wanted under the Justice and Peace Act. The OAS estimated that at least 140,000 people had been recognised as victims of paramilitary crime. In December, Vice-President Francisco Santos admitted that he had known since 2005 that members of the armed forces were murdering civilians but later presenting them as guerrilla casualties in combat. However, he had only had conclusive proof of such circumstances in 2008. In the name of the State, the vice-president apologised to the victims and pledged that none of these crimes would go unpunished.

Asia

a) South Asia

In **Afghanistan**, where **there was an attempt to open separate dialogues with Taliban groups**, an assembly in

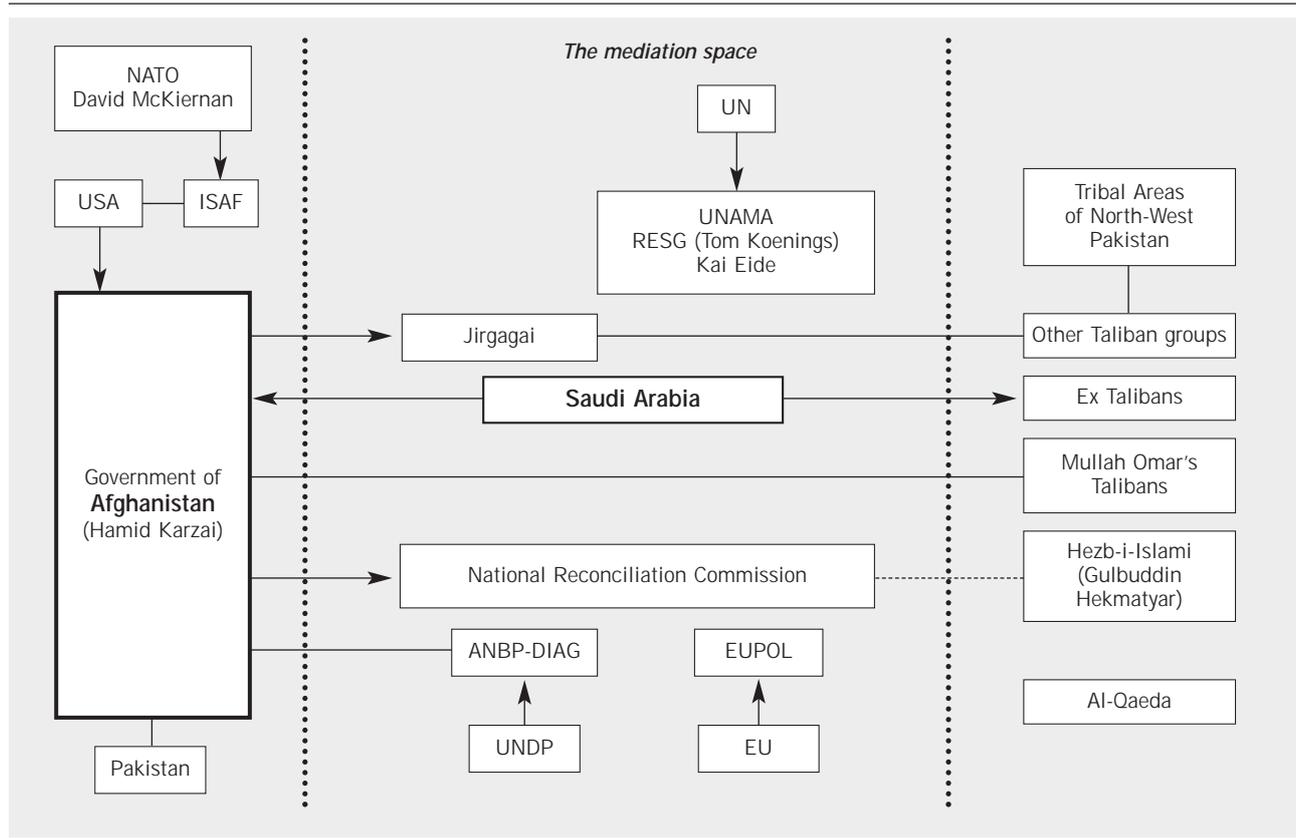
The Afghan president asked Saudi Arabia to facilitate negotiations with the Taliban leaders

Kabul, with thousands of people, including politicians and representatives of civil society, agreed to hold meetings with the Taliban militias and Hezb-e-Islami groups to prepare the way for possible negotiations with the Government. **President Hamid Karzai revealed that he had asked Saudi Arabia to facilitate peace negotiations with the Taliban leaders.** Saudi Arabia even offered to give political asylum to the Taliban leader Mullah Omar. However, at the end of the year, he indicated that he rejected any possibility of dialogue with President Hamid Karzai while USA troops remained in the country. It should also be pointed out that the representatives of Afghanistan and Pakistan met in a *Jirga* (traditional assembly) and agreed to hold conversations with the insurgents in their respective countries

if they commit to observe the constitution of each country. A reflection of the situation the country is going through, and the increasing control by the Taliban, is the fact that the commander of the NATO and USA forces in the country, David McKiernan, pointed out that reconciliation at local level between the insurgents and local leaders could be a successful process in a country with little tradition of central government but a great one of local and tribal autonomy. In December, Turkey indicated it would host the second trilateral summit to facilitate dialogue between Afghanistan and Pakistan and promote peace in the region.

Concerning the various conflicts affecting **India**, in the state of **Assam** it should be highlighted that the prime minister of the region, Tarun Gogoi, declared that he was not optimistic concerning a negotiated solution for

Figure 3.2. Negotiations with the Taliban in Afghanistan



the conflict with the **ULFA** armed opposition group while it maintained its presence in Bangladesh. However, he repeated **that the Government was prepared to hold conversations with the ULFA without preconditions. The DHD (J) or Black Widow armed opposition group (splinter group of the DHD) unilaterally declared a ceasefire.** It passed the government a list of requests, showing its willingness to carry out peace negotiations, which were rejected by the central government. Another armed group operating in Assam, the **NDFB**, handed the Government a document with its demands, which could make it possible to open negotiations. At the end of the year, the government announced the extension of the ceasefire by six more months, after the group expelled its leader for being involved in a series of attacks. At the end of the year, the group's new leader declared that the whole organisation should not be blamed for individual acts by some of its members, repeating that the group was maintaining the ceasefire and wanted to stand at the next Indian Parliamentary elections. Another armed opposition group operating in Assam, the **KLNLF**, declared at the end of the year that it was prepared to hold peace negotiations with the government if the military operations against it ceased. These declarations came after several of its headquarters in the Karbi Anglong district had been destroyed. A new aspect in December was the holding of a meeting by the University of Guwahati with organisations from civil society and representatives of armed organisations holding ceasefires, including leaders of battalion 28 of the ULFA and representatives of the DHD. Those taking part in the meeting highlighted the need to set up a body that could facilitate a peace process in the entire north-eastern region of India. In the state of **Nagaland**, the Government asked the **NSCN-IM** to highlight elements of the constitution which could be reformed in order to achieve a solution to the conflict. **The armed group expressed its willingness to establish a federal system in relation to the central government.** In December, a new round of negotiations was held between the Indian government and the NSCN-IM armed opposition group in Amsterdam. Since 1997, when a ceasefire was decreed, there have been more than 50 rounds of negotiations without substantial progress in the peace process.

Concerning the **India – Pakistan** conflict over the **Kashmir** region, the armed opposition group **Hizbul Mujahedin** declared **that it would consider the offer of a truce if this came from respectable sources.** Both countries continued to develop measures to promote trust, although with less intensity than in previous years. Along these lines, Pakistan invited India to a meeting in order to begin trade relations over the Line of Control, and **the Pakistani government announced the establishment of a Parliamentary committee to deal with the Kashmir** issue in order to create a consensus on this issue and on the peace process with India. The Indian prime minister repeated that borders could not be eliminated, but they could become irrelevant. Finally, a series of serious attacks in the Indian city of Mumbai, which caused about 200 deaths at the end of the year, threatened relations between the two countries, which pledged to jointly investigate the events. The two countries suspended the composite dialogue process—the context in which peace negotiations had been

carried on— indefinitely. Diplomatic sources indicated that the current atmosphere, marked by Indian certainty that the Mumbai attacks had been perpetrated by groups or people based in Pakistan, made it impossible for the negotiations to be carried on. However, the Indian government did not directly accuse the Pakistani government. For its part, Pakistan indicated that continuing with the process of dialogue was in the interests of both parties. Meanwhile, representatives of the Indian government indicated that war between the two countries was not an option, and that the issue was not linked only to the dispute over Kashmir, but instead had to be put in a context of global terrorism.

In the **Terai region (Nepal)**, the government stated at the beginning of the year that it would not negotiate with the Goit and Jawala Singh factions of the JTMM armed opposition group. By contrast, **the Government and the coordinator of the Madhesi organisations forming the United Democratic Madhesi Front (UDMF) reached an agreement allowing greater Madhesi participation in Nepali institutions.** The Government also reached a **five-point agreement with the Federal Republican National Front (FRNF)**, which includes various Madhesi organisations, under similar terms to the previous one. For his part, the Minister for Peace and Reconstruction, Ram Chandra Poudel, declared that peace talks would be held with the armed groups from the region in Janakpur, in the Dhanusha district. From the government side, the coalition of the seven parties making up the government agreed the approval of a law to allow the introduction of reforms of the Constitution concerning the demands of the Madhesi organisations of Terai. At the end of the year, **15 of the 40 armed organisations operating in Terai had managed to begin a peace process** and the government now had some ministers of Madhesi origin. At the end of November, the TSJP armed opposition group formed a team of three people, led by its spokesman, to hold negotiations with the government, and other groups announced that they might start negotiations. A few weeks later, the Nepali government formally began negotiations with various armed opposition groups operating in the Terai region. These negotiations came after several months of informal contacts with the armed Madhesi opposition. The minister for peace and reconstruction indicated that **the first formal meeting had been held with the organisation called the MVK** and that this meeting would be followed by more with other organisations. As a result of these talks, the government and the armed group reached a four-point agreement under which changes against the insurgents would be withdrawn and the organisation would be treated as a political party. In exchange, the MVK would cease its armed activities. However, the main armed Madhesi organisations, the JTMM and the TA, had not formally agreed to hold peace negotiations.

In **Pakistan**, the fronts of conflict multiplied during the year, beyond the areas considered in this section where there are negotiations. In the province of **Baluchistan**, the recently-appointed governor, Nawab Zulfiqar Ali Magsi, stated a few days after his appointment that the region's problems could only be solved via negotiations. Meanwhile, the PPP government party set up a committee to organise a conference in which all political par-

ties would take part in order to tackle the grievances suffered by the population of the province. For their part, **the main armed Baluchi opposition groups, the BLA, BRA and BLF, announced that they were suspending their armed activities indefinitely.** However, the confrontations persisted and the government later announced a route map for resolving the conflict in the province.

In the tribal areas of Pakistan (**FATA**), bordering Afghanistan, **the warring factions at the Kurram Agency signed a resolution to put an end to hostilities.** The agreement was signed by 100 elders in the town of Parachinar. Local authorities and tribal leaders in North Waziristan reached an agreement in an attempt to revive the peace agreement signed in September 2006 between Taliban militias and the Pakistani government. **The government of the North-West Frontier Province appointed a ministerial committee in charge of beginning a dialogue with the different armed opposition groups,** having decided to reactivate the system of Jirgas —traditional assemblies— to resolve the issue of armed violence. Meanwhile, the Taliban commander Baitullah Mehsud, leader of the TTP armed opposition group, suspended his participation in the peace negotiations with the government after it refused to withdraw troops (about 100,000 of them) from the tribal areas. Later, a first agreement was reached with the Taliban insurgents Tehrik-i-Taliban, led by Maulana Fazlullah, in Swat, although they subsequently suspended peace negotiations with the government. In exchange, a complete **halt to hostilities was agreed with the Darra Adamkhel Taliban militia, led by Commander Tariq. The Mardan Talibans also made a similar statement.** In October, an assembly of traditional leaders (Jirga) representing the hostile factions at the Kurram Agency (FATA) agreed to observe a ceasefire until 31 December and declared that they would cooperate with the government to achieve peace in the area. On a negative note, the frequent USA air attacks in the area, which caused the deaths of many civilians, threatened the fragile agreements reached with these tribes throughout the year. Despite this, President Asif Ali Zardari expressed his will to continue to meet tribal leaders every fortnight and listen to their suggestions.

In **Sri Lanka**, the LTTE armed opposition group informed members of the TNA party that it was prepared to restart negotiations with the government provided it pledged to put an end to military operations against it. However, no negotiations were reopened during the year. By contrast, **the TMVP armed group (led by Colonel Karuna and begun as a splinter group of the LTTE) agreed to disarm.**

b) East Asia

Concerning the dispute between **China and Taiwan**, the candidate for the Taiwan Nationalist Party (Kuomintang), Ma Ying Jeou, obtained 58.4% in the presidential elections at the beginning of the year against the candidate of the until then official Progressive Democratic Party (PDP), who obtained 41.5% of the votes. After eight years of tense relations between China and Taiwan, **the new president showed himself to be more**

conciliatory towards the Chinese government than his predecessor in the post, Chen Shui-bian, who had sometimes hinted at the intention to promote the island's independence. Along these lines, Ma Ying Jeou was favourable to the **creation of a common market, the establishment of direct flights, the promotion of mutual investments and the possibility of Chinese tourists visiting Taiwan.** Ma Ying Jeou also proposed the **demilitarisation of the region.** However, the new president ruled out the beginning of negotiations to reunify the two countries. At the end of the year, and for the first time in almost 60 years, the two governments agreed to establish direct air and sea routes. The agreement, which also provided for increasing the weekly number of passenger flights to more than 100, will allow a reduction in the costs of trade between the two countries.

Concerning the approaches made to find a solution to the conflict over **Tibet, envoys of the Chinese government and Dalai Lama met in Beijing to approach the issue of the crisis.** Several rounds of contacts were subsequently held, apparently without viable results. After a big meeting with Tibetan exiles, the Dalai Lama once more declared that the government in exile was not demanding the independence of Tibet but rather greater autonomy. However, faced with China's intolerance, the Dalai Lama declared that the negotiation process was frozen until Beijing showed signs of political will to make progress.

c) South-east Asia

In the **Philippines**, where there are conflicts and dialogues with three big groups, President Gloria Macapagal Arroyo appointed the hitherto head of the armed forces, Hermogenes Esperon, as new presidential adviser for the peace process, replacing Jesús Dureza. **The NDF political organisation, the political reference of the NPA armed opposition group, was prepared to begin informal discussions with the government with the aim of dealing with economic and political reform and of formalising the negotiations that were broken off in 2004.** Despite there being no formal negotiations, the Norwegian government facilitated a meeting held under its auspices in Oslo between the Filipino government and the NDF. The reactivation of a joint committee for monitoring the situation in terms of human rights and international humanitarian law was agreed, after four years of inactivity. **Norway and the NDF studied the possibility of organising various academic events which, although they will not be part of the informal contacts the parties have maintained over the past few years, will help the government and the NDF to go back to the negotiating table.** At a second meeting in Oslo, held in November, the talks failed because of the government's attempt to have the restart of official negotiations preceded by a prolonged ceasefire declaration. In addition, the NDF also considered that, as a precondition, the restart of negotiations should respect the agreements reached in previous negotiations. Finally, it should be highlighted that the government announced a suspension of military operations (SOMO) on 24 and 25 December and 31 December and 1 January. Military operations had also been suspended dur-

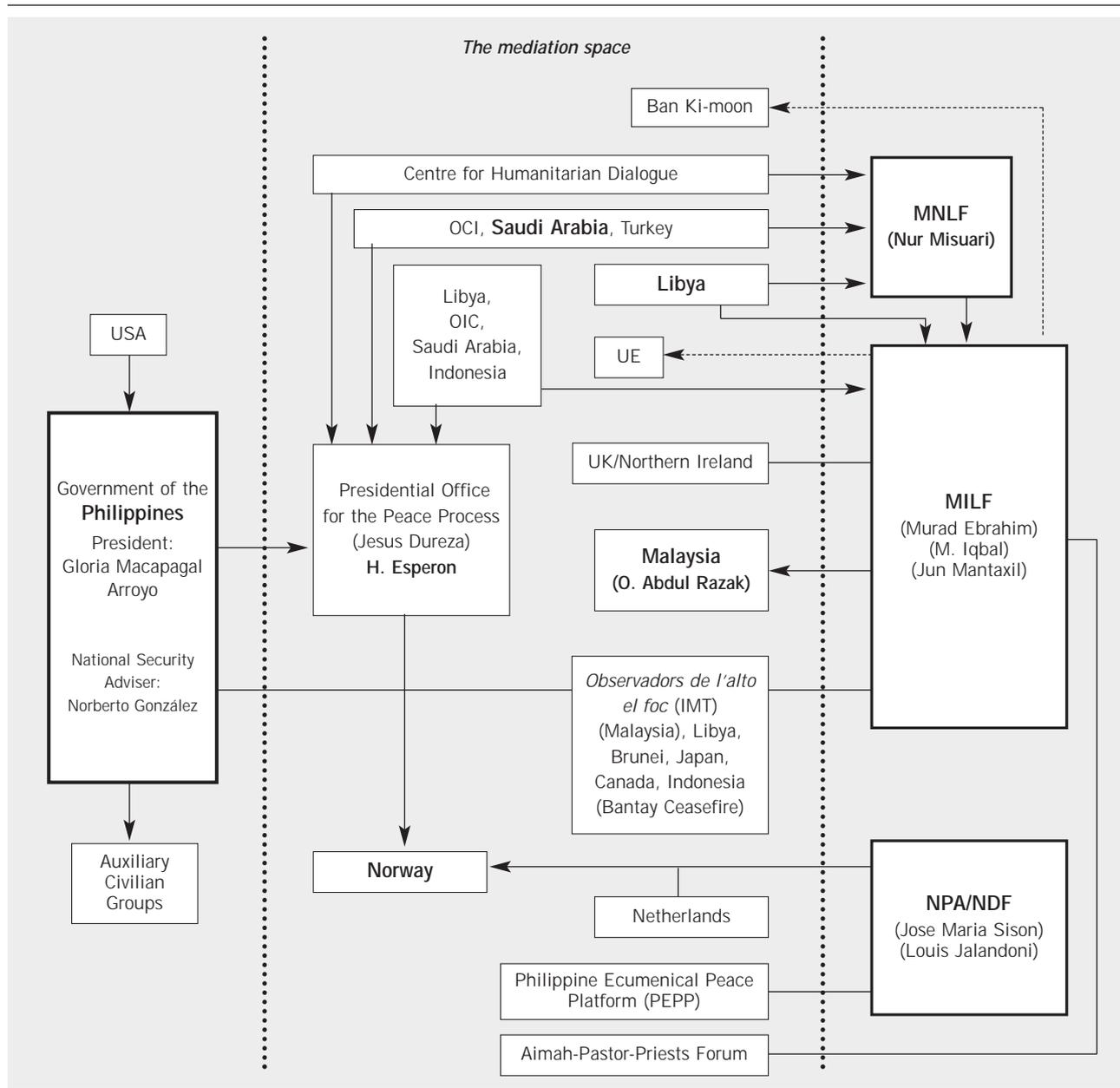
ing the Christmas holiday in previous years. The NPA also declared a ceasefire on the same dates.

Concerning negotiations with the **MILF**, this group declared that it would not accept an agreement in which Parliament had the power to amend the contents of a peace agreement. The Filipino ministry of defence was favourable to negotiating with MILF on Filipino territory disregarding foreign mediation. For its part, the government declared its intention to grant the exploitation of strategic natural resources to any Bangsamoro legal entity that may result from a peace agreement with MILF. The climate that might have allowed the two sides to move closer together was, however, interrupted when the **Supreme Court suspended the signing of the Memorandum of Agreement over the Ancestral Territories** a few hours before the Filipino government and MILF were prepared to finalise the document in Malaysia. In addition, MILF considered the condition presented by the government requiring the full disar-

mament of this group before negotiations could restart as inadmissible. This led to the breakdown of the negotiations in September. The Government declared that its new strategy would be direct dialogue with local communities. Subsequently, **MILF requested the participation of the UN Secretary General and declared that it was prepared to return to peace talks if these included an international organisation to facilitate the negotiations and supervise commitments made.** MILF mentioned the EU as a possible guarantor of any reopened negotiations. In December, the Filipino government appointed a new team to negotiate with MILF, led by the Under-Secretary for Foreign Affairs, Rafael Seguis, and both sides made declarations in favour of restarting the negotiations.

As for the **MNLF** armed opposition group, negotiating teams from the government and the group met in Istanbul (Turkey), declaring their intention to present proposals to reform the law that should have incorporated

Figure 3.3. The peace process in the Philippines



the main aspects of the peace agreement signed between both sides in 1996. **Because of the internal divisions in the MNLF, the Filipino executive asked the OIC to help solving the recent crisis in the group's leadership.** There were also internal divisions within MILF, which frustrated hopes of reaching agreements with MILF and the MNLF before the end of the year. In addition, the authorities in the province of Bukidnon declared that the leader and founder of the MNLF, Nur Misuari, was carrying out recruitment activities and reorganising the group in various parts of the province. However, **a court authorised Nur Misuari to travel to Saudi Arabia**, where he met the king and visited various places in the country.

Concerning **Western Papua (Indonesia)**, the Assembly of the Papu People and the Papu Legislative Council expressed their opposition to the proposal presented in the Indonesian Parliament to divide Western Papua's two current provinces into four. The Indonesia Parliament announced it would enact a law so that the province of Western Papua could benefit from the Special Autonomy Act approved in 2001.

In **Myanmar** there were no news with regard to the trial of political opponents, despite some gestures on the part of the Military Junta such as authorising a meeting between Aung San Suu Kyi, opposition leader and Nobel Peace Laureate, and members of her party, the NLD. In May, a referendum was held on the new constitution, amid accusations of fraud, and the military junta announced the holding of a general election in 2010. As for the conflicts with the Karen minority, the leader of the KNU armed opposition group, Mahn Sha, died after being shot by unknown gunmen at his house in Thailand. Nevertheless, **the KNU's new leadership indicated that it was willing to hold peace talks with the Myanmar government under certain conditions.** It must also be highlighted that there were confrontations between the armed Karen opposition groups the KNLA and DKBA near the border with Thailand. Finally, it should be mentioned that **Indonesia could be preparing a plan to help the Military Junta in a transition towards democracy** based on its own experience.

In **southern Thailand**, after the formation of a new government, at the beginning of the year the ministry of the interior declared that **the government was planning to grant a degree of autonomy to the Muslim-majority southern provinces.** Leaders of the Thailand United Southern Underground (TUSU), an organisation which gathers **11 armed secessionist groups, announced the beginning of a ceasefire** in the south of the country on several television channels, following several months of informal talks with leaders of the insurgency. These talks, in which members of the government did not directly participate, enjoyed the cooperation of Malaysia and several European governments, including Switzerland. It should also be pointed out that the government of Thailand met five Muslim representatives from the south behind closed doors in Indonesia, under the mediation of the Indonesian Vice-President Yusuf Kalla. At the end of the year, the Parliament elected the leader of the Democratic Party,

Abhisit Vejjajiva, as the new prime minister. Vejjajiva became the fifth person to hold this post in the last two years and announced a new plan for resolving the conflict and the creation of a new political/administrative structure in the area.

Europe

a) South-Eastern Europe

In **Cyprus**, gestures and trust-building measures between the Greek and Turkish communities multiplied during the year. **The political leaders of the two communities agreed to return to negotiations to seek a definitive end to the conflict.** They decided to meet once a week and expressed their initial agreement with single sovereignty, common citizenship and the international legal entity status of the future federation. The United Nations under-secretary general for political affairs, Lynn Pascoe, led a team that visited Cyprus to evaluate the needs the process may entail. At the end of the year, negotiations between political leaders of the two communities on the island continued and included matters relating to federal crimes, an issue on which almost total convergence was achieved, and the federal police, on which discussions will continue at future meetings. **The Greek Cypriot President, Demetris Christofias, on a visit to Cyprus, declared in November that the proposed solution to the conflict based on a two-zone, two-community federation would lead to a single, federal State with single sovereignty and a single international identity and nationality.** According to Christofias, the Republic of Cyprus would evolve into a federation. However, in his opinion, Turkey and the Turkish Cypriot leaders do not share this view. Christofias indicated that the solution did not consist of two States beginning a new relationship but rather, with an agreement reached and a solution signed between the two communities, two States could then emerge as constituent parts of a federation. In December, two new rounds were held in the negotiating process, headed by the leaders of the two communities on the island, under the auspices of the UN. The agenda for the meetings continues to be focused on governance and power-sharing. On this issue, at their meeting on 2

December the two leaders covered aspects relating to public administration, while at the meeting held on 16 December they focused on foreign relations and the powers of the federal government. Alongside the high-level meetings, meetings of technical teams from both sides continued to be held.

As for **Kosovo**, in mid-February, Parliament unanimously approved the **proclamation of independence** in what until then had been a Serbian province. Shortly afterwards, the Kosovar Parliament approved the new constitution, which established that Kosovo was a Parliamentary, secular, democratic republic. The UN Secretary General, Ban Ki-moon, made public his plan to reconfigure UNMIK, so that the EU's EULEX mission would come under the umbrella of the UN and its special representative. **Meanwhile, with 77 votes in favour, six against and 74 abstentions, the UN General Assem-**

bly approved the Serbian government's proposal to request a judgment from the International Court of Justice on the legality of Kosovo's unilateral declaration of independence. At the end of the year, the UN Security Council established that EULEX would be deployed throughout Kosovo from December onwards. Consultation with interested parties would continue, taking specific account of the circumstances and concerns of all communities, coordinated by UNMIK. The plan is to deploy EULEX throughout Kosovo, including the Serb areas. It will have a contingent of 1,900 people, including judges, prosecutors, police officers, customs officials and prison officers. However, in Serbian majority areas, local police and judicial staff members may continue to be accountable to UNMIK, while in the Albanian zones they will work within the ministry of the interior and in cooperation with EULEX.

Concerning the conflict between **Turkey** and the **PKK, armed Kurdish opposition group** the President of Turkey, Abdullah Gül, ruled out all negotiations with the group, declaring that a political solution with the armed group would be impossible, as they were terrorists. The Turkish Prime Minister, Recep Tayyip Erdogan, announced that the government was planning to invest around 12,000 million dollars in a five-year programme to finance economic development projects in south-eastern Turkey. Despite this refusal to negotiate, the Kurdistan National Congress (KNK), **the KCK, a name by which the PKK is also known, called for a new solution to the conflict to be sought through dialogue.** They declared that, if the government responded positively, they were willing to take full responsibility and start a new phase in which arms would have no place in the resolution of the Kurdish issue. One significant measure worthy of mention is a new law allowing the Turkish Radio and Television corporation (TRT) to devote one of its channels to 24-hour broadcasting in Kurdish. Another important event was the National Security Council's (MGK) announcement that it would restructure the institutions leading the fight against the PKK. Some newspapers described this change as the possible **transfer of leadership of the persecution of the PKK to the civil authorities.** The DTP party sent the prime minister and all members of Parliament a book of possible solutions to the Kurdish issue. In an open letter, two PKK leaders, Murat Karayilan and Zübeyir Aydar, congratulated Barack Obama for his victory in the USA presidential elections and asked him to use USA relations with Turkey to contribute to resolving the Kurdish conflict through dialogue. During the year, the PKK made two ceasefire declarations on Islamic religious dates, one around the end of Ramadan and the other at the end of the year, lasting nine days. In parallel, however, a Turkish court condemned the Kurdish politician Leyla Zana to ten years imprisonment for belonging to a terrorist organisation, in reference to the PKK. Zana had already been jailed in 1994 for taking her Parliamentary seat with a speech in Kurdish, and she remained in prison until 2004. At the end of the year, according to Turkish media, Turkey, Iraq and the Kurdish regional administration in northern Iraq were drawing up a multi-phase plan to tackle PKK violence. The two main Kurdish parties in Iraq, Massoud Barzani's Kurdistan Democratic Party (KDP) and Jalal Talabani's Patriotic Union of Kurdistan, had decided to work

together, against the PKK's activities. However, **the prime minister of the Kurdish government in northern Iraq, Nechirvan Barzani, stated that his administration would not undertake armed actions against the PKK. He also declared that the Kurdish issue was a political problem** and not a question of terrorism, and that Kurdish democratic demands should be achieved by peaceful means. According to Barzani, dialogue is essential in order to define the problem properly.

b) Caucasus

As regards the conflict between **Armenia and Azerbaijan** over the enclave of Nagorno-Karabakh, the question of OSCE's mediation format by Azerbaijan persisted throughout the year. As a new feature in the set of agents acting to resolve the conflict, it should be mentioned that Turkish and Armenian diplomats met in Switzerland to move forward in normalising relations between the two countries. **Turkey proposed to establish a new regional mechanism which would include Armenia, Azerbaijan, Georgia, Russia and Turkey, under the protection of the Platform for Cooperation and Stability in the Caucasus.** Meanwhile, the president of Azerbaijan reiterated his position favourable to plans for a phased solution, in which Armenian control would first be ended in areas within Azerbaijan and then the return of the displaced population would be permitted. He also emphasised the importance of conditions promoting the consolidation of trust between the parties but did not specify the measures that should be taken. The text included the fact that the resolution of the conflict should be based on the principles and rules of international law, but it did not resolve the dilemma between territorial integrity and the right to self-determination. Another point of the resolution was the declaration that peaceful resolution of the conflict should be accompanied by binding international guarantees covering all aspects and at all stages of the agreement. In December, the Azeri foreign minister, Elmar Mammadyarov, stated at the OSCE summit in Helsinki that the Moscow Declaration between Armenia, Azerbaijan and Russia established a good basis for resolving the conflict. He indicated that the next meeting between the Armenian and Azeri presidents would take place at the beginning of 2009. Meanwhile, **the Iranian ambassador in Azerbaijan, Naser Hamidi Zare, declared that Iran was prepared to help resolve the conflict** over Nagorno-Karabakh, pointing out that Iran had made a proposal to Azerbaijan concerning the issue.

During the year there was a new conflict when **Georgia** and Russia were involved in a military confrontation over the regions of **Abkhazia and South Ossetia.** In South Ossetia, at the end of February, the Parliament of the self-proclaimed Republic of South Ossetia called on the international community to recognise its independence. Subsequently, the Russian Prime Minister, **Vladimir Putin, declared that Russia should promote economic integration with South Ossetia** and remove administrative barriers on the common border. In March, Georgia put forward a proposal for reformulating the JCC for South Ossetia, converting it to a 2+2+2 format which was rejected by South Ossetia. As for **Abkhazia,** the Georgian President, Mikheil Saakashvili,

announced a new peace plan for resolving the conflict, which offered the territory what the Georgian government called “unlimited autonomy” within Georgia. The peace proposal was rejected by the Abkhazian leaders. In the third quarter of the year there were military confrontations between Georgia and Russia as a result of the increasing tensions in the regions of Abkhazia and South Ossetia, and **Russia formally recognised the independence of South Ossetia and Abkhazia**. Weeks later, at a meeting held in Moscow, the Russian and French leaders agreed to complement an agreement reached in August under which the Russian troops would be withdrawn from Georgian areas outside Abkhazia and South Ossetia within a month of the deployment of international mechanisms. The EU foreign ministers backed the establishment of the EU Supervision Mission in Georgia.

Russia, Georgia, Abkhazia and South Ossetia positively valued the informal conversations held on 19 November in Geneva, under the auspices of the UN, EU and OSCE, which also rated the meeting as constructive, unlike the first meeting held in October, which had to be cancelled because of differences over procedures and format. The meeting was organised in two working groups, one devoted to security and the other to the displaced population, in which all parties were individually represented. The participants agreed to **drawing up a mechanism to prevent and deal with daily incidents** and to considering a ceasefire and peacekeeping regime as well as establishing zones of passage to ensure that population movements are not obstructed. In December, the Abkhazian authorities made a call for the restart of weekly four-way talks known informally as the Chuburkhinji Sessions, paralysed since November 2006, including representatives of Abkhazia, Georgia, Russia and UN observers. Meanwhile, the Abkhazian leader, Sergei Bagapsh, was favourable to new international talks in Geneva that started after the war in August. It should also be pointed out that the Patriarch of the Georgian Orthodox Church, Ilia II, met the Russian President, Dmitri Medvedev, in Moscow as part of a visit by a Georgian religious delegation to the funeral of the Russian Patriarch. The President of Georgia, Dmitri Saakashvili, valued the meeting positively and sent a message to the Russian President through the Georgian religious leader. On his return, Ilia II urged the Georgian authorities to make the most of the momentum created and to continue with the dialogue.

Middle East

With regard to **Iraq**, that country and Iran signed a memorandum of understanding at the beginning of the

year to promote bilateral cooperation over defence in relation to the Iraqi conflict. **The former Finnish president, Martti Ahtisaari, revealed that a three-day conference had taken place in Finland with the participation of 36 Shiite, Sunnite and Kurdish Iraqi political personalities** in order to promote national reconciliation in Iraq. For its part, the UN formulated, and the government subsequently approved, a proposal to postpone provincial elections in the controversial Kirkuk region for a year. As for the Shiite leader **Moqtada al-Sadr, he announced the definitive suspension of the operations of his militia, although he said he would create elite units that could carry on fighting**. Finally, Iraqi leaders negotiated an agreement with the USA establishing **that United States troops would leave the country before the end of 2011**, unless the government asked them to stay. The main Shiite and Kurdish parties showed their support, but followers of the Shiite cleric Moqtada al-Sadr opposed it and the biggest Sunnite bloc, the Accordance Front, asked for it to be submitted to a referendum. The agreement, ratified by Parliament in November, also established the holding of a referendum before the middle of the following year.

Concerning the conflict between **Israel and Palestine**, this section analyses three dimensions of this conflict running in parallel: Israel's relations with the PNA, the internal struggles between Palestinian groups and the conflict between Israel and Hamas in the Gaza Strip. The conflict suffered various ups and downs during the year, but Israel's military attack against the Gaza Strip at the end of the year is the most serious event to be reported. At the beginning of the year **there were confidential contacts between Israel and Hamas in Switzerland**, and Hamas offered Israel a ceasefire in exchange for an end to attacks by the Israeli Army and the reopening of the Gaza transit points. Subsequently, in the middle of the year, and under Egyptian mediation, Israel and Hamas agreed a total cessation of hostilities for six months in Gaza. Meanwhile, **twelve armed Palestinian groups met in Cairo and unanimously accepted the principle of a truce with Israel**, although at the end of the year Hamas stated that it would not renew the truce. The Israeli government also unveiled a plan that would offer to cede the Palestinians 93% of the West Bank, including a corridor between the West Bank and Gaza which would remain under Israeli sovereignty but with free passage for Palestinians, without Israeli controls. The Israeli Foreign Minister T. Livni suggested that the aim was to achieve a complete peace agreement, not a partial one, thereby backing the Palestinian vision. So, **the President of the PNA, Mahmoud Abbas, and the Israeli minister, Tzipi Livni, achieved a series of agreements concerning the principles that should guide the negotiation process**. These included:

Box 3.2. Ceasefire agreement reached the 12 of August between Russia and Georgia

1. Not to resort to the use of force (renouncing the use of force).
2. Complete cessation of all military activities.
3. Free access to humanitarian aid.
4. Return of the Georgian Armed Forces to its usual location.
5. Russian troops will be withdrawn to the line that existed before the conflict.
6. Beginning of an international debate on forms of security and stability in Abkhazia and South Ossetia.

the need to undertake direct, bilateral, uninterrupted and continuous negotiations; the principle that nothing should be considered agreed until everything was agreed, and the need to reach a full agreement covering all issues. Later, concerning the internal conflict between the Palestinian groups, Hamas and Fatah stated in a joint press release that an atmosphere of trust and mutual respect had been re-established between the two sides. **Five groups agreed to end the internal division between Gaza and the West Bank, activate the Palestinian Parliament and rebuild the PLO through democratic elections.** A senior Hamas leader also declared that its organisation had, together with Egyptian mediators, agreed to the formation of a Palestinian national government and the reform of the security services in Gaza and the West Bank. At the end of the year, however, not only had most of these commitments not been put into practice, **Israel had unleashed an attack on the Gaza Strip causing 1,200 deaths and the total paralysis of any agreement with Hamas for several weeks.** The assault came after this group broke the truce and launched rockets against Israel as a reprisal for the assassination of several Hamas members. Before the attack, the former United States' President, Jimmy Carter, held an interview with the leader of Hamas in exile, Khaled Meshaal, for the second time. Meanwhile, as part of the celebration of the 21st anniversary of Hamas with a mass gathering in the Gaza Strip, the leader of Hamas, Ismael Haniya declared that the President of the PNA, Mahmoud Abbas, had no legitimacy to remain in the post after 9 January, when his mandate ends. Concerning the tension between the two rival formations, a group of MPs from both Al-Fatah and Hamas announced their intention to draw up a document asking both parties to halt mutual attacks in the press, release political prisoners and organise a new round of reconciliation talks. Finally, Israel's refusal to allow Richard Falk, the UN Special Rapporteur on Human Rights, into occupied Palestinian territory should be highlighted. The UN High Commissioner for Human Rights, Navi Pillay, indicated that this refusal was unprecedented and highly regrettable.

Concerning relations between **Israel and Syria**, in May the two governments announced the beginning of talks under Turkish mediation, and the Israeli Prime Minister, Ehud Olmert, declared he was prepared to return the Golan Heights to Syria in exchange for peace. Weeks later, **representatives of the Syrian and Israeli governments held indirect talks in Ankara.** The Syrian president reported that he was awaiting Israel's response to a six-point document handed over through Turkish mediation. This contained a list of proposals to prepare the ground for direct talks between the two countries. The talks came to a standstill at the end of the year by the change of government in Israel.

At the beginning of 2008, confidential contacts were made between Israel and Hamas in Switzerland, culminating in a six-month truce that was the prelude to a fierce offensive by the Israeli Army

As regards the internal conflict in **Lebanon**, the Arab League presented a plan in January, with the goodwill of Syria, including the election of a new president, the formation of a government of national unity and the adoption of a new electoral law. **With the mediation of the Arab League, the Lebanese government and the opposition reached an agreement in Doha, Qatar, in May after five days of talks, which put an end to the confrontations.** The leader of Hezbollah, Hassan Nasrallah, declared that he would agree to a total political opening if this could contribute to the reunification of the country. Later, he met the leader of the Future Movement, Saad Hariri, to prepare for national dialogue. Another major event was the reconciliation agreement reached by Sunnite and Alawite leaders in Tripoli and the Northern Province. At the end of the year, the leader of the Free Patriotic Movement and one of the leaders of the joint opposition to Hezbollah, Michel Aoun, met the Syrian president, Bashar al-Assad, on a historic visit to Damascus. The Maronite leader rated the meeting with Al-Assad as frank and stated that the Syrian leader had shown his support for the holding of legislative elections in Lebanon in spring and had promised not to interfere.

With regard to the internal conflict in **Yemen**, an agreement was signed in February with the mediation of Qatar, which was understood as a renewal of that established the previous June which had failed after fighting had broken out again at the beginning of the year. The **Government and followers of Al-Houthi reached a truce agreement**, giving rise to a reduction in violence, despite complaints of ceasefire violations by both sides. In the last few months of the year, however, there were new confrontations between the armed forces and the followers of Al-Houthi. An equally negative aspect to be mentioned is the emergence of a new organisation, the People's Army, which was prepared to confront Al-Houthi's followers.

3.4. The temperature of peace in 2008

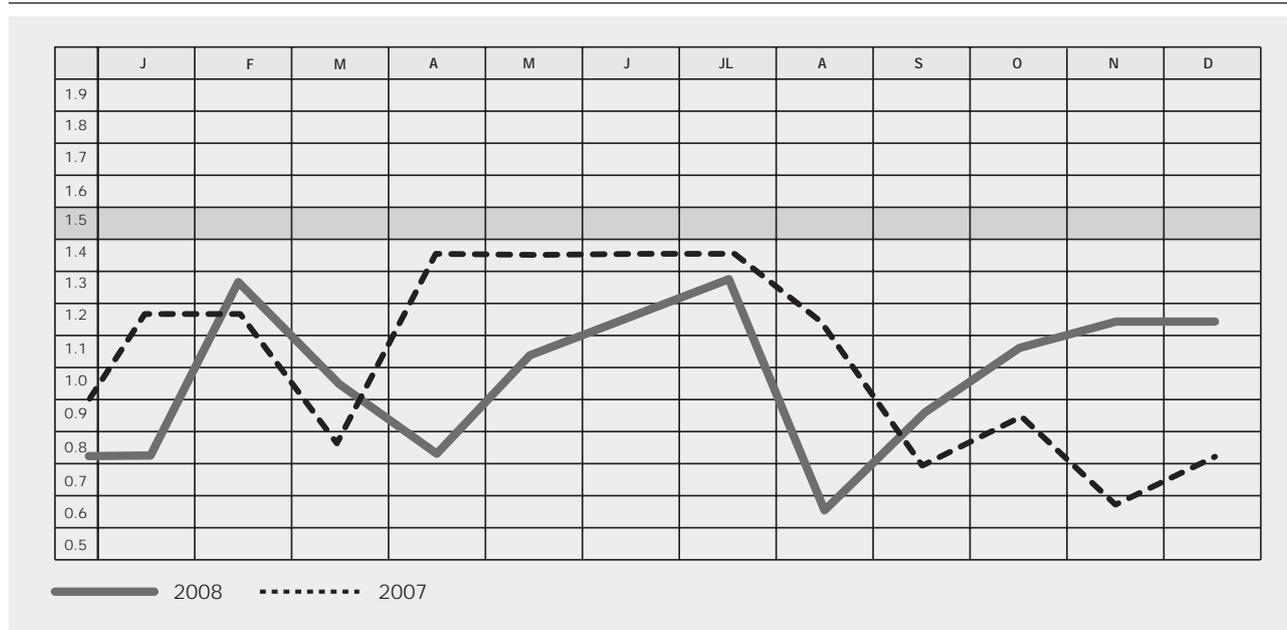
For some years, the *Escola de Cultura de Pau* has been drawing up a monthly index of the state of the peace negotiations in the world, with the aim of analysing the general dynamics of the processes. In 2008, this index analyses a selection of 35 negotiations, 18 of which concern armed conflicts³ and 17 unresolved conflicts.⁴

The index is configured based on the average resulting from giving three points to processes that have worked well during the month, one point to those which are stalled or where there have been no new developments, and no points to those that have had difficulties. This

3. Afghanistan, Colombia (ELN and FARC), DR Congo, Chad, Ethiopia (Ogaden), Philippines (NPA), India (ULFA), India and Pakistan (Kashmir), Iraq, Israel-Palestine, Nigeria (Delta), Pakistan (North-west), RCA, Somalia, Sri Lanka, Sudan (Darfur), Thailand and Uganda.

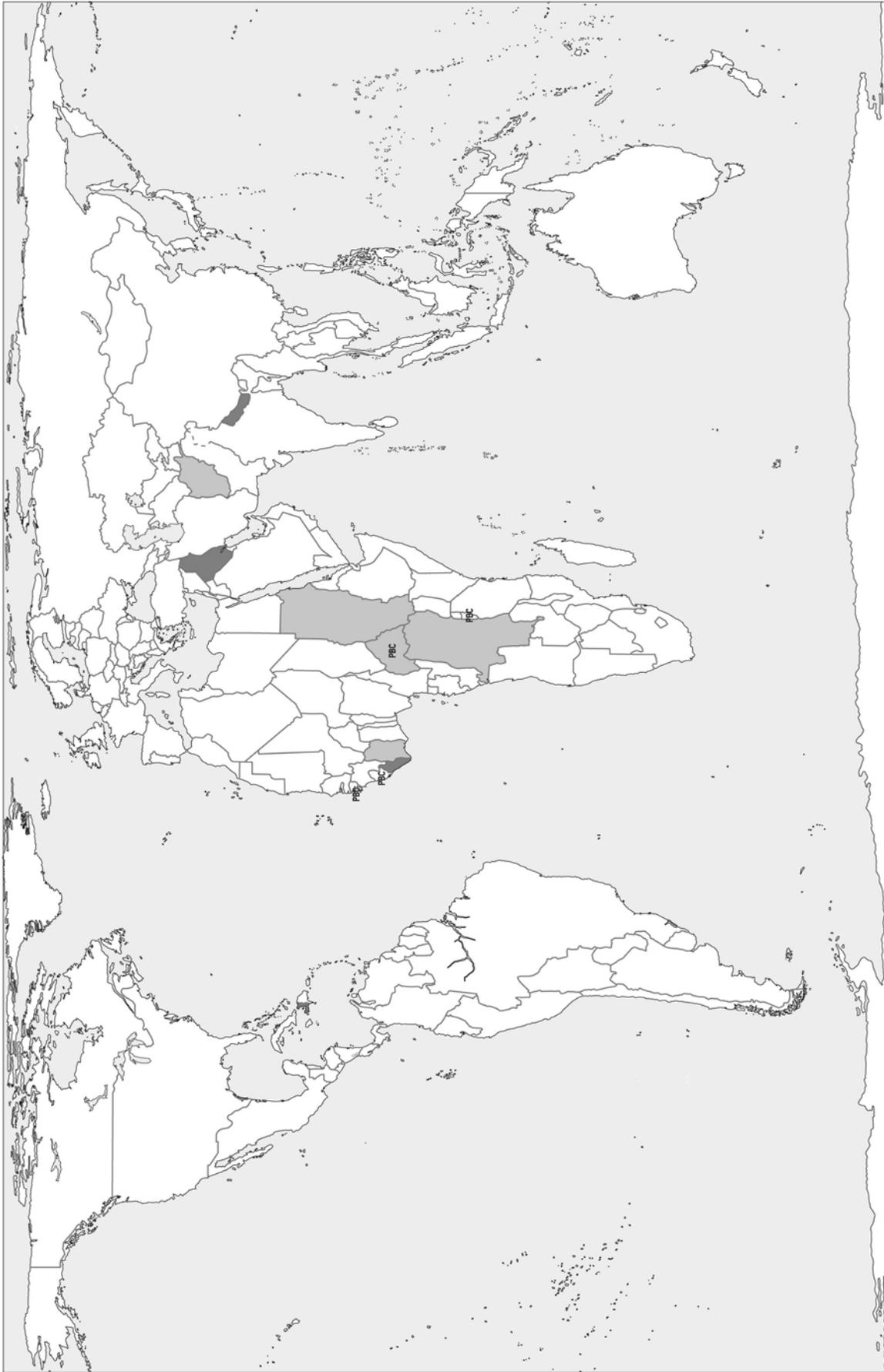
4. Armenia-Azerbaijan, Burundi (FNL), Colombia (AUC), Cyprus, Philippines (MILF and MNLF), Georgia (Abkhazia and South Ossetia), India (NSCN-IM), Indonesia (Western Papua), Kenya, Kosovo, Lebanon, Myanmar, Nepal (Terai), Western Sahara and Yemen.

Graph 3.1. The temperature of peace in 2007 and 2008



means the maximum achievable score in a month would be 3.0, and the average 1.5 points.

As shown in above diagram, **the year ended with a monthly average of just 1.0 points compared to an average of 1.1 in 2007, 1.2 in 2006, 1.3 in 2005 and 1.4 in 2004**). No month showed an average of 1.5 points or more. The index makes it possible to see the obstacles to the positive and sustained development of most processes, and reflects a worrying downward trend, the result of the huge difficulties involved in the processes or explorations in Afghanistan, Colombia, Chad, Philippines (NPA), India, Iraq, South Ossetia, DR Congo, Western Sahara and Sudan (Darfur), among other countries.



Countries with PWPB intervention in the initial response phase
 Countries with intervention to complete the initial response phase
 Countries in Peace-building Commission

4. Post-War Peace-Building

- Of the nine post-conflict peace building processes, seven still have a military presence under Chapter VII as a result of the armed conflicts and tensions that still exist.
- A new process began in the Central African Republic, which also came to be one of the countries under the supervision of the United Nations Peace-Building Commission.
- The holding of elections in Côte d'Ivoire was delayed for the fifth consecutive time. Progress in identifying and registering voters will determine the new electoral calendar.
- The Governments of Iraq and the USA signed the Bilateral Status of Forces Agreement establishing an exit date for United States combat troops, although it does not specify when other military personnel will have to leave the country.

This chapter begins with a brief analysis of the concept of Post-Conflict Peace-Building (PCPB). A second section highlights the most notable events in PCPB during 2008 in the nine contexts highlighted by indicator no. 4 as being in the initial response phase: Afghanistan, Côte d'Ivoire, Liberia, Haiti, Iraq, Nepal, Central African Republic (CAR), DR Congo and Sudan (South). Finally, a description is given of the activities of the United Nations Peace-Building Commission (PBC) in the four countries where it is active: Burundi, Guinea-Bissau, Sierra Leone and Central African Republic. The section is complemented by a map at the beginning and a methodological appendix (Appendix IX).

4.1. Approach to Post-War Peace-Building

In the 1992 report entitled *A Peace Programme*, the UN Secretary General, Boutros Boutros-Ghali defined PWPB as “measures intended to individualise and strengthen structures tending to reinforce and consolidate peace in order to prevent conflict starting again”.¹ The proposed measures are broad ones including demilitarisation, the promotion of human rights and political participation, economic and social development projects and others generally establishing conditions for recovery and reconciliation. It is understood in this and subsequent reports from the international organisation that, except on a very few occasions, the proposed measures cannot be carried out without external assistance. Despite the general tendency to highlight the inter-state dimension of armed conflicts, PWPB has more or less explicitly been included in the international intervention category.²

Marked by the end of the Cold War and the attacks of 11 September 2001 in New York, the discourse established by the international community supports solutions being offered at an international level to problems of a local origin.³ The main focus is the concept of “the responsibility to protect”, closely related to that of “failed states”. According to this argument, the international community imposes on itself the moral obligation to intervene in favour of the population when a state is incapable or unwilling to meet its responsibility to protect its population. Although they are not the sole target for this commitment, States emerging from a war or conflict are seen as the paradigm of administrations incapable of meeting the population’s needs, from security to social services. That is, they are “fragile”, “failed” or “collapsed” states.⁴

Under this logic, the relationship between international presence and the capacity of national institutions must reflect the degree of progress of PWPB: if local capacity grows, the presence is reduced. A chronogram model for intervention establishes the following three phases (in practice none of them are strictly consecutive):⁵

1. *An Agenda For Peace. Preventive diplomacy, peacemaking and peace-keeping*, A/47/277 – S/24111 of 17 June 1992, at <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/24111>>, para. 63. The actual term used is *post-conflict peace-building*.

2. In addition to the one mentioned above, see the reports by the UN Secretary General *Supplement to “An Agenda for Peace”*, A/50/60 – S/1995/1 of 25 January 1995, at <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/1995/1>> and *An agenda for development*, A/48/935 6 May 1994, at <<http://www.un.org/Docs/journal/asp/ws.asp?m=A/48/935>>, and the *Report of the Panel on United Nations Peace Operations* (Brahimi Report), A/55/305–S/2000/809 of 21 August 2000, at <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2000/809>>.

3. The minimalist definition of “international community” usually used by the United Nations is adopted, under which it is made up of the member States within the system and other inter-governmental bodies. A broader definition would include NGOs, other institutions of international civil society (religious and academic ones, etc.) and the private sector (see, for example, the monograph “What is the International Community?” in *Foreign Policy*, no. 132, September/October 2002).

4. *The Responsibility to Protect*, ICISS, 2001, at <<http://www.iciss.ca/report-en.asp>>; Rotberg, R.I. (ed.) *When States Fail: Causes and Consequences*. Princeton University Press, Oxford, 2004.

5. Center for Strategic and International Studies, *Post-conflict Reconstruction Task Framework*. CSIS / AUSA, Washington, 2002.

Table 4.1. Ranking and Classification in the Failed States Index

a. Countries with initial response intervention		
Sudan	2nd	Critical
Iraq	5th	
DR Congo	6th	
Afghanistan	7th	
Côte d'Ivoire	8th	
Central African Republic	10th	
Haiti	14th	In danger
Nepal	23rd	
Liberia	34th	

b. Countries in the PBC		
Central African Republic	10th	Critical
Burundi	24th	In danger
Sierra Leone	31st	
Guinea-Bissau	32nd	

Foreign Policy classifies the 60 least stable countries into three groups of 20: in a "critical", "in danger" or "borderline" situation.

Source: *The Failed States Index 2008*, Foreign Policy / The Fund for Peace, 2009.

1. Initial response: Seeks stabilisation, the creation of a secure environment. There is greater international presence and leadership.
2. Transformation: Legitimate, stable local institutions are developed. The transfer of responsibilities to national bodies begins.
3. Support for sustainability: Consolidation of national capabilities, assistance and advice functions of the international community.

With these fixed, general assumptions, the international community offers a formula or "recipe" for PWPB reflecting the existing consensus on the superiority of certain institutions for achieving long-term stability. The most important of these include: The Nation-state, the market economy, liberal democracy and human rights. This consensus constitutes the so-called doctrine of liberal peace.⁶

At a general level, a large part of PWPB is based on certain simplistic or conservative premises concerning social and historical processes. For example, certain situations are clearly labelled post-war or post-conflict (implicitly defining "war", "conflict" and "peace"). This discourse also tends to use a dysfunctional concept of armed conflicts, considering them as periods of total social breakdown and collapse. From this notion it can be inferred, for example, that the aim in the post-war period should be to return to pre-crisis stability and

"normality". This is shown in the language of PWPB, loaded with terms like reconstruction, rehabilitation, reconciliation, resettlement or reintegration. Alternatively it can be understood that the destruction of social structures provides a blank page or *tabula rasa* making it possible, with a degree of social engineering, to establish radically new institutions (although this process is still referred to as "reconstruction").

Table 4.2. PWPB and Conflict Situations

a. Countries with initial response intervention	
Afghanistan	Armed conflict
Iraq	Armed conflict
Central African Rep.	Armed conflict
DR Congo	Tension, Regional armed conflict in the East
Sudan	Tension, Regional armed conflict in Darfur
Côte d'Ivoire	Tension
Haiti	Tension
Nepal	Regional tension in Terai
Liberia	International tension in the River Mano sub-region
b. Countries in the PBC	
Central African Rep.	Armed conflict
Burundi	Tension
Guinea-Bissau	Tension
Sierra Leone	International tension in the River Mano sub-region

Source: chapters 1 (Armed Conflicts), 2 (Tension) and 3 (Peace Processes).

As a whole, these positions ignore the continuities occurring between "conflict" and "post-conflict" periods, as well as the constructive, lasting transformations that can occur during a war. Above all, they have serious political implications and practical consequences, as they create certain spaces for action or inhibition for the international community. These will pass unnoticed if the PWPB discourse is accepted.

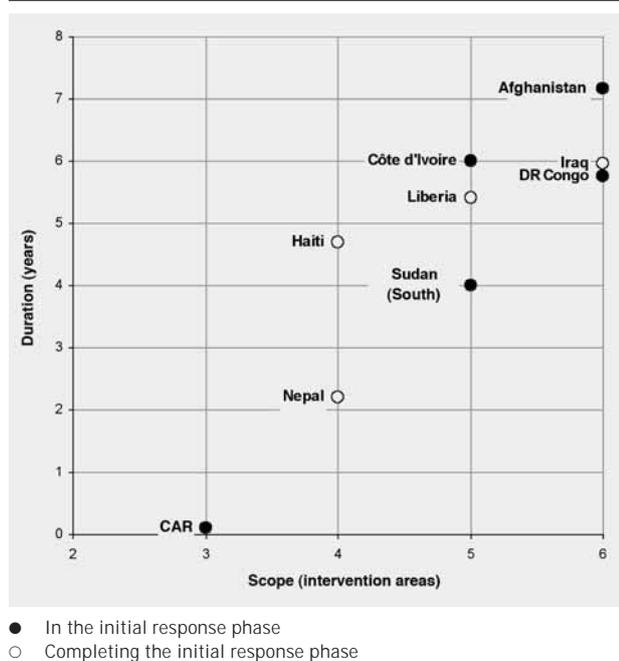
4.2. Initial response: Development in 2008

This section explores the involvement of the international community in various post-conflict contexts with the formal aim of peace-building, focusing on the initial response phase during which intervention attempts to play a decisive role and its very presence is considered to be essential. To do this, the section is based on

6. See, for example, Paris, R. "Peacebuilding and the Limits of Liberal Internationalism", in *International Security*, 22:2, 1997, pp. 54-89; Richmond, O.P. "The Problem of Peace: Understanding the 'Liberal Peace'", in *Conflict, Security & Development*, 6:3, October 2006, pp. 291-314; Heathershaw, J. "Unpacking the Liberal Peace: The Dividing and Merging of Peacebuilding Discourses", in *Millennium - Journal of International Studies*, 36:3, May 2008, pp. 597-621.

indicator no. 4, consisting of a small number of variables denoting its **scope** since it was begun (the different areas where it participates) and the **progress** shown in 2008 (the development of the activities initiated). This reflects the level of involvement and potential of the intervention for achieving transformation. The methodology and data with which this indicator is constructed are described in detail in Appendix 9.

Graph 4.1. **Scope, duration and progress of PWPB initial response**



Graph 4.1 represents the situation concerning initial response interventions. It is a picture that must be understood as only an approximation of the complexity of PWPB. However, it is useful as a heuristic method for putting forward some tentative ideas. The x-axis indicates the scope of the intervention depending on the number of areas led by the international community. The number of years elapsed from the beginning of the PWPB intervention can be seen on the y-axis.

The white dots identify the processes that have practically completed the initial response activities considered by indicator no. 4. These are Haiti, Iraq, Liberia and Nepal, where 75% or more of the activities in which the international community has been involved have moved on to the transition phase. In absolute figures, in each of them this consists of just one activity remaining in a preliminary status.

The graph shows three contexts —Afghanistan, Iraq and DR Congo— where the scope of the intervention reaches its maximum magnitude. But, while in Iraq the

only reason why the intervention is still considered to be at this stage is the issue of refugees and displaced persons, in Afghanistan the preliminary character of PWPB is more marked. After seven years, the military mission has been expanded, the process of Dissolving Illegal Armed Groups (DIAG) remains open and the international community continues to lead economic development plans. However, the graph does not reflect the abundant ambiguities in these PWPB operations. For example, in Iraq only after six years has the military mission's mandate been considered to be complete; the problem of refugees and displaced persons emerged *after* the beginning of the intervention and it is worth discussing whether the dissolution of the former security sector represents a case of spontaneous demobilisation or whether it in fact led to rearmament.

Nepal stands out because of the narrower scope of the intervention (it shows greater national leadership) and because of the comparative speed with which the initial response is being completed. In fact, in a year and a half, the international community had already completed the tasks it took on, limited to supervising the management of ex-combatants and elections, designing the cooperation strategy and aiding internally displaced persons. However, the commitment of the military observers in the stalled process of moving the PLA to cantonments has been extended. This depends on other work being carried out endogenously, such as constitutional reform. The case of the Asian country contrasts with that of Côte d'Ivoire, where in 2008 none of the five areas of intervention had moved to a transformation status and where initial response exceeds six years. Both the electoral process and the security area show signs of severe stagnation and not a single step has been taken to hold a donor conference, although a development plan was published in January 2009.

PWPB in the Central African Republic is included despite the fact that the Inclusive Political Dialogue process took place in December 2008, as the PBC and BONUCA have already defined certain intervention areas. The PBC's strategic plan will be presented in February 2009 and will focus "on a limited number of priorities". Taking into account the declarations of intent and the first projects approved by the PBC, several activities included in indicator no. 4 can already be detected: disarmament and demobilisation of combatants, electoral process and aid to refugees and displaced persons.⁷

The most important events in each area of the initial response phase of international intervention in post-conflict contexts during 2008 are given below.⁸

a) Security

During the initial phase, the re-establishment of security is a key aspect, as the possibility of a return to vio-

7. *United Nations Peacebuilding Fund Bulletin*, no. 5, January 2009; *The situation in the Central African Republic*, 6027th session of the Security Council, S/PV.6027, 2 December 2008, at <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/PV.6027>>.
 8. During 2008 no activity included in the constitutional reform area of indicator no. 4 was carried out.

lence remains for a long time after peace has been concluded. The aim of activities in the security area is the protection of the population and demilitarisation of society.

Military missions

Military Missions Active in 2008

Iraq	MNF-I	Concluded 12/31/08 (Res. 1790)
Côte d'Ivoire	ONUCI	Extended 01/31/09 (Res. 1826)
Sudan	UNMIS	Extended 04/30/09 (Res. 1812)
Liberia	UNMIL	Extended 09/30/09 (Res. 1836)
Haiti	MINUSTAH	Extended 10/05/09 (Res. 1840)
Afghanistan	ISAF	Extended 10/13/09 (Res. 1833)
DR Congo	MONUC	Extended 12/31/09 (Res. 1856)

Throughout 2008 the armed confrontations, tensions and latent crises in five of the nine cases at the initial response phase made it necessary to extend the mandate of United Nations' military missions present in these countries. The Security Council also renewed the mandate of the NATO international troops in Afghanistan (ISAF) accompanying the United Nations political mission (UNAMA) in peace-building tasks. At the end of the year the Security Council mandate for the multinational forces deployed in Iraq (MNF-I) ended. From 2009, they will remain in the country under a bilateral agreement between the USA and Iraqi governments.

ONUCI will remain in Côte d'Ivoire for a further period as some key activities of this first phase have not been completed. These include management of ex-combatants, disarmament and the holding of elections. It is also considered that the security situation is still unstable, as shown by the outbreaks of violence occurring throughout the year.⁹

UNMIL carried out a greater troop reduction than that suggested by the Secretary General. However, the fact that the international community continues to consider Liberia to be in a fragile situation explains the fact that, although the number of military personnel was reduced by 1,460, the political component was increased by 240.¹⁰ The high rate of unemployment, particularly among young people, problems related to the reintegration of ex-combatants and the illegal exploitation of natural resources were the main causes of insecurity identified and they were considered serious enough for the mission to remain under Chapter VII of the United Nations charter. In the case of UNMIS, in Sudan

(South), the UN Secretary General recommended the Security Council to expand the contingent of troops by 600 to be deployed in potentially conflictive border areas after ceasefire violations had occurred in Abyel throughout the year.¹¹

Finally, the intervention in Iraq took a further step towards the transformation phase after the completion of the mandate for the multinational forces in Iraq (MNF-I) legitimised by Security Council resolution 1790. From January 2009 onwards, the MNF-I will depend on the Bilateral Status of Forces Agreement (SOFA) signed between the governments of Iraq and the USA and approved by the Iraqi Parliament on 27 November 2008. With the approval of the SOFA, the Iraqi Government assumed responsibility for security and, in accordance with the clauses stipulated in it, can supervise the actions of United States troops deployed on its territory. In addition, a date is established for the withdrawal of USA troops, which must happen before December 2011, although this refers only to combat troops and not to other military personnel. The remaining international troops deployed on Iraqi territory were also preparing to make agreements with the Government about staying in the country. Meanwhile, the United Nations political mission (under MNF-I protection until 31 December 2008) must seek a new security agreement with the United States troops.

The UN Secretary General recommended to expand the contingent of troops in Southern Sudan

Management of weapons and ex-combatants

Management of Arms and Ex-combatants during 2008

Afghanistan	Partial demobilisation
Côte d'Ivoire	Beginning of cantonment of the Armed Forces and partial demobilisation of the Forces Nouvelles
Nepal	Stalling of the cantonment of ex-combatants
Central African Rep.	Provided for in the peace agreement
DR Congo	Partial demobilisation
Sudan (South)	Partial integration of militias and partial demobilisation of child soldiers

Includes the processes of disarmament, demobilisation and military rehabilitation of ex-combatants open during 2008. The completion of these marks the elimination of an imminent security threat and establishes the conditions to begin their reintegration and the process of reforming the security sector.¹²

9. See chapter 2 (Tensions).

10. To see the exact number of military and police personnel deployed, see appendix II.

11. S/2008/485 23 July 2008, at <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2008/485>>. For more information on the confrontations, see chapter 2 (Tension).

12. For more information on cases of disarmament and demobilisation, see chapter 6 (Disarmament).

More than 19,000 Maoist ex-combatants in **Nepal** have been in cantonments since 2006. The decision on the future of the Maoist ex-combatants and the Nepali Army was delayed during 2008 by the holding of elections to the Constituent Assembly and the delay in appointing the members of the special committee that will determine the future of these soldiers. Possible controversies can be foreseen as a result of different views of the future of the Maoist ex-combatants expressed by some of the members appointed to this committee. This could result in an extension of the United Nations mission's mandate. The Prime Minister, Pushpa Kamal Dahal, alias "Prachanda", expressed his interest in UNMIN co-ordinating international support for this process.

In December, the governments of **Afghanistan** and the USA presented a proposal to recruit and arm militias to fight the Taliban militias. It should be remembered that the Government of Japan has invested hundreds of millions of dollars in disarming illegal armed groups, so this proposal was rejected by the Afghan Parliament. It was finally accepted by President Hamid Karzai.

b) Socio-economic development

In this area, humanitarian action and rehabilitation go closely together.¹³ This area is basically focused on facilitating the return and resettlement of refugees and displaced persons, food safety, and the reconstruction of homes and infrastructure, as well as medical and social care services. Carrying out these activities requires a considerable financial contribution from the international community.

Conferences of donors and development plans

International donor conferences organised by the United Nations in cooperation with the World Bank, where the first needs assessments for PCWPB are presented, are considered. At these conferences, donors show their support through financial commitments. The development plans subsequently drawn up in cooperation with the country's Government allocate the destinations of the funds paid out by the donors.

During 2008, **Côte d'Ivoire** continued to lack global support for a donor conference, although it continued to receive funds through bilateral donors and international financial institutions, such as the World Bank or the International Monetary Fund. However, and as a result of the signing in 2007 of the Ouagadougou

Agreement, the Government and United Nations held a round of consultations in order to draw up the first Poverty Reduction Strategy Paper (PRSP) for the country. The exchange between the Executive and the international community resulted in the inclusion in the document of the consolidation of peace as a priority area. In support of the objectives indicated in the PRSP, the UN Secretary General suggested that the United Nations Peace-Building Fund should include Côte d'Ivoire among the countries receiving funds via this PBC mechanism. In mid-June 2008, the PBF allocated five million dollars as a catalyst for the peace process in the country, largely through the reintegration of ex-combatants and the facilitation of political dialogue.

The donors in Afghanistan continued to maintain control of the funds, leaving aside the Afghan Executive

Although several donor conferences have been held and different development plans drawn up, **Afghanistan's** management of funds continues to be almost exclusively in the hands of the international community. This has not only prevented this responsibility being taken locally, it has also led to a reduction in funds intended for the country, as the international cooperation organisations have spent a large part of them on security and outside consultants. In an attempt to provide a response to this problem, the Afghan Government presented its national development plan —the so-called Afghan National Development Strategy 2008-2013 (ANDS) at the donor conference held in Paris on 12 June 2008. The donors announced a commitment to provide 21 billion dollars for new aid projects, but they continued to maintain control of these funds, leaving aside the Afghan Executive. According to the report drawn up by the Agency Coordinating Body for Afghan Relief (ACBAR), it is estimated that the money directly invested in Afghanistan is less than 20% of that intended for the purpose.¹⁴

Refugees and displaced persons

It is considered that the start of a massive return of the refugee and displaced population, with the support of international bodies, would mean a relative improvement in the security situation and socio-economic conditions. It would also show the need to establish more long-term activities, such as the construction of communication and transport routes and the provision of health and education services and even job opportunities.¹⁵

According to UNHCR, **Iraq** continued to be an unsafe context for the return of the refugee population.¹⁶

13. Aspects linked to emergency aid and the re-establishment of basic services to the population are included in chapter 5 (Humanitarian Crises).
14. Waldman, M., *Falling Short*, ACBAR, Kabul, 2008, at <[http://www.acbar.org/ACBAR Publications/ACBAR Aid Effectiveness \(25 Mar 08\).pdf](http://www.acbar.org/ACBAR%20Publications/ACBAR%20Aid%20Effectiveness%20(25%20Mar%2008).pdf)>; Torabi, Y., *Afghanistan: Bringing Accountability Back In. From Subjects of Aid to Citizens of the State*. Integrity Watch Afghanistan, Kabul, 2008, at <<http://www.iwaweb.org/BringingAccountabilityBackIn.pdf>>; *Afghanistan National Development Strategy 1387-1391 (2008-2013) A Strategy for Security, Governance, Economic Growth & Poverty Reduction*, Afghanistan National Development Strategy Secretariat, Kabul, 2008, at <[http://www.ands.gov.af/ands/final_ands/src/final/Afghanistan National Development Strategy_eng.pdf](http://www.ands.gov.af/ands/final_ands/src/final/Afghanistan%20National%20Development%20Strategy_eng.pdf)>.
15. For more information, see chapter 5 (Humanitarian Crises).
16. *Addendum to UNHCR's August 2007 Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-seekers*, UNHCR, Geneva, 2007, at <<http://www.unhcr.org/refworld/pdfid/4766a69d2.pdf>>.

Despite this, during 2008, the Government of the United Kingdom, the second biggest contributor of troops for Iraq after the USA, began the process of expelling the 1,400 Iraqi citizens who had been on its territory since before 2005. These people, to whom the British Executive denied refugee status at the time although it did offer them support as “difficult cases”, will be forcibly returned to their country of origin after signing a clause exempting the authorities expelling them from all responsibility should anything happen to them.

UNHCR carried out a repatriation and reintegration programme for a group of **Ivorian people taking refuge** in Guinea and Liberia and an aid programme for displaced persons in the urban centre of Abidjan. The resettlement of internally displaced persons generated pockets of violence in western Côte d’Ivoire. Various organisations focused their efforts during the year on facilitating the return to communities of origin with mediation activities. In the case of **Central African Republic**, a support campaign was run throughout the year for internally displaced persons, whose number is calculated at 198,000. The aim of the campaign organised by the international community with participation by the internally displaced population is to inform the national and local authorities and armed groups of the rights of the displaced persons and generate the support of the international community for establishing programmes to protect and aid this group.

Nepal approved the abolition of the monarchy and became a Democratic Federal Republic

planned to last between three and six years. The elections were won by the CPN(M), and the Maoist leader Pushpa Kamal Dahal was appointed Prime Minister. During its first sessions, the new Constituent Assembly in Nepal approved the abolition of the monarchy by an overwhelming majority and became an officially Democratic Federal Republic.

The other electoral proceedings planned for 2008, the presidential elections in **Côte d’Ivoire**, were delayed for a fifth consecutive time. The Government cited logistical problems and lack of finance. However, the Security Council asked the United Nations Sanctions Committee to prepare a list with the names of people who might be obstructing the electoral process. Meanwhile, it is hoped that the Independent Electoral Committee will draw up a new electoral calendar, depending on progress in the identification and registration of voters, which must be completed by the end of January 2009.

The census is a key element of the General Peace Agreement signed between the South and North of **Sudan**, as it will determine the proportion of the places assigned to Southern Sudan in the government after the national elections.¹⁷ Between 22 April and 5 May the Government collected data for the national census. During November, the nine members making up the National Electoral Committee were appointed. In the months remaining before the date when the elections are to be held —due to be 9 July 2009— the register of voters must be completed, electoral legislation must be reviewed to adapt it to the provisions of the Constitution, education programmes need to be carried out with voters, and constituency borders have to be defined, for which the census is needed. The border between north and south, which remains pending, must also be defined. The holding of the elections could also be affected by the instability in the Abyei and Southern Kordofan region.¹⁸

c) Participation and the Rule of law

This area covers democratisation, the establishment of constitutional guarantees and a frame of reference for human rights, together with the promotion of good governance and the strengthening of institutions.

Electoral processes

Electoral Processes in 2008

Nepal	Elections to the Constituent Assembly	10/04/08
Côte d’Ivoire	Presidential elections	30/11/08 (Postponed)
Sudan	General election	09/07/09
Central African Rep.	General election	2010

Nepal finally held elections for the Constituent Assembly which will also carry out parliamentary tasks while the Constitution is being drawn up —a process that is

Finally, the proposal to hold elections in 2010, included in the agreement signed between the Government of the **Central African Republic** and the insurgents, should be highlighted. This gained support during the holding of the Inclusive Political Dialogue in December 2008.¹⁹

4.3. The United Nations Peace-Building Commission

During a PWPB process, the number of international agents involved exceeds the number taking part in the negotiation process. There is a proliferation of agents with overlapping mandates and there are often compet-

17. S/2008/267 of 22 April 2008, in <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2008/267>>.

18. See chapter 2 (Tensions).

19. See chapter 3 (Peace Processes).

Table 4.3. Countries in the PBC

	Peace agreement date	PBC entry date	PCPB phase
Sierra Leone	2 May 2001	23 June 2006	Transformation
Burundi	16 November 2003 ²⁰	23 June 2006	
Guinea-Bissau	2 November 1998	19 December 2007	
Central African Republic	21 June 2008 ²¹	12 June 2008	Initial response

itive relationships between them over increasingly scarce funds. Because of this, the strategic coordination of all those involved is an increasingly important challenge in PWPB. The United Nations Peace-Building Commission (PBC) is the body appointed to coordinate international intervention and ensure sustainable commitment from donors. For the moment, the PBC is concerned with the peace-building processes underway in four countries. This section includes the development in 2008 of the work of the PBC.

One of the most important events of the year was the request by the UN Security Council to the Secretary General for the establishment of an United Nations Integrated Peace-Building Office in **Sierra Leone (UNIPSIL)** to replace UNIOSIL. The Security Council established that UNIPSIL would collaborate with the Government to identify possible conflicts and tensions, supervise and promote respect for human rights, democratic institutions and the rule of law, consolidate reforms providing good governance, support the decentralisation efforts being carried out in the country and review the 1991 Constitution.²²

In **Burundi**, the agreement reached between the Burundian Government and the PALIPEHUTU-FNL in June was considered as strengthening peace-building in the country.²³ The main challenges identified by the Burundian Executive and the PBC are the pending reforms to the security and justice sector, the land ownership issue, the political integration of members of the PALIPEHUTU-FNL and the disarmament of these ex-combatants.²⁴ During the year the Government began moving the members of the FNL to cantonments, with the technical support of the United Nations.²⁵ In order

to try to provide a response to some of the problems identified, the Commission held a meeting to debate possible lasting solutions to the land ownership issue—one of the matters with the greatest effect on the process of return and the security situation in Burundi.

The agreement reached between the Burundian Government and the PALIPEHUTU-FNL in June was considered as strengthening peace-building in Burundi

The achievement of the Political Pact of National Stability and the Stability Agreement between the Government and Parliament of **Guinea-Bissau** made it possible to draw up a Strategic Peace-Building Framework in coordination with the United Nations Peace-Building Office.²⁶ Within this framework, it was established that holding elections, implementing measures to reactivate the economy, and strengthening

the justice sector and the rule of law, among other things, were the main objectives for achieving peace-building in the country. On 16 November, the legislative elections were held, with participation of almost 80% of the electorate, according to the international observers.

The Commission included the **Central African Republic** on its agenda of countries in June 2008. The Executive Committee of the Peace-Building Fund backed it with the allocation of 5.7 million dollars for 11 projects related to the demobilisation and reintegration of child soldiers, projects run by women for strengthening communities, community food safety projects, a programme to support reconciliation between the north and the west of the country and various programmes supporting good governance. It is hoped that the signing of the Inclusive Political Dialogue achieved during December 2008 will make it easier for the Commission to work on drawing up a peace-building strategy in this country.

20. The agreement signed between the TNG and Pierre Nkurunziza's armed opposition group the CNDD-FDD is taken as a reference. For further information, see, Royo, J. M., *Burundi: retos y perspectivas de construcción de paz*, Escola de Cultura de Pau, Bellaterra, May 2006, p. 9, <<http://www.escolapau.org/img/programas/alerta/articulos/06articulo030.pdf>>.

21. See chapter 1 (Armed Conflicts) and 3 (Peace Processes).

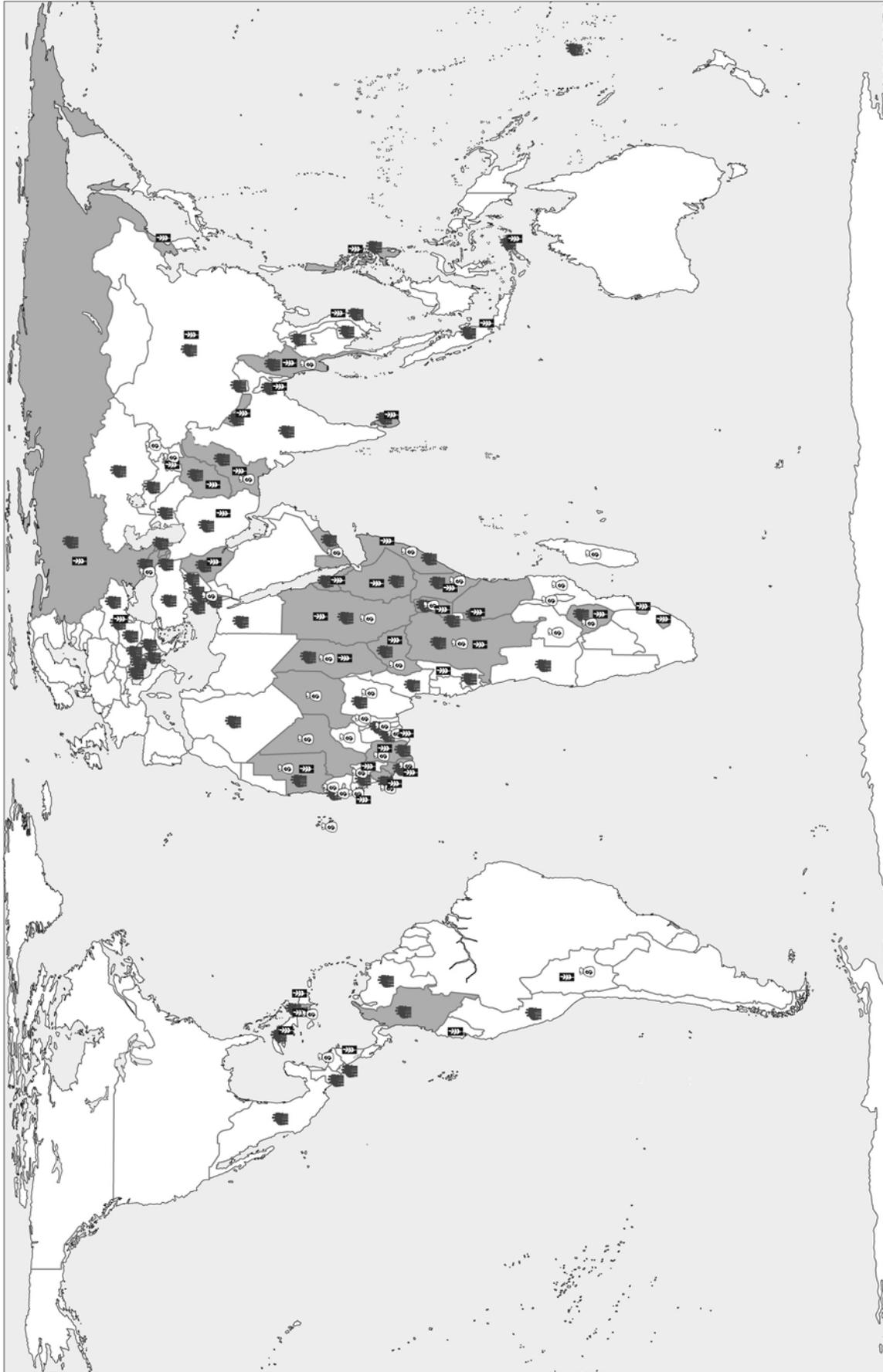
22. S/RES/1829 of 4 August 2008, at <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1829\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1829(2008))>.

23. See chapter 3 (Peace processes).

24. PBC/2/BDI/10 of 9 July 2008, at <<http://www.un.org/peace/peacebuilding/psc-countrymtgs.shtml>>.

25. *Security Sector Reform and Small Arms Joint Programme*, Government of Burundi / BINUB / UNICEF / UNDP, Bujumbura, 2008, at <<http://binub.turretdev.com/en/images/articles/SSR1.pdf>>.

26. PBC/3/GNB/L.1 1 August 2008, at <http://www.peacebuildingcommission.org/files/uploads/Strategic_Framework_31_Jul_2008.pdf>.



5. Humanitarian crises and humanitarian action

- The number of people affected by food insecurity increased by 40 million in 2008.
- The United Nations launched a record humanitarian appeal - 7,000 million dollars - to help 30 million people.
- The violence in North Kivu, DR Congo, caused the displacement of 250,000 people in three months.
- More than 140,000 people died from the effects of Cyclone Nargis in Myanmar.
- The absence of security and resettlement support programmes hampered the return of thousands of displaced persons in Afghanistan, Côte d'Ivoire, Iraq, Nepal, Uganda and Sudan.

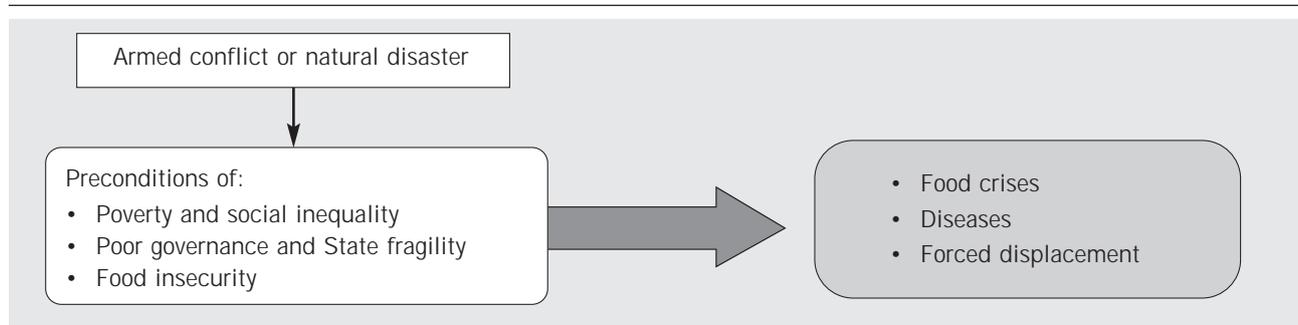
This section analyses the situation concerning humanitarian crisis scenarios and humanitarian action, paying special attention to contexts of violence. The first part deals with the definition of humanitarian crisis and analyses the indicators that have helped determine which countries have faced a crisis situation during 2008. The second part examines the development of each of these contexts, grouped by regions. The third part reviews the most important aspects of humanitarian action practices over the year. A map is attached at the beginning of the chapter with the countries affected by humanitarian crises.

5.1. Humanitarian Crisis: definition and indicators

A **humanitarian crisis** is understood as a situation where there is an exceptional and generalised threat to human life, health or subsistence. Such crises usually appear in a situation where there has been vulnerability and where a series of pre-existing factors (poverty, inequality, lack of access to basic services) become aggravated by the detonating factor of a natural disaster or armed conflict, multiplying their destructive effects.

Since the end of the Cold War a type of humanitarian crisis known as complex emergency has proliferated. These phenomena, also known as **complex political emergencies**, are man-made crises where a situation of violence generates deaths, forced displacement, epidemics and famines. These are combined with a weakening or total collapse of economic and political structures and, sometimes, with the presence of a natural disaster. Complex emergencies are differentiated from crises because they last longer. They also have a fundamentally political origin and a considerable destructive and destructuring impact on all aspects of life. Consequently, the response to these crises usually involves a large number of agents in addition to the exclusively humanitarian ones. This includes peace-keeping missions and political and diplomatic agents. The analysis mainly focuses on humanitarian crises generated in contexts of armed violence, which, to a degree, determined the final number of emergency situations detected.

Figure 5.1. Development of a humanitarian crisis



Four indicators have been used in this section, which have served to determine the countries that have faced a humanitarian crisis situation in 2008.

Firstly, the reports published periodically by FAO on harvest prospects and food security, which indicate the existence of 44 countries where there was a food emergency in 2008 (indicator no. 5). Of the total in this group, 21 were in Africa, 13 in Asia, six in America, two in Europe and one in the Middle East. The resulting figure matches up with the balance for the previous year, although the increase in the number of countries affected by the high cost of food in the Asian region (from 10 to 13) should be highlighted. Meanwhile, in Africa there was a slight reduction compared to the previous year (from 27 to 21). The seriousness of the food crises was heightened during the year by the persistent increase in food prices, which hindered the access to food of the population.¹ Along these lines, the overall number of people depending on food aid increased by 40 million in 2008 (a total of 963 million according to FAO), and the rise in food and fuel prices generated financial problems for the main agencies and NGOs in charge of food aid. Of these 44 countries, 29 needed international assistance to feed their population during the whole year.

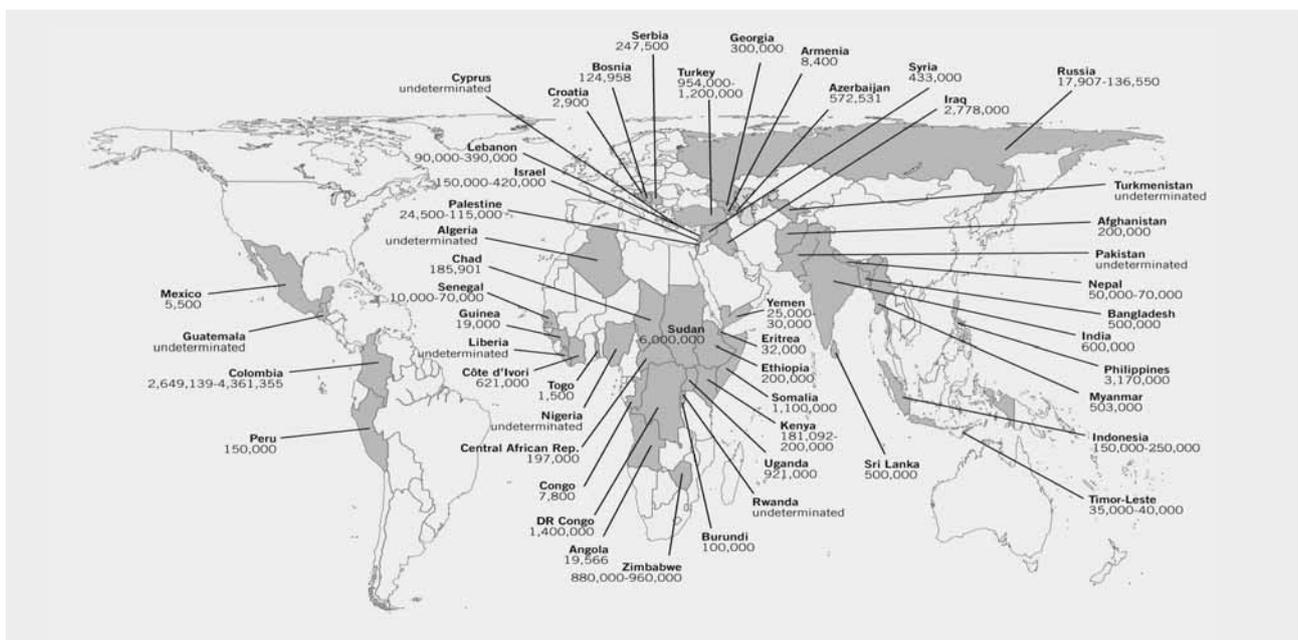
Secondly, the evolution of the internal displacement phenomena (indicator no. 6) is taken into account, in relation to people displaced within the borders of a country by the effect of violence. The report published

by the Internal Displacement Monitoring Centre (IDMC) analysing internal displacement during 2007 indicated that,² for the first time since the nineties, the number of people affected exceeded 26 million, a trend that continued during 2008. However, this increase took place not because of greater flows of internal displacement but because of the difficulty in achieve stable solutions for displaced persons, either through return or resettlement. In 2007, Africa continued to be the continent worst affected by internal displacement, with 12.7 million displaced persons in 19 countries, although the biggest percentage increase was registered in the Middle East —30% more than in the previous year— due to the armed conflict in Iraq. Insecurity, lack of basic services and job prospects were some of the main causes making it difficult for IDPs to return. Other reasons included the deliberate action of governments and armed groups to prevent the population returning, as in the cases of Colombia and Sudan (Darfur).

During 2008, 52 countries recorded internal displacements, two more than in 2007, due to the post-electoral violence in Kenya and the armed conflict in South Ossetia (Georgia). The most serious cases, where displacement affects one in 100 people, moved from 24 to 23. The IDMC pointed out the persistent deficiencies in the assistance to people affected by displacement due to incompatibility between the political and humanitarian agendas in the same country, the lack of

The overall number of people depending on food aid increased by 40 million in 2008

Mapa 5.1. Number of internally displaced persons in 2008³



1. Although food prices dropped during the last months of the year on the international markets, the effect of the price reduction was not perceived in local markets.
 2. The IDMC report published in June 2008 refers to data from 2007. However, the data is considered representative of displacement trends in 2008, as it is complemented with updates made by the centre (figures and context analyses) and the monitoring made by the Escola de Cultura de Pau of the international situation during the year.
 3. Drawn up based on IDMC data, updated to December 2008 <<http://www.internal-displacement.org/>>.

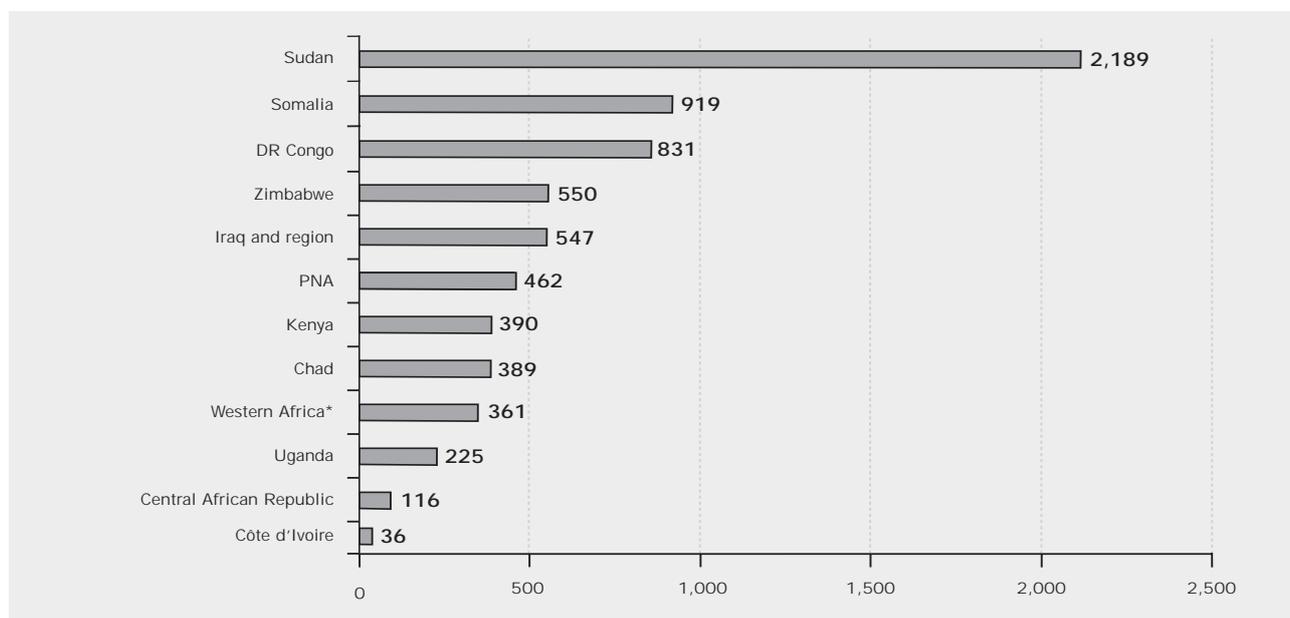
quick and efficient action, and a general failure to include national NGOs in protection cluster. Concerning the situation by regions, **Sub-Saharan Africa was the worst affected, with 20 countries (of which nine were in a very serious situation), followed by the Asian continent with 11 countries and then Europe with nine, the Middle East with six and America with four countries.**

The third indicator, concerning the **number of refugees recorded by the UNHCR (indicator no. 7)**, showed a considerable increase in the number of people under the agency's protection, following the increasing trend of 2006.⁴ In 2007, the overall figure rose from 9.9 million to 11.3 million, an increase of 15.31%. The countries of origin with the largest number of refugees were Afghanistan (3.1 million) and Iraq (2.3 million). Together, they represent practically half of the overall refugee population in the world. After them come Colombia (552,000), Sudan (523,000) and Somalia (457,000). In its report, the UNHCR underlined that 80% of refugees seek asylum in their same region, so Pakistan, Syria and Iran were the countries receiving the largest numbers of them, largely Afghans and Iraqis. 4.7 million people of Palestinian origin under the protection of UNRWA must be added to the total

figures. The **situations considered as being severe**, in which at least one in every 100 people in a country is a refugee, **increased slightly from 14 to 17 countries**, as well as the number of **countries with a large refugee population increased to 67**, two more than during 2006. The majority of refugee situations considered as severe continued to take place in Africa: specifically nine of the 17 existing worldwide.

Finally, the fourth indicator applied is the **Consolidated Appeal Process (CAP) (indicator no. 8)**,⁵ used by the United Nations to demand funds for the situations of humanitarian crisis it considers most serious or which require more international assistance.⁶ In 2008, OCHA launched **10 appeals requesting 3,800 million dollars, which would provide aid to 25 million people in 24 countries**. At the end of the year, the donor community had pledged an average of only 69% of the funds requested for these emergencies. According to the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, John Holmes, this left programmes without finance. During the year there were also **11 flash appeals**,⁷ four fewer than in 2007, of which eight were emitted in relation to humanitarian emergencies caused by the impact of natural disasters. On the other hand, the flash appeals

Graph 5.1. United Nations Humanitarian Appeal for 2009 (millions of dollars)



Source: United Nations, *Humanitarian Appeal 2009*, United Nations, November 2008.

(*) Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone and Togo.

- The UNHCR report published in June 2008 refers to the agency's overall data for January to December 2007. However, the data is considered to be representative of the refugee situation in 2008, as it is complemented with the monitoring of the international situation during the year carried out by the Escola de Culture de Pau, showing the persistence of the same situation.
- Annual appeal to donors via the United Nations system. This is a programmatic cycle meant for humanitarian organisations to plan, coordinate, finance, implement and monitor the response to disasters and emergencies in consultation with Governments.
- In the second section of the chapter, an analysis is established of the trends in finance from donor countries, both in the context of the CAP and with respect to global humanitarian aid.
- Flash appeals are those launched by Governments via the United Nations in order to provide a response to a humanitarian emergency. They last for six months but can be extended.

for Georgia, Kenya and Pakistan arose from the need to provide a response to the impact of armed violence in these countries during 2008. In addition, Iraq made an annual appeal in February corresponding to the same logic as the CAP. **For 2009, OCHA asked for 7,000 million dollars, almost the double of the figure for 2008, to provide aid to 30 million people in 31 countries.** Iraq and Kenya appeared for the first time in the CAP, while Sudan was the country requesting the largest quantity of funds, for the second consecutive year —more than 2,000 million dollars.

Box 5.1. Countries facing humanitarian crises during 2008

Afghanistan	Georgia	Palestine
Armenia	Haiti	Philippines
Azerbaijan	Iraq	Russia
Burundi	Kenya	Sierra Leone
Central African Rep.	Lesotho	Somalia
Chad	Liberia	Sri Lanka
Colombia	Mali	Sudan
Côte d'Ivoire	Mauritania	Swaziland
DR Congo	Myanmar	Timor-Leste
DPR Korea	Nepal	Uganda
Eritrea	Niger	Yemen
Ethiopia	Pakistan	Zimbabwe

Making an assessment of the data obtained from the four indicators based on the information collected during the year by the Escola de Cultura de Pau, it is considered that **36 countries suffered a humanitarian crisis during 2008**, reducing the number of crisis situations by eight compared to the previous report. However, this notable reduction should not be associated with an improvement in the overall humanitarian situation, as the majority of the crises monitored in this chapter worsened severely during the year. **The humanitarian situation in Angola, Madagascar, Guinea, Tanzania, Rwanda, Bangladesh and Indonesia, which appeared as crises in the Alerta 2008 report, ceased to**

be shown as emergencies this year. It was considered that the levels of vulnerability of the population corresponded to the lack of progress in the achievement of development in the country but that the characteristics of a humanitarian crisis were not present. On the other hand, **Pakistan emerged as a new humanitarian crisis** due to the serious situation of displacement generated by the armed conflict on the border with Afghanistan.

5.2. Evolution of humanitarian crises

During the year, Africa continued to be the region worst affected by humanitarian crises, with 19 of the total of 36 (52%), followed by Asia-Pacific region (22%), Europe, Middle East and America. Concerning the **evolution** of the various crises, the relative **improvements achieved in Côte d'Ivoire, Liberia and Timor-Leste** were overshadowed by the impact of the food insecurity in the three countries. **Scenarios such as DR Congo, Sri Lanka, Palestine, Haiti, Myanmar and Zimbabwe underwent a clear deterioration** compared to 2007. The situation in countries such as Sudan, Iraq and Sierra Leone, remained stable during 2008, in spite of its seriousness.

Africa

The combined effects of the natural disasters, the increase in food prices, political instability and the impact of armed conflicts once again made Africa the region worst affected by humanitarian crises at global level. The food insecurity not only increased the number of people suffering from famine, but also put at risk the millions of people affected by HIV/AIDS on the continent, as good nutrition is vital for the effectiveness of treatment. Various regional bodies, such as the SADC, ECOWAS and IGAD, generated strategies to tackle the impact of food crisis on the population. Even so, the

Box 5.2. Radiography of outstanding humanitarian crises in 2008

AFRICA:

- **Chad:** The attacks against humanitarian personnel meant that their work had to be suspended, increasing the vulnerability of the displaced persons and refugees in the east.
- **Zimbabwe:** Half the population depended on foreign food aid to meet their needs.

AMERICA:

- **Haiti:** The effects of the succession of hurricanes submerged the country on the food insecurity and generated the first deaths related to malnourishment.

ASIA AND THE PACIFIC

- **Afghanistan:** The extension of violence to other areas beyond the south of the country led to thousands of returning refugees being unable to resettle, turning them into internally displaced persons.
- **Pakistan:** Humanitarian organisations warned of the difficulty in accessing the areas most affected by violence in the North-West Frontier Province, where 60% of the population was forcibly displaced this year.

EUROPE:

- **Georgia:** The Russian-Georgian border conflict in South Ossetia generated a new humanitarian crisis in Europe.

MIDDLE EAST:

- **Palestine:** The Israeli blockade against Gaza constituted a violation of International Humanitarian Law and was classified by the United Nations as a "collective punishment".

Horn of Africa was, once again, the area most affected by famine, particularly Ethiopia, while DR Congo and Somalia stood out as the most serious humanitarian crises on the continent.

a) Southern Africa

Countries	Crisis factors
Lesotho	Natural disasters, HIV/AIDS
Swaziland	Natural disasters, HIV/AIDS
Zimbabwe	Political and economic crisis, HIV/AIDS

The torrential rains recorded during the first months of the year in the southern region affected more than a million people and threatened the agricultural production, aggravating the food insecurity in the area. For this reason, the region put out an appeal in February to create a prevention and response plan covering everything from the establishment and strengthening of early warning systems to investment in crop recovery, in order to minimise the damage. At the end of the year, only 28% of the money required had been collected, showing the lack of commitment from donor countries to support long-term action. The impact of the drought and the increase in prices led 20% of the population of **Lesotho** and **Swaziland** suffering from food insecurity, despite the increase in agricultural production in the latter. According to a UNICEF study, the drought led to an increase in the proportion of the population without access to drinking water in Lesotho from 21% to 30% in only a year. Meanwhile, the Government of Swaziland suggested moving the population away from the worst affected areas because of the lack of rain in the country.

The humanitarian situation in **Zimbabwe** seriously worsened during the year, largely due to the impact of political decisions on humanitarian action and the manipulation of aid by the Government, as well as the gradual deterioration of the health system and basic services. The galloping inflation put food out of reach of almost half the population —five million people— who depended on foreign aid to meet their nutritional needs. The President, Robert Mugabe, declared NGO activities to be suspended in May, accusing the organisations of lack of neutrality and of supporting the opposition, which only contributed to making the situation worse. The serious cholera epidemic [in Zimbabwe], which began in August and, in only four months, caused the deaths of more than 1,600 people, was the final result of the Government continued negligence. For this reason, the strategies adopted by the international community to put pressure on political leaders to reach a power-sharing agreement should not be based on restrictions on the sending of humanitarian aid, as South Africa announced it was intended to do. These measures could still further damage the poorest groups of population without achieving their aim.

The serious cholera epidemic in Zimbabwe was the final result of the Government continued negligence

b) West Africa

Countries	Crisis factors
Côte d'Ivoire	Political and economic crisis, return of displaced persons
Liberia	Post-war situation, return of displaced persons
Sahel (Mauritania, Mali and Niger)	Situation of tension, political and economic crisis, natural disasters
Sierra Leone	Post-war situation, return of displaced persons

The regional stability was affected by the demonstrations occurring in several countries where the population demanded a response from Governments to rising prices and the lack of access to food. ECOWAS implemented several strategies at regional level, while Governments like those of Mali and Côte d'Ivoire adopted measures which, to a degree, counteracted the affects of the crisis. Meanwhile, the periodical flooding in the area particularly affected Liberia, although the impact was much less than that recorded in 2007.

In **Côte d'Ivoire**, the return of the people displaced by the conflict continued thanks to the improvement in security conditions. Although there are no exact figures, IDMC estimated that at least 89,000 people returned during 2008. However, reintegration efforts were affected by food insecurity and inter-communitarian clashes. A survey carried out by United Nations' agencies detected alarming levels of acute malnutrition in the north of the country, contrasting with the shutdown of operations by MSF-France, which considered that the emergency situation had ended. Meanwhile, in **Sierra Leone and Liberia** strategies were implemented to reduce the gaps in assistance that may appear when passing from a humanitarian emergency situation to a development and rehabilitation one in the country. This did not prevent that vulnerability indices sometimes become equal to or worse than humanitarian emergency situations.

The **Sahel** region suffered the impact of flooding in August, largely affecting northern Niger and Mali, where fighting between the Tuareg insurgents and the Armed Forces increased the displacement and food insecurity in the area. The region of Agadez (northern **Niger**) suffered from the effects of the conflict, making it difficult to assist the population and cutting agricultural production, which was severely damaged. In addition, MSF was obliged to abandon its work in Maradi (north) after it was accused by the Government of conniving with the Tuareg rebels. However, in **Mali**, the peace negotiations and policies adopted by the Government to deal with the food insecurity managed to alleviate the situation. The UN head of humanitarian affairs, John Holmes, visited the Sahel region to alert of the negative impact climate change, insecurity and drug trafficking were having on development achievements in the area.

c) Horn of Africa

Countries	Crisis factors
Eritrea	Situation of tension, natural disasters, forced displacement
Ethiopia	Armed conflict, natural disasters, forced displacement
Somalia	Armed conflict, natural disasters, forced displacement
Sudan	Armed conflict, natural disasters, forced displacement

At the beginning of the year, IGAD warned that 14 million could suffer from food insecurity in the Horn of Africa during 2008. The increase in food prices and the worsening of the conflicts in the area, particularly in Somalia, were added to the lack of rain, mainly affecting Eritrea and Ethiopia. In Eritrea, UNICEF detected an alarming increase in levels of child malnutrition, while OCHA warned of an increase in the number of people displaced by drought, although the true figure for those affected by this situation is not known. Meanwhile, in Ethiopia the United Nations estimated that, by 2009, more than 10 million people could be suffering from famine, although during 2008 the estimates of the numbers of people affected by lack of food ranged between 4.7 million, according to governmental sources, and 6.8 million, according to Oxfam.

In Darfur displaced persons are exposed daily to extortion, violence and recruitment, leading civilians to devise protection strategies and self-defence groups

In Somalia the armed conflict situation led to practically half the population —3.25 million people— depending on foreign aid, 77% more than at the beginning of the year. Along these lines, a group of 52 NGOs made an appeal to the international community to commit itself to protecting the civilian population, issuing a reminder that the figures for internally displaced persons exceeded one-and-a-half million. Meanwhile, humanitarian work was seriously affected by violence, the plundering of humanitarian convoys and attacks on humanitarian workers. This led, among other things, to the death of the director of the UNDP in the country. Many areas were isolated by the violence, increasing the vulnerability of the civilian population. Finally, in

Sudan, the violence continued to generate displacement in the Darfur region as well as confrontations in the Abyei oil-producing region (centre). Displaced persons' camps were also once again targets for attacks by militias and the Army. The attacks against humanitarian convoys, staff and installations were continuous, despite the fact that access to the Darfur region ostensibly improved with the Army's commitment to streamline the processing of permits for humanitarian workers. The armed opposition groups, meeting in Geneva under the auspices of the Centre for Humanitarian Dialogue, had also committed themselves not to obstruct humanitarian work. Meanwhile, the United Nations warned of the increase in numbers of deaths from malnutrition in the south-east of the country in September and its inability to access the areas affected by the rains.

Box 5.3. The militarisation of IDP camps in Sudan

The attacks perpetrated by the Armed Forces against IDP camps during 2007 and 2008, causing hundreds of victims and violating the IHL, have demonstrated the Government's interest in dismantling what it considers to be support networks for the rebel movements. Under the accusation that the camps are hiding weapons and people connected with the armed groups, the Armed Forces attacked Kalma camp in August, where more than 90,000 displaced persons live, killing 48 people. But is there any truth in Khartoum's accusations?

A Small Arms Survey report concluded that "although the camps where the civilians of Darfur are located are generally not militarised, this does not mean they are neutral humanitarian space".⁸ The situation of insecurity has led to the emergence of complex networks controlled by people close to the armed groups, providing security and decision-making capacity within the camps in exchange for loyalty. According to data from the Human Rights Council, there are 81 IDP camps in Darfur, of which only 21 are planned. The others are to some degree improvised. The level of vulnerability to armed activity and to militarisation, as a means of self-defence, of their residents varies depending on whether these camps are in areas under the control of the Government or armed groups, and whether they are close to the Chad border or in remote rural areas.

According to the data collected by the Small Arms Survey in its research, displaced persons are exposed daily to extortion, violence and recruitment, leading civilians to devise protection strategies and self-defence groups. Meanwhile, the priority given by the international community to the deployment of peace-keeping forces in Darfur has not managed to reduce the insecurity. On the contrary, it has increased by the priority given in negotiations to the leaders of the armed movements over leaders of the civilian population. In this sense, the need to hold a weapon to have voice at the negotiating table has led to the emergence of more armed groups and the fragmentation of the existing ones, with armed actions and Army responses multiplying. Along these lines, achieving the security, stability and neutrality of IDP camps in Darfur will depend on the ability to develop better strategies for prevention and protection going beyond the presence of blue helmets in the region.

8. Kahn, C. *Conflict, arms and militarization: the dynamic of Darfur's IDP camps*. Small Arms Survey, September 2008, at <http://www.small-armsurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SWP-15-Conflict-Arms-Militarization.pdf>

d) Great Lakes and Central Africa

Countries	Crisis factors
Burundi	Post-war situation, return of displaced population
Central African Republic	Armed conflict, forced displacement
Chad	Armed conflict, regional instability, forced displacement
DR Congo	Armed conflict, forced displacement, epidemics
Kenya	Situation of tension, natural disasters, internal displacement
Uganda	Armed conflict, natural disasters, forced displacement

The region was the scenario for one of the most serious humanitarian crises in the world, originally caused by the escalation of the conflict in the North Kivu region, in the east of DR Congo. In addition, the situation of violence seriously affected the provision of aid to the population in areas like eastern Chad and the Central African Republic. Meanwhile, the return of the population displaced by the conflicts in **Uganda** and **Burundi** aggravated the lack of services in the returning areas and the insufficiency of funds offered by donor countries to facilitate resettlement. This situation was worsened by poor harvests and food insecurity, leading to an increase in inter-community confrontations for the control of land. In addition, the persistent presence of armed groups in northern Uganda and eastern Burundi and the failure to reach peace agreements with them inhibited the return of hundreds of thousands of people, who remained in transit centres. The situation of political violence in **Kenya** at the beginning of the year also caused the displacement of more than 350,000 people. Poor management of aid by the government and cases of corruption affected the effectiveness of aid work. The instability and insecurity on the country's roads had a negative effect on the distribution of aid from various humanitarian organisations and agencies to the interior of the continent, as their main supply centres were in this country.

Meanwhile, in **Chad** and the **Central African Republic**, the situation of the internally displaced persons deteriorated seriously due to the persistent attacks against camps and humanitarian installations and personnel. This forced the interruption of emergency interventions several times during the year. The presence of the EUFOR military operation on the border between the two countries did not contribute to improving security in the area. UNICEF noted in Chad that levels of acute malnutrition were similar throughout the country, requiring a humanitarian operation at national level, not only with the population of displaced persons and refugees in the east. In addition, the dispersion of the internally displaced persons in the Central African Republic (the first camp to host people displaced by violence was opened only this year) posed great challenges for aid. According to data from the Norwegian Refugee Council, 50% of the displaced

persons in the country are children, suffering from serious vulnerability.

At the beginning of the year, the organisation International Rescue Committee pointed out that, since 1998, 5.8 million people had died in **DR Congo** from the combined effects of the armed conflict and the humanitarian crisis, largely because of lack of medical care or access to food and basic services. The worsening of the violence in the province of North Kivu from August led to the displacement of 250,000 people, 100,000 of them in a single week. The majority of the people affected stayed with relatives. However, a large number of improvised IDP camps emerged in areas with difficult access, suffering from great insecurity in the face of communities' incapability of absorbing the flow of people displaced. The commitment achieved in November with the leader of the CNDP, Laurent Nkunda, to establish a humanitarian corridor in the area facilitating aid for the population had a relative impact, given that the situation of insecurity because of continuous fighting also impeded the access of the humanitarian workers to many areas. In overall figures, the number of people affected by internal displacement in DR Congo was fixed at 1.4 million, of whom a million were in North Kivu.

America

Countries	Crisis factors
Colombia	Armed conflict, forced displacement
Haiti	Political and economic crisis, natural disasters

On the American continent, Colombia and Haiti continued to be the biggest contexts of humanitarian crisis, with the situation of the population worsening in both cases. Firstly, in **Colombia**, the displaced persons' organisation CODHES pointed out that, during the first half of the year, 279,657 people had been displaced — 41% more than the previous year— becoming the biggest wave of displacement recorded in the past two decades. These figures were denied by the government, but it did admit that its own records were incomplete as they did not count urban displaced persons and those displaced by the State security forces or unidentified paramilitary groups. According to a study by the Civil Society Monitoring Committee, only 8% of the displaced persons registered on Government lists had suitable accommodation. It identified the lack of housing meeting minimum standards as the main concern of people who had been displaced. UNHCR, meanwhile, welcomed the agreement reached with the Ministry of Agriculture to promote the access of displaced persons to land.

The impact of the latest hurricane season on **Haiti** left a balance of more than 500 dead and once again demonstrated the country's great vulnerability to natural disasters. Harvests were devastated, increasing the food insecurity, leading the WFP to increase its assistance from 800,000 to 2.3 million people next year. The most affected area, Gonaïves, was cut off by the heavy rain, while NGOs like MSF highlighted the poor

management of the crisis, pointing out that, five weeks after the storms, the population remained without access to the most basic services. The lack of supplies led to deaths from malnutrition at Belle Anse. Faced with this situation, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, John Holmes, indicated that it was the worst disaster the country had suffered in the last 100 years. Despite the constant calls for help, the flash appeal issued by the Government to alleviate the effects of the hurricanes had obtained only 47% of what had been asked for three months after it was launched. Meanwhile, the protests over the high price of food and fuel, which sometimes turned violent, led to the sacking of the prime minister and generated a serious institutional crisis which paralysed measures for counteracting the food crisis.

UNICEF warned that 600 Afghan children aged under five die every day from preventable diseases

in Bajaur since October. According to data from the UNHCR, 168,000 people remained displaced in North-West Frontier Province, while about 20,000 were moved from the Afghan province of Kunar, most of them housed by family members. The Afghan refugee camp Kacha Garhi, in Peshawar, was used by the UNHCR to offer settlement to almost 60,000 displaced persons. The conditions of the population in the displacement areas were worrying, due to the lack of access by humanitarian organisations. The peace agreement signed in this province did not manage to halt the violence which, by the middle of the year, had displaced 60% of the population, according to the IDMC.

Undoubtedly the most serious devastation scenario in the Asian region and, probably, the natural disaster with the biggest impact during the year was the Cyclone Nargis in **Myanmar**, which caused the deaths of more than 140,000 people in May. The number of victims was possibly increased by the slow and limited response of the Government in the days following the tragedy, when it prohibited access to the most affected area (southern Irrawaddy Delta) to humanitarian organisations, claiming it was protecting the country's sovereignty. Only the good offices of the UN Secretary General and intensive diplomatic activity by ASEAN managed to convince the Junta of the need to establish mechanisms for managing the humanitarian disaster. The complete destruction of the main communication routes also made it more difficult to deliver aid. Many government agents were denounced for charging illegal taxes and for other kind of abuses against the civilian population benefiting from aid. More than 1.7 million people received assistance, despite which, the emergency appeal launched by the United Nations and NGOs collected barely half of the funds requested. Even so, the quick action in distributing drinking water managed to prevent the spread of epidemics in the affected area. This serious situation contributed to making the position of the displaced ethnic Karen population on the Thai border even more invisible during 2008. Here, more than 500,000 people were suffering from serious lack of protection.

Nepal and **DPR Korea** were seriously affected by the increase in grain prices due to their great dependency on food imports, which meant that eight million and six million people, respectively, suffered from food insecurity. Humanitarian organisations warned that famine rates were approaching those suffered by DPR Korea in the nineties. Meanwhile, IDP organisations and the Norwegian Refugee Council criticised Nepali Government delays in the implementation of measures to protect rights and achieve durable solutions for people affected by displacement. Between 35,000 and 50,000 internally displaced persons remained unable to return to their places of origin. The reason, as various local and international organisations complained throughout the year, was the Government's refusal to recognise most of them as internally displaced persons, which meant they had no right to receive an initial aid package. For their part, the humanitarian organisations warned of access difficulties in the Terai region, point-

Asia and the Pacific

Countries	Crisis factors
Afghanistan	Armed conflict, natural disasters, forced displacement
DPR Korea	Economic crisis, natural disasters
Myanmar	Armed conflict, forced displacement, epidemics
Nepal	Post-war situation, natural disasters, return of displaced population
Pakistan	Armed conflict, forced displacement
Philippines	Armed conflict, natural disasters, forced displacement
Sri Lanka	Armed conflict, natural disasters, forced displacement
Timor-Leste	Post-war situation, return of displaced population

In **Afghanistan**, the deterioration of the humanitarian situation was made clear with the spread of the conflict to other areas of the country and the intensification of the bombing, which multiplied the figures of displacement among the civilian population. Among the displaced persons there were also families of returned refugees who could not remain in or reach their original locality due to insecurity and violence. The access of the humanitarian organisations was seriously hampered by the increase in attacks against their workers, highlighting the dangerous confusion between military and humanitarian operations on the ground. The lack of coordination between the different organisations and agencies was highlighted by the UN's head of humanitarian affairs, John Holmes, as another of the main obstacles to the delivery of aid. At the end of the year, the number of people dependent on humanitarian aid exceeded four million, while UNICEF warned that 600 Afghan children aged under five die every day from preventable diseases.

Meanwhile, in **Pakistan** the conflict in the tribal areas led to the displacement of more than 190,000 people

Box 5.4. Cyclone Nargis: the opening of "humanitarian dialogue" with the Burmese government

The first reaction of the Burmese government, preventing the entrance of humanitarian organisations and personnel from Western countries into areas devastated by Cyclone Nargis in May, was widely publicised by the media. However, the change in attitude by the Military Junta in the following months, providing the humanitarian agents with an unprecedented level of access thanks to the diplomatic work of the United Nations and ASEAN, did not come across. The cooperation between the Junta and the organizations on the ground was also positive. Beyond the reasons that may be behind this lack of information, it is important to highlight the way that the beginning of dialogue between international institutions and the Burmese Junta managed, for humanitarian reasons, to obtain a more flexible response from a system known for being closed and rigid.

It is wrong to consider the Military Junta as a monolithic body. As reports from the International Crisis Group and Refugees International have pointed out,⁹ within the Government there are ministers who showed themselves to be determined to make access to the area possible for humanitarian organisations. These senior figures opposed the isolationist positions of the more conservative sector which tried, unsuccessfully, to increase controls over aid. Along these lines, all the humanitarian organisations providing assistance in Myanmar praised the work done by the Tripartite Core Group —made up of representatives of ASEAN, the United Nations and the Burmese Military Junta— in effectively resolving situations of disagreement related to the provision of aid. Equally, the Post-Nargis Joint Assessment (PONJA), led by ASEAN, was highlighted as the first independent assessment on overall needs it has been possible to draw up in the country. The opening of six ASEAN offices in the Irrawaddy Delta region will make greater openness possible and will reduce the possibility that aid is diverted.

There is the risk that during 2009 the majority of donors might change their perception of the situation in Myanmar, moving from an emergency situation to one of long-term recovery and reducing the number of contributions, as generally happens in these cases. According to several analysts, the smaller quantity of funds could mean the more pro-openness ministers losing relative power to the isolationists, so the strategic impact of aid should be considered. This should be done, above all, because failure to re-establish ways of life, production and security in the affected areas would increase the vulnerability of the population of the country as a whole (the worst affected area is known as the breadbasket of Myanmar). Several analysts maintain that capacity to remain in contact with the Burmese leaders and maintain a fluid dialogue with them could present an opportunity to initiate political change or, at least, to make it possible to advance socio-economic development strategies in the country. However, the holding of the constitutional referendum immediately after Nargis and the continuation of military operations, in the regions with ethnic minorities, lead to doubts over the possibility that there will be advances towards democracy in the short or medium term.

ing out that these were greater than the ones they had faced during the armed conflict which ended in the country in 2007.

In the **Philippines** the breaking off of dialogue between the Government and the MILF armed group and the restarting of military activities in August led to the displacement of more than 400,000 people on Mindanao. In addition, in December, the spread of fighting to the islands of Jolo and Basilan led to the displacement of more than 35,000 people, according to government sources. The Natural Disaster Coordinating Council reported in December that about 58,000 people were receiving aid in IDP camps on Mindanao, while around 250,000 were being assisted outside these facilities. In **Sri Lanka**, the breach of the ceasefire agreement and the renewed confrontations between the Army and the LTTE led to around 230,000 people being displaced. They also suffered the devastating effects of the monsoon. On 16 September, a Government directive forced UN agencies and NGOs to leave the region of Vanni (north), putting at risk the life of tens of thousands of people. Aid could only be restored in October. Finally, in **Timor-Leste** UN agencies and the Government attempted to

encourage the return of internally displaced persons in Dili. At the end of the year, 90% had returned to their homes, while 15,000 remained in 16 IDP camps which the Executive plans to close in February 2009. However, several community leaders warned that tensions between the returnees and residents were increasing because the former were enjoying greater access to resources (aid for return offered by the State and aid organisations) in a situation of food insecurity that was affecting all the population equally.

Europe

Countries	Crisis factors
Russia (Chechnya)	Armed conflict, forced displacement
Southern Caucasus (Armenia, Azerbaijan and Georgia)	Armed conflict, forced displacement

In the **Caucasus** region, the situation of people internally displaced by the Nagorno-Karabakh, Chechnya and South Ossetia conflicts continued to be worrying, in the absence of definitive solutions. Along these lines, the

9. International Crisis Group. *Myanmar after Nargis: time to normalise aid relations*. Asia report no. 161, 20 October 2008; and Refugees International. "Burma: building upon success". *Bulletin* 5, September 2008.

impulse given by the Azeri and Russian governments for the resettlement of part of this population continue to be insufficient and marked by political motives that have little to do with providing a response to the general situation of vulnerability. A report from the IDMC pointed out the great difficulties of displaced persons of Chechen origin in accessing public services and registering their residence in Russia. More than 136,000 people are still displaced in this country dating from the start of the conflict in Chechnya.

The armed conflict which broke out in August in **Georgia**, in a Government attempt to recover control of the South Ossetia region (enjoying *de facto* independence since the nineties), generated the displacement of more than 190,000 people. Of these, at least 24,000 —largely Georgians resident in the province— have not been able to return to their homes because of the persistently insecure situation, according to an Amnesty International report.¹⁰ In October, the World Bank, the European Commission and the United Nations drew up a joint assessment of needs following the armed conflict. They planned a long-term action —over three years— that would go beyond humanitarian aid, on an attempt to achieve the economic stability of the country as a whole. Based on this assessment, the Georgian Government launched a 450 million dollar appeal at the donor conference held in October in Brussels. The Council of Europe showed its concern over the persistent difficulties in accessing certain areas of South Ossetia and the Georgian border and the lack of presence by security forces to protect the returnees. Meanwhile, the organisation praised the rapid action of the Georgian government in alleviating the situation of the new displaced persons, but pointed out that the situation of the 220,000 people who were displaced in the nineties must also be resolved.

Middle East

Countries	Crisis factors
Iraq	Armed conflict, natural disasters, political and economic crisis
Palestine	Armed conflict, blockade on aid, political and economic crisis
Yemen	Armed conflict, natural disasters, volume of refugees

In the Middle East the situation faced in **Palestine** because of Israel's continuing blockade on the entry of fuel, food and humanitarian aid to Gaza led to two-thirds of the United Nations humanitarian appeal for 2009 being focused on providing food. The increasing

external dependence of the population and the serious worsening of the humanitarian crisis were notable. The blockade led to the disruption of health and sanitation services, increasing the risk of the epidemics. In December, the Israeli offensive against Gaza showed the increasing vulnerability of the population and the lack of resources to assist thousands of victims. Israel obstructed the provision of aid to the civilian population, impeding or delaying access by humanitarian organisations, including the Red Cross, which claimed that the Israeli Army was violating the Geneva Convention in refusing to evacuate and assist the victims of its military operations.¹¹ Israel's decision to impede the supply of goods to the area was described by the United Nations as a collective punishment, although this did not persuade the Israeli Executive to change its position. This situation was defined by various NGOs (including Oxfam) as the worst experienced in the area since 1967. The Israeli government also continued its policy of demolitions and forced evictions in Gaza and the West Bank during the year.

The Israeli offensive against Gaza showed the increasing vulnerability of the population and the lack of resources to assist thousands of victims

Meanwhile, in **Iraq**, the IOM pointed out that, despite the fact the level of forced displacement had reduced during the first half of the year, the humanitarian needs of the displaced population were pressing. Along these lines, the Parliamentary Committee for Displacement and Migration asked the Government to set aside a fixed percentage of oil income to assist the IDP, a proposal that was not approved. The chairman of the Committee pointed out that the fall in oil prices could reduce even more the funds set aside for the assistance of displaced people, as the Iraqi Government considers the situation of these people as provisional and is against making any kind of difference between them and the rest of the population. Meanwhile, the Iraq's working group on displaced persons (IOM, UNHCR and various NGOs and UN agencies) warned that the public food distribution system managed by the Government was leaving many families without assistance. A group of more than 1,000 NGOs warned the Government of the need not to encourage the return of displaced persons until the security situation allows their proper reintegration. Government figures indicated that 662 families had returned to Iraq in 2008, using the subsidised transport system.

Finally, in **Yemen** the confrontations in the north of the country combined with the food insecurity and the flooding in the south-east, increased the seriousness of the humanitarian crisis. More than 100,000 people were displaced in 2008 by the violence, while many humanitarian and human rights organisations denounced the Government for hampering the provision of aid in various regions of the north. A HRW report indicated that the Executive had denied access to the humanitarian agencies that were trying to make an

10. Amnesty International, *Civilians in the line of fire. The Georgia-Russia conflict*, November 2008 <<http://www.amnesty.org/es/library/asset/EURO4/005/2008/es/d9908665-ab55-11dd-a4cd-bfa0fdea9647/eur040052008eng.pdf>>.

11. Under the Geneva Convention of 1949, the warring parties are obliged to do everything possible to find, assist and evacuate the sick and wounded without delay.

assessment of the needs of the most populated areas. Between 20,000 and 25,000 people were displaced and around 650,000 were affected by heavy rainfalls in the province of Hadramaut (south-east), where humanitarian organisations highlighted the lack of coordination in the provision of assistance to the beneficiaries. The United Nations made an 11.5-million-dollar emergency appeal to deal with this situation. Meanwhile, the WFP began a food aid programme aimed at the population who were most vulnerable to the increase in prices of consumer goods, initially intended for 700,000 people.

5.3. Humanitarian action overview 2008

Various aspects related to the humanitarian crisis and humanitarian action during 2008 are analysed below, specifically the main difficulties faced by the humanitarian organisations and the role played by the donor countries.¹²

a) Main difficulties of humanitarian action

2008 was clearly marked by the increase in the prices of food and fuel, which generated serious difficulties for UN organisations and agencies in meeting the targets set at the beginning of the year. The cost of operations increase and, although donor contributions were clearly superior to those of the previous year (see graph 5.2), this could not prevent agencies like the WFP being forced to reduce food aid rations in many countries. The lack of coordination when it comes to dealing with a humanitarian emergency was also highlighted as a serious obstacle in countries like Afghanistan, Haiti, Pakistan and Yemen. There, humanitarian agents faced serious problems in gaining access to the population.

As for the blocking of access to humanitarian organisations, countries where access was hampered by violence (such as Afghanistan, Colombia, DR Congo and Somalia) should be differentiated from those where the Government actively impeded the arrival of humanitarian materials and personnel, such as Sri Lanka, Israel in the Palestinian Occupied Territories, DPR Korea, Sudan, Yemen and Myanmar. This situation raises dilemmas concerning the responsibility of States for protecting their citizens and the duty of the international community to act if they do not do so. This happened in the case of Myanmar, when the French Foreign Minister Bernard Kouchner invoked the principle of the Responsibility to Protect to call for international military action in the country after the passage of Cyclone Nargis, when faced with the refusal of the Military Junta to allow the entry of international humanitarian workers. Kouchner later recognised that the Responsibility to Protect had been created as a response to the vulner-

able position of civilians in a situation of violence, and was therefore not applicable.

Attacks against humanitarian personnel were particularly serious in Somalia, Chad, Sudan and Afghanistan, where workers from organisations and agencies became a target and where the confusion generated because humanitarian operations were being carried out by military bodies, led to an increase in insecurity for the humanitarian workers on the ground. Meanwhile, the presence of peace-keeping operations on the ground did not manage to improve the distribution of aid in countries like Chad and the Central African Republic. The theft of humanitarian material and attacks on emergency convoys were common practices in these countries. Meanwhile, the Government's attempts to control the distribution of aid had alarming consequences in contexts like Zimbabwe, where access to basic goods was linked to membership of the presidential party, ZANU-PF, and where humanitarian activity was interrupted for several months.

b) The role of donors

Despite the economic crisis affecting donor countries during 2008, the year ended with a total of 10,500 million dollars committed to fund humanitarian action all over the world. This figure has been improved only by the funds pledged in 2005 —13,153 million dollars— a year when a tsunami affected south-east Asia. In the same way, the amount of resources managed through the United Nations system —4,700 million dollars— was a record figure for the organisation.

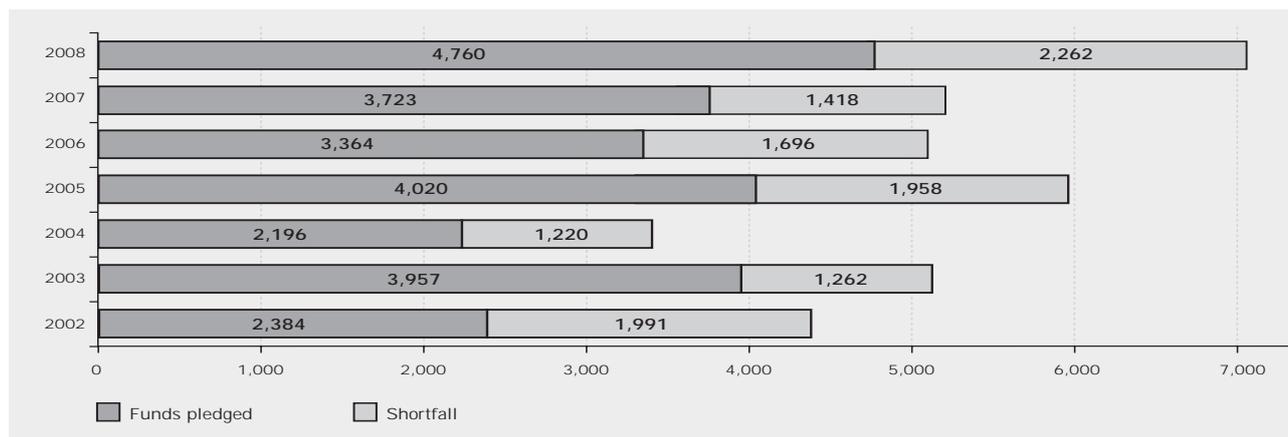
At the end of the year, the funding of consolidated (CAP) and flash appeals achieved 67% of what had been requested, the same percentage as the previous year.¹³ The CAPs that received least funds in 2008 were Côte d'Ivoire, for the second successive year —with 43%—, followed by Uganda (65%) and West Africa (66%). There was, however an overall increase in the funding of appeals compared to previous years. As for flash appeals, it should be highlighted that the crisis in Georgia had managed to collect only 36% of what had been asked for four months after it was launched, while the Myanmar cyclone, one of the biggest natural disasters during the year, got only 67% of what was requested. The overall funding for flash appeals was moderate, with an average of 58%.

As for the sectors that obtained the biggest funding during 2008, the list was once again headed by food, with 86% of requested funds covered, followed by multi-sector projects (72%) and coordination and support services (63%). It is important to point out that vital sectors, such as the security of humanitarian workers on the ground, managed to obtain only 6% of the funds demanded. It is also contradictory to record that the agriculture sector achieved only 39% of what had been

12. Humanitarian action is understood as all the activities whose aim is to save lives and alleviate suffering in humanitarian crisis situations. These activities are guided by the principles of humanity, impartiality, neutrality and independence. Humanitarian action also includes the protection of civilians and the provision of basic aid.

13. See definitions of CAP and *flash appeal* in notes 5 and 7.

Graph 5.2. Humanitarian funding overview (in millions of dollars)



Font: OCAH. *Humanitarian Appeal 2009*. ONU, desembre 2008

requested, when the majority of international economic bodies were committed to an increase in food sovereignty as a response to the crisis on import dependent countries.

The list of countries that have disbursed more funds compared to their GDP is headed by Saudi Arabia, followed by Norway, Monaco, Luxemburg and Switzerland. Most of the funds offered by Saudi Arabia were intended for the emergency in Sudan and were processed bilaterally, government to government. OCHA indicated that none of the ten biggest economies in the world were among the ten principal donors.

The assessment made by OCHA of humanitarian funding in 2008 pointed out that the growing

OCHA pointed out that the growing food insecurity was leading to the emergence of humanitarian needs in countries where there was no natural disaster that triggers an emergency

food insecurity was leading to the emergence of humanitarian needs in countries where there was no natural disaster that triggers an emergency. This situation, which could worsen in 2009, will require humanitarian and development organisations to learn to work together and will force donors to find a way of financing humanitarian aid in development situations.

Meanwhile, CERF assigned a total of 398 million dollars to fund emergency operations in 53 countries with more than 400 projects. DR Congo was the country that obtained more funds and the WFP was the body with more assignments. By regions, the Horn of Africa and East Africa were those that received most finance from this fund.

Box 5.5. HRI: An index to measure aid effectiveness

In 2008, the international organisation DARA (Development Assistance Research Associated) published the second edition of the Humanitarian Response Index (HRI).¹⁴ This instrument came up from the need to assess the performance of the main donor countries in relation to the Good Humanitarian Donorship principles, approved in 2003 by all the countries members of the OECD. The methodology of the index is based on obtaining quantitative and qualitative data based on the 23 principles and good practices included in this document. The purpose of the exercise is to promote reflection among donor countries for the creation and implementation of strategies making humanitarian intervention increasingly effective, efficient, quick and appropriate, achieving the objective of saving lives and preserving the humanitarian principles of humanity, impartiality and neutrality.

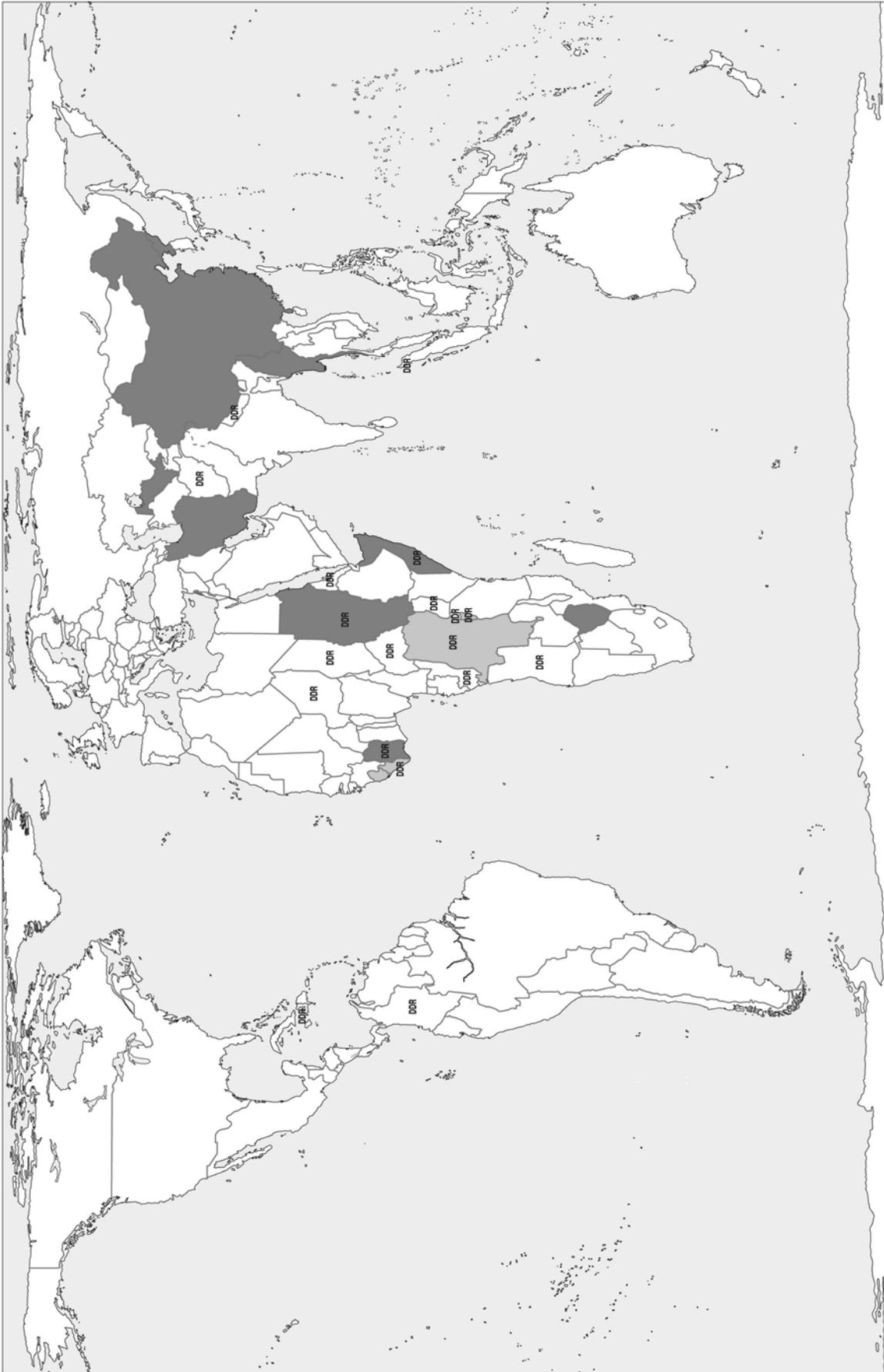
The index is based on five pillars, containing a total of 58 indicators:

1. Response to humanitarian needs
2. Support for local capacity and long-term recovery
3. Work with humanitarian partners
4. Promotion and respect for international principles and improvements in implementation
5. Promotion of learning and accountability

14. DARA. *Humanitarian Response Index 2008*. Dara, November 2008. <<http://www.hri.daraint.org/>>.

Based on these pillars, an index is drawn up ranging between 1 and 10, with the latter figure indicating the best humanitarian response. In the first positions of the *ranking* drawn up for 2008 are Sweden (7.90), Norway (7.60) and Denmark (7.39); while the table concludes with Austria (5.32), Portugal (5.10) and Greece (4.80) in last place. Spain (6.07) occupies position number 16 in a list of 22 countries, to which is added an assessment of the European Commission's action as a body, specifically the ECHO agency.

The report accompanying the HRI concludes that all countries can and must do much more to improve their donation practices in each of the five pillars. It is indicated that donors do not always provide aid impartially, neutrally and independently and that national agendas are more important than real world needs when it comes to donor-ship priorities. It also highlights the importance of improving the assessments on humanitarian needs in each case and increasing donor accountability based on the implementation and achievement of objectives for the financed projects.



Embargoes to state and non-state armed groups
 Embargoes to non-state armed groups
 Ongoing DDR Programmes

6. Disarmament

- World military expenditure reached the figure of 1.33 billion dollars in 2007, representing 2.5% of world GDP and an average of 202 dollars per head. The USA continued to be the biggest spender, reaching 46% of the total.
- A total of 14 arms embargoes remained in force at the end of 2008, on both governments and armed opposition groups.
- The EU Code of Conduct on Arms Exports came to be legally binding at the end of the year.
- The International Treaty banning cluster bombs was signed on 3 December, as the result of the so-called Oslo Process, begun in 2007.
- DDR processes began in Burundi, Rep. of Congo and Sudan. The latter was designed with the biggest budget ever provided for this type of process: 430 million dollars.

This section analyses issues relating to disarmament, with special emphasis on scenarios where there is a of post-war rehabilitation process. Concerning the disarmament processes, the analysis begins with the observation of the trends of the armament cycle, particularly concerning military expenditure (indicators no. 9 and 10), arms exports and size of Armed Forces in relation to the population (indicator no. 11). Then, a review of arms control is made, based on the imposition of United Nations and EU arms embargoes (indicator no. 12) and the main international treaties concerning small arms. Particular attention is also paid to the International Arms Trade Treaty, the International Treaty to Ban Cluster Bombs and the International Treaty to Ban Anti-personnel Mines processes. Finally, a review and analysis is made of Disarmament, Demobilisation and Reintegration (DDR) programmes for ex-combatants (indicator no. 13). A map with the countries and armed opposition groups embargoes, together with the countries with DDR programmes, is attached at the beginning of the chapter.

6.1. The arms cycle

This section makes a snapshot of the main aspects related to the armament cycle concerning military expenditure, arms production, the arms trade and the level of militarisation, with particular attention paid to the first and third points.

a) Military expenditure

Based on the data provided by the Swedish research centre SIPRI, it can be stated that world military expenditure¹ reached 1.33 billion dollars in 2007,² representing an increase of 6% on expenditure for the previous year and 45% over the past decade. This figure also represents 2.5% of world GDP and an average of 202 dollars military expenditure per person throughout the world. This average leads to the useful reflection that it is a sum greater than the general income per head of the four countries with the lowest income figures, revealing the high volume devoted to the military item in State budgets.

Eastern Europe was the region which increased its military spending most, in percentage terms, over the last decade, with an increase of 162%, 86% of which comes from **Russia**. **China** (200%), **Malaysia** (153%) and **Indonesia** (100%) are the countries that most increased their spending in the past decade.

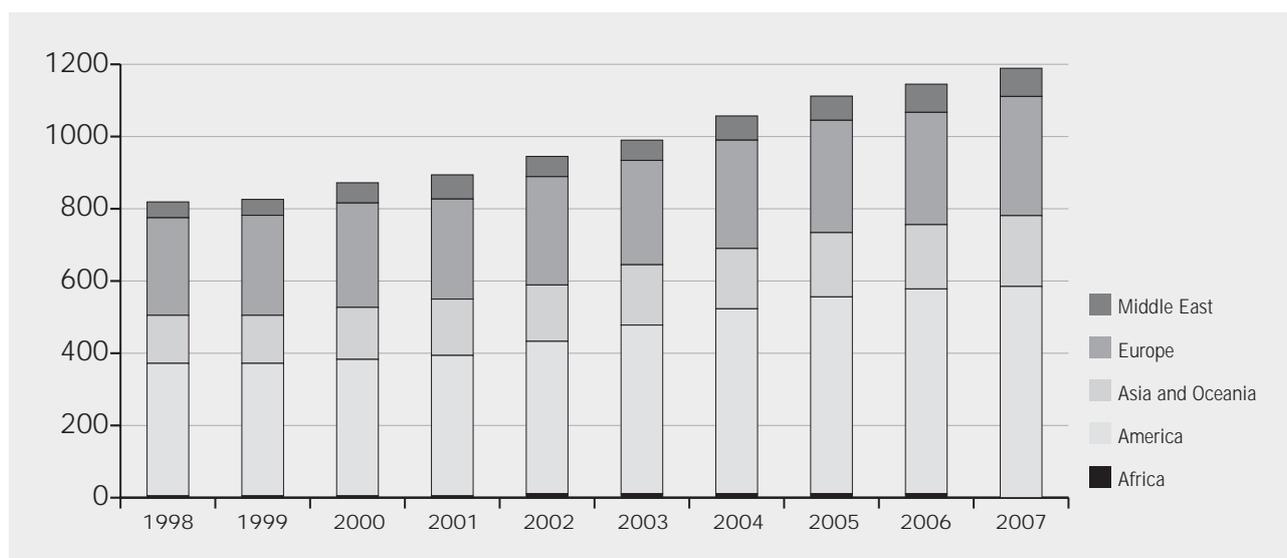
World military expenditure reached 1.33 billion dollars in 2007, representing an increase of 45% over the past decade

1. In military expenditure, SIPRI includes national Armed Forces budgets, including peace-keeping forces, the Ministry of Defence and other agencies involved in defence projects, paramilitary forces trained for military operations and military activities in space. Civil defence and current spending on previous military activities (benefits for veterans, demobilisation and the conversion and destruction of arms) are excluded from this calculation.

2. 2007 is the latest year for which official data is available at global level.

Graph 6.1. Estimate of world military spending by regions (1998-2007)

(The figures correspond to thousands of millions of dollars and constant 2005 prices)



Source: SIPRI, *SIPRI Yearbook 2008*, Oxford University Press, 2008, table 5.1

Regrettably, the number of countries where military expenditure took a greater share of their total budgets increased over previous years. **The USA** continues to be the principal military power, accounting for 46% of world military spending, with a total figure of 547,000 million dollars. It is followed, a long way behind, by countries like **the United Kingdom, France, China** and **Japan**, with military expenditure standing at between 4 and 5% of the world total. It is still more alarming to see that, since 2001, the USA Government has increased its military expenditure by 59% in real terms. Part of this increase is explained by the fact that the last budget presented was the first including items which were previously extraordinary ones —largely those making up the so-called “global war on terror”, whose total cost in 2007 reached 169,000 million dollars.

An aspect closely linked to military expenditure is nuclear weapons. The two countries defined as an international threat especially because of their nuclear programmes were Iran and DPR Korea. In the case of **Iran**, disagreements persisted concerning the intentions behind its nuclear programme. On one hand, both the UN Security Council and the EU, in the latter case following the offer of an incentive package, strengthened sanctions because of the Iranian Government’s persistence in enriching uranium.³ These sanctions were based on a higher level of inspections, and insistence that the IAEA’s demands should all be met without delay. For its part, the Iranian Executive continued

to uphold its right to maintain its nuclear programme for civil purposes. However, it carried out new show-of-strength measures in the form of new tests with short- and long-range missiles, with a maximum of 2,000km.

Meanwhile, the programme in **DPR Korea** went through several phases throughout the year. Despite the beginning of the delivery of human aid from the USA, the USA Executive’s delay in removing DPR Korea from its list of state sponsors of terrorism caused a new process of renuclearisation which even led to the carrying out of new tests with long-range missiles. Finally, in mid-October, the USA Government agreed to remove DPR Korea from the list. So, the picture presented at the beginning of 2009 had certain positive aspects, as the conditions existed for restarting six-way negotiations and all activities related to the denuclearisation of the Korean peninsula. In this last respect, talks on military matters were also restarted with the Rep. of Korea, although, for the moment, without any progress.

In the light of this, the discourse emerging in **the USA**, based on fears over a new nuclear escalation of the programmes that have been mentioned, led to the acceleration of the installation of an anti-missile shield on European territory to prevent missile attacks from States considered a threat to international security and in view of fears of the propagation of the terrorist phenomenon.⁴ This project caused bad feelings on the part of the Russian Government, which considered the reasons given by the USA as invalid and threatened to

3. S/RES/1803 3 March 2008 at <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/2008/1803\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/2008/1803(2008))>; S/RES/1835 27 September 2008 at <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/2008/1835>>.
 4. The anti-missile shield system consists of establishing radar to intercept missiles launched from countries considered “pariahs” (*rogue states*). During 2008, the USA Executive agreed to install bases for this system in Poland and the Czech Rep. in exchange for security and defence benefits. These bases would be used for the satellite detection of missile launches, which would be intercepted with the launch of another missile to neutralise the first one.

install new nuclear missiles in the Kaliningrad region. It also threatened to break with the Conventional Weapons Treaty in 2007.⁵ Ultimately, this project is a new example of the unilateral attitude the USA Executive continues to employ concerning international security. This has also been made clear in other aspects concerning armament, as will be detailed later. Beyond expecting a change of international policy following the arrival of the new Executive in the USA, it remains to be seen whether some of the multilateral organisations—largely NATO and the EU—can play a more preponderant role in international security, as disputes over this matter have occurred between different States.

The analysis of military spending over GDP (indicator no. 9) is hampered by the absence of official data, which characterises many activities concerned with the military sphere. This report has opted to indicate the countries which, according to the source mentioned, have military spending equal to or greater than 4% of their GDP. As can be seen in the following table, this is the case with 17 countries. The alarm must be raised concerning the situation in seven of these, where military expenditure exceeds 6% of their GDP.

Table 6.1. Countries with a level of military expenditure exceeding the 4% of GDP

Eritrea	(22%)	Jordan	(6.9%)	Singapore	(4.3%)
Syria	(17.6%)	Lebanon	(5.8%)	USA	(4.2%)
Oman	(11.9%)	Kuwait	(5.7%)	Bahrain	(4%)
Saudi Arabia	(9.3%)	Burundi	(4.9%)	Mauritania	(4%)
Israel	(8.3%)	Yemen	(4.6%)	Pakistan	(4%)
Georgia	(7.4%)	Djibouti	(4.3%)		

Source: own elaboration based on SIPRI, *SIPRI Yearbook 2008*, Oxford University Press, 2008.

Note: The military expenditure of each country with respect to GDP is in brackets. All countries which have military expenditure equal to or greater than 4% appear in the table.

The above table is related to public spending priorities (indicator no. 10). In 2007, 37 countries were detected whose military expenditure was greater than that given over to the items of education or health. In some cases (**Burundi, Eritrea, Oman and Pakistan**), spending was greater than on the two other items combined. The fact that public spending on health and/or education should be lower than military expenditure indicates that budget priorities place defence and the militarisation of the country ahead of meeting the basic needs of the population and financing public social services. This could denote a strictly militarist concept of security that completely ignores the human security paradigms promoted for more than a decade now by the UNDP.⁶

b) Arms production

Concerning arms production, it can be seen that the top 100 defence equipment companies (41 of them located in the USA and another 34 in Western Europe) turned over 315,000 million dollars in 2007,⁷ representing an increase of 5% over the previous year. Of these companies, 16 increased sales by more than 30%, with the European consortium EADS experiencing the biggest growth: 3,020 million dollars—31.5% over the previous year. By countries, the USA continues to lead the table for the number of companies among those making the biggest profits in this area.

SIPRI noted other aspects worthy of some analysis. First comes the growing role that could be played by the Chinese arms industry: despite the fact that a lack of precise information means that it does not yet appear in the table of the main producers, its level of technological sophistication could make it a virtual power in this respect. Meanwhile, the rapid growth of private security companies is another phenomenon resulting from the outsourcing of services (largely equipment maintenance, base management, training and intelligence services) by the Armed Forces, particularly in the cases of the USA and the United Kingdom. In addition, the notable increase in Russian companies in this area and the large number of mergers between companies throughout the world was another outstanding aspect. Ultimately, whether the global financial crisis will also lead to a recession in this industry or whether, on the contrary, it will follow the same growing trend as military expenditure, remains to be analysed.

c) The arms trade and militarisation

Concerning the transfer of weapons, in global terms, growth of around 50% was observed in the volume of exports over the past five years. **China, India, United Arab Emirates, Greece and DPR Korea** were the principal destinations during this period. During 2007, it was recorded that the value of exports at world level was around 45,600 million dollars, representing 0.4% of world trade. By countries, 80% of exports are concentrated in six countries (see Table 6.2), four of which (**the USA, Russia, France and the United Kingdom**) are permanent members of the UN Security Council. Once again, **the USA** remained in top position, with 30.7% of exports (14,000 million dollars), despite having imposed unilateral embargos on 25 countries.⁸ About 32% of purchases from the USA were from countries in the Middle Eastern region, followed by Asia (31%) and Europe (27%). By countries, one of the biggest spenders was **Iraq**, the seventh biggest customer in the USA portfolio. For the second year running, Spain remained in the table of top exporters, largely due to the consolidation of its portfolio of customers (Greece

5. The Treaty on Conventional Forces in Europe was developed in the last years of the Cold War in order to establish certain limits in the essential categories of military equipment for the European continent.

6. UNDP, *Report on Human Development UNDP, 1994*.

7. 2007 is the latest year for which official data is available at global level.

8. The list of embargos can be found in the USA State Department's Directorate of Defense Trade Controls, available at <http://pmdtc.state.gov/embargoed_countries/index.html>.

and Norway) in the naval sector. However, other destinations (e.g. Colombia, Israel and Sri Lanka) were also the subject of particular concern, not because of the volume of sales but because of the consequences they could generate.

Table 6.2. Main arms exporters and importers in 2007

(Values are expressed in millions of dollars at constant 1990 prices)

Exporters	Value	Importers	Value
USA	7,454	Greece	2,089
Russia	4,588	Rep. of Korea	1,807
Germany	3,395	China	1,424
France	2,690	India	1,318
Netherlands	1,355	United Arab Emirates	1,040
United Kingdom	1,151	Poland	985
Italy	562	Turkey	944
Spain	529	Israel	891
Sweden	413	Venezuela	887
China	355	Pakistan	715

Source: SIPRI, *SIPRI Yearbook 2008*, Oxford University Press, 2008.

In the EU, the General Affairs and Foreign Relations Council decided to make the EU **Code of Conduct on Arms Exports a Common Position**, which means its text comes to be legally binding.⁹ This Common Position adopts almost the same criteria as the Code of Conduct but adds the need for importing countries to respect international humanitarian law and to check the final destination of the arms.¹⁰ However, it is regrettable that the content of the criteria has not been strengthened and that the annual export reports provided by each member State have not been unified. This transformation occurred in the tenth anniversary year of the establishment of the Code of Conduct on arms exports. Previously, in June 2008, Amnesty International and a coalition of European NGOs had applauded the moderate advance towards the implementation of the Code and issued certain recommendations concerning it.¹¹

Finally, concerning the percentage of **soldiers** compared to the total population of the country (indicator no. 11), a clear reduction is perceived at world level, along the lines that have been continuing for several years. This is due to a technological improvement in weapons and the professionalisation of the Armed

Forces of many countries, combined with the increasingly frequent use of private security companies. However, in nine cases, the percentage of soldiers is greater than 1.5% of the total population. In absolute figures, the 10 countries with the largest Armed Forces are (from largest to smallest): **China, USA, India, Russia, DPR Korea, Rep. of Korea, Pakistan, Iran, Turkey and Iraq.**

6.2. Arms control initiatives

Faced with a context of arms escalation, there is a series of disarmament initiatives at global and also regional levels. This section takes account of the development of arms embargos, both from the United Nations and from the EU and the OSCE. It then analyses the development of the various international treaties concerning small arms.

a) Arms embargoes

At the end of 2008, arms embargoes remained in force **on 14 countries** (indicator no. 12), both on Governments and armed opposition groups, from the United Nations, the EU and the OSCE.¹²

Table 6.3. Countries and armed groups embargoed

Al-Qaeda	Liberia*
Taliban Groups (Afghanistan)	Myanmar
China	RUF and other groups (Sierra Leone)
Côte d'Ivoire	Somalia*
DR Congo*	Sudan
DPR Korea	Uzbekistan
Iran	Zimbabwe
Lebanon	

* Countries where the arms embargo does not apply to the Government

The UN Security Council lifted the arms embargo against **Rwanda** in 1995 and ordered the dissolution of the verification committee even though the reasons that had led to its imposition had not been resolved. A demonstration of this was the United Nations' own complaint against the Government of Rwanda for having armed and trained the Congolese CNDP armed opposition group commanded by Laurent Nkunda. Meanwhile, the Council itself decided to extend until the end of the year the arms embargoes against the

9. See the EU decision at <http://www.iansa.org/documents/EU_CP_arms.pdf>.

10. For further information, see Appendix VI of this report and the disarmament chapter of *Alerta 2006!*

11. Amnesty International: *Blood at the Crossroads: Making the case for a global Arms Trade treaty*, November 2008, London: Amnesty International, at <<http://www.amnesty.org/en/library/info/ACT30/011/2008/en>>; Saferworld: *Good Conduct? Ten Years of the EU Code of Conduct on Arms exports*, Saferworld, 2008, at <<http://www.saferworld.org.uk/image/pubdocs/Good%20conduct.pdf>>.

12. For further information about arms embargos, see Appendix VII.

militias operating in **DR Congo**,¹³ thereby expressing their concern over the presence of illegal weapons in the country, as well as in **Liberia**, considering that the situation in that country continues to pose a threat to international security. Finally the Group of Experts on the **Côte d'Ivoire** Arms Embargo informed the Security Council that it had collected enough information to be able to state that members of the Côte d'Ivoire Armed Forces and the Forces Nouvelles were receiving military training outside the country. This embargo was also extended for another year.

b) International small arms treaties

At world level, there are three instruments to be highlighted in the area of international small arms treaties:¹⁴ the **International Treaty to Ban Cluster Bombs**, the **process towards an International Arms Trade Treaty** and the **International Treaty to Ban Antipersonnel Mines**.

2008 was marked by the signing of the International Treaty to Ban Cluster Bombs, as a final result of the so-called Oslo Process, begun in 2007. At the beginning of December, 94 States signed an exhaustive agreement. It was comprehensive both because of its express prohibition on the production, trade, conservation and use of almost all types of these weapons and because of the consolidation of aid to the direct victims of this type of explosive and their families. When the Treaty comes into force, within six months, the signatory States must present a detailed list of their arsenals, which will have to be destroyed within a maximum period of eight years. The ground will have to be cleared of this type of bomb within 10 years. The two aspects that caused greatest controversy in the content of the treaty were the exclusion of a type of bomb with very few submunitions (assuming that these could be aimed only at military targets) and the possibility of cooperation on any form between a signatory country and a non-signatory. This, in the clearest example, would allow collaboration with the Armed Forces of the USA, a non-signatory of the treaty.¹⁵ Some analysts consider that the inclusion of these two points could weaken the weight of the treaty.

Among the countries which, for the moment, have not signed the Treaty, appear some of the main producers of this type of bomb, as well as **the USA**, such as **China, India, Israel, Pakistan** and **Russia**. As an argument for its absence, the USA Government claimed that cluster bombs were an important element in its peace-keeping interventions. It also considered that

agreeing to the ban could prejudice advances in other international forums, such as the Conventional Weapons Convention or the consideration of these bombs within a group of explosives remaining from war, among other aspects. Beyond these arguments, this treaty is a new demonstration of the flagrant violation of International Humanitarian Law involved in the use of these bombs.

However, the prospects emerging after the implementation of this treaty have still yet to be seen. For example, will similar effects similar to those of the treaty against antipersonnel mines be achieved? That would mean drastically reducing and demonising the use of this type of weapon. For the moment, congratulations are in order for the rapid and effective effort of the various Governments, led by **Norway**, and of civil society to achieve the signing of an international treaty in a period of less than two years. This treaty should encourage an advance towards other global commitments, such as the International Arms Trade Treaty.

Concerning the International Arms Trade Treaty, a commission of government experts met at the beginning of the year to discuss its viability, and the initial approach and parameters for a legally binding treaty.¹⁶ In mid-July the Third Biennial Meeting of States was held to assess the implementation of the Action Programme on small arms approved in 2001 in order to prevent, combat and eliminate the illicit traffic in small arms, in all aspects. The great absentee at the meeting was **the USA**, which maintained its critical attitude to multilateral initiatives and was keener on bilateral strategies at a more national or regional level. This time, its absence made possible the approval of a final report evaluating what had been achieved to date and including some proposals about the route to be followed. Given the diversity of positions, the decision-making process for achieving the final text was a multi-sided one (generating opposition from Iran and reservations among the Non-Aligned Countries Movement) and it ended with a rather vague document. The meeting revolved around four central themes: illicit intermediaries; the management of arsenals and liquidation of surpluses; the need to act at regional level in international cooperation and assistance; and the evaluation, for the first time since its approval in December 2005, of the Instrument for marking and tracing small arms.

Subsequently, at the First Committee of the General Assembly of the UN, 145 countries voted in favour of implementing the International Arms Trade Treaty. The vote was particularly overwhelming in Africa, South America, Central America and Europe, although it is

13. S/RES/1808 31 March 2008, at <http://www.un.org/Docs/sc/unsc_resolutions08.htm>. The Council gave an assurance that this sanction would be adapted to the State security situation, particularly in the provinces of Ituri, North Kivu and South Kivu, which is improving in terms of reform of the security sector, integration and reform of the national police and the Disarmament, Demobilisation, Repatriation and Reintegration (DDRR) programme affecting Congolese and foreign armed groups.

14. Small and light arms are those which can be carried by a person or light vehicle. They include pistols, rifles, shotguns, grenades, anti-personnel mines and ammunition, among others. It is calculated that there are 850 million units in existence throughout the world, manufactured by more than 1,100 companies in about 90 countries. 60% of them are in private hands and they cause about 500,000 deaths every year.

15. See the full content of the Convention on Cluster Bombs at, <<http://www.stopclustermunitions.org/wp/wp-content/uploads/2008/06/english-finaltext.pdf>>.

16. The group experts for the International Arms Trade Treaty is made up of Germany, Algeria, Argentina, Australia, Brazil, China, Colombia, Costa Rica, Cuba, Egypt, Spain, the USA, Finland, France, India, Indonesia, Italy, Japan, Kenya, Mexico, Nigeria, Pakistan, United Kingdom, Romania, Russia, South Africa, Switzerland and Ukraine.

regrettable that **the USA** and **Zimbabwe** voted against, ignoring the worldwide consensus on the Treaty. The position of the USA Executive was no surprise as, although it is one of the countries with the strictest regulations in the world against the arms trade, it believes the multilateral approach involves a waste of money. It therefore insists on doing without a multilateral strategy, committing itself to a bilateral approach instead.

The legal basis for this Treaty is respect for international standards on human rights and International Humanitarian Law, which should serve to prevent possible threats to peace and international security. So, **Amnesty International** pointed out in a new report¹⁷ that a coherent arms control system should operate in such a way that arms are not exported to countries where there is a substantial risk that they could provoke or exacerbate an armed conflict, contribute to patterns of violent crime, undermine sustainable development, lead to significant corrupt practices or be diverted to unauthorised users that could violate these rules. In addition, as well as incorporating these rules, Amnesty International urged that a provision should be incorporated in the future International Arms Trade Treaty to require States to prevent the diversion of surpluses existing in post-war rehabilitation situations in which human rights abuses by State and non-State agents are noted.

Another aspect that has attracted a great deal of attention concerning the illicit or irresponsible transfer of small arms is the damage it does to the achievement of the Millennium Development Goals (MDG).¹⁸ Along these lines, the NGO **Oxfam** presented a report pointing out the most negative consequences of arms transfers,

such as the encouragement of armed conflict, the harm it does to Government development funds, and the way that communities fall below poverty thresholds. More specifically, Oxfam points out that the irresponsible transfer of weapons contributes to exacerbating armed violence and undermines the various MDGs, according to the table 6.4.

For its part, the Graduate Institute of International and Development Studies (IHEID) of Geneva, Switzerland, published its annual report on small arms **Small Arms Survey 2008**.¹⁹ This time, it made an in-depth analysis of the problem of the diversion of weapons (transfer from authorised hands to the illegal market) and armed violence as a public health problem. In the regular sections on the armament cycle, the report updates countries' classifications based on various criteria. For example, the biggest exporters of small arms appear, in the following order, as USA, Italy, Germany, Belgium, Austria, Brazil, Russia and China. Among all the big exporters, the most open in their transactions are USA, Italy, Switzerland, France, Slovakia and the United Kingdom. The biggest importers are the USA, Saudi Arabia, Canada, France and Germany.

The study also states that the biggest systematic destruction of surplus small arms from military arsenals since the Second World War is currently being carried out. However, the almost 430,000 weapons destroyed every year are fewer than the number produced. Although each State is free to decide which weapons it considers "surplus", the Small Arms Survey considers that the maximum figure for weapons necessary would be between 1.8 and 2.5 per soldier. On average, armies exceed this quantity by about 40%.

Table 6.4. Negative effects of illicit arms trade on MDGs

Millennium Development Goal	Effect of armed violence
1. Eradication of poverty and hunger	Loss of resources for life, unemployment, displacement and interruption in the provision of services, domestic trade and markets.
2. Achievement of universal primary education	Closure of schools and displacement of teachers and pupils.
3. Promotion of gender equality	Larger number of homes headed by single women, increase in gender violence and recruitment of women and children into armed groups.
4. Reduction in infant mortality	Destruction of medical facilities and increase in infant mortality through disease and malnutrition.
5. Improvement in maternal health	Destruction of the health infrastructure.
6. Fight against HIV/AIDS and other diseases	Destruction of the health infrastructure.
7. Ensuring the sustainability of the environment	Acceleration of migration from the rural to the urban environment, destruction of sewerage and drinking water.

Source: Oxfam, *Shooting Down the MDGs. How irresponsible arms transfers undermine development goals*, Oxfam, 008, in, <<http://www.oxfam.org/en/policy/shooting-down-mdgs>>.

17. Amnesty International, *Blood at the Crossroads: Making the case for a global Arms Trade treaty*, Amnesty International, December 2008, in <<http://www.amnesty.org/en/library/info/ACT30/011/2008/en>>.
 18. Oxfam, *Shooting Down the MDGs. How irresponsible arms transfers undermine development goals*, Oxfam, Oxfam, 2008, in, <<http://www.oxfam.org/en/policy/shooting-down-mdgs>>.
 19. Small Arms Survey, *Small Arms Survey 2008: Risk and Resilience*, International Studies and Development Higher Education Institute, Geneva, 2008, at <<http://www.smallarmssurvey.org/files/sas/publications/yearb2008.html>>.

Another group of United Nations government experts held its period of sessions to deliberate on the issue of marking, registering and tracing small arms. The experts, who come from 18 countries,²⁰ showed their concern over the uncontrolled proliferation of ammunition. In the last few years, it had been noted that controls on the production, transfer and storage of small arms were very lax.²¹ Along these lines, the Swiss research centre mentioned above published a study warning of the danger and threat these arsenals, with surpluses of conventional ammunition, posed to society. Although the study admits that ammunition surpluses are not a direct cause of instability, it complains of the ease with which this type of weapon can be obtained due to deficient storage systems.²²

Finally, concerning antipersonnel mines, the international campaign for their eradication made a new assessment of the Treaty of Ottawa, with the publication of a new annual report.²³ In general terms, this assessment was moderately negative in certain respects, as it was recorded that two countries (**Myanmar and Russia**) continued to use antipersonnel mines, as did armed opposition groups in another nine: **Afghanistan, Colombia, Ecuador, India, Iraq, Myanmar, Pakistan, Peru and Sri Lanka**. In addition, three treaty member states (**Belarus, Greece and Turkey**) could not meet the deadlines set for destroying their arsenals. The impact measured through the number of deaths was greater than the previous year, as, despite a reduction of 5,400 deaths being recorded, the total was spread over a greater number of countries. As for economic support, donors provided around 430 million dollars, 10% less than the previous year. During the celebration of the International Day against antipersonnel mines, on 4 April, the UN Secretary General, Ban Ki-moon, highlighted the need for all countries to ratify this treaty, as those that have not done so yet include the largest producers of mines: **China, the USA, India, Iran, Israel, Pakistan and Russia**.

The challenges in DDR programmes must focus and interrelations with other peace-building tools and or on the role of new agents contributing to the reintegration

6.3. Disarmament, Demobilisation and Reintegration Programmes (DDR)

This section is subdivided into two: firstly, the main international initiatives occurring in the Disarmament, Disarmament and Reintegration (DDR) programmes for ex-combatants and, secondly, the development of the main programmes during 2008 (indicator no. 13).²⁴

a) Main international initiatives

Since the beginning of the nineties, DDR programmes have become a central component of the security situation in the context of post-war rehabilitation for peace-building. Within the United Nations, DDR programmes have been a characteristic of peace-keeping operations in the last 20 years, with more than a dozen United Nations bodies and programmes and international and local NGOs taking part in these programmes.²⁵

Analysing the development of these programmes, a more theoretical reflection is necessary to ensure they are better implemented. In this sense, the initiatives carried out recently are distinctive: the United Nations Integrated Strategy, the Stockholm Initiative, the EU Concept and the Multi-Country Demobilisation and Reintegration Programme (MDRP, financed by the WB), among others. However, beyond the improvement in the design, implementation and evaluation of DDR programmes, there are still many challenges remaining to be taken up in the current processes.²⁶ These challenges must focus both on implementation and interrelations with other peace-building tools for a long-term view or on the role of new agents like the private sector contributing to the reintegration of the former combatants.

20. The group of experts on ammunition is made up of Germany, Bangladesh, Bolivia, Canada, Cameroon, Chile, China, the USA, France, Morocco, Norway, Peru, United Kingdom, Rep. of Korea, Czech Rep., Russia, Serbia and South Africa.

21. Anders, H. and Pézard, S., *Targeting ammunition: A Primer*, Small Arms Survey, UNDP/SEESAC, Viva Rio, CICS and GRIP, Geneva, June 2006, at <http://www.smallarmssurvey.org/files/sas/publications/b_series2.html>.

22. Bevan, J. (ed.), *Conventional ammunition in surplus. A reference guide*, Small Arms Survey, 2008, at <http://www.smallarmssurvey.org/files/sas/publications/b_series_pdf/CAIS/CAIS_book.pdf>.

23. International Campaign to Ban Landmines, *Landmine Monitor Report 2008: Towards a Mine-Free World*. ICBL, 2008 at <<http://www.icbl.org/lm/2008/>>.

24. In 2006, the United Nations defined the Disarmament, Demobilisation and Reintegration (DDR) programmes as the "process contributing to security and stability in contexts of post-war recovery through the elimination of the weapons in the hands of combatants, removing combatants from military structures and providing them with some assistance to reintegrate themselves socially and economically into society through civilian ways of life" (United Nations; Integrated DDR Programme strategy, 2006, at <<http://www.unddr.org/>>).

25. The first United Nations mission in which a DDR programme was suggested was the Observer Group in Central America (ONUCA), which carried out the voluntary demobilisation of the Nicaraguan resistance between 1989 and 1992 under resolution 650 of the UN Security Council. It was soon shown that they were limited programmes so, in 1992, the United Nations Transitional Authority in Cambodia (UNTAC) implemented a much more extensive demobilisation and reintegration programme.

26. The main literature concerning the challenges presented by DDR programmes currently includes: Ball, N. and L. van de Goor, *Disarmament, Demobilization and Reintegration. Mapping Issues, Dilemmas and Guiding Principles*, Conflict Research Unit Report. The Hague: Netherlands Institute of International Relations 'Clingendael'; Stalon, J., "Le Désarmement, la démobilisation et la réinsertion des ex-combattants dans la résolution des crises armées: défis pour une nouvelle approche politique du DDR", in Y. Conoir and G. Vera (eds.) *Désarmer, démobiliser et réintégrer. Défis humains, enjeux globaux*. Les Presses de l'Université de Laval, Québec, 2007; Swarbrick, P.; *Avoiding Disarmament Failure: The Critical Link in DDR – An Operational Manual for Donors, Managers, and Practitioners*, Working Paper 5, Small Arms Survey, Geneva, 2007, at <http://www.smallarmssurvey.org/files/sas/publications/w_papers_pdf/WP/WP5%20DDR%20Manual.pdf>.

Along these lines, the Centre for International Cooperation and Security (CICS) of the University of Bradford presented its project *DDR and Human Security: Post-conflict Security-building in the Interests of the Poor*, in order to improve capability to design, implement and evaluate DDR programmes in post-war rehabilitation contexts.²⁷ The project covered the construction of better and greater linkages between DDR, the reform of the security sector, the proliferation and control of small arms and the reform of the justice sector, as well as analysing their contribution to human security through the monitoring of various current case studies.

Firstly, this project conceives community-based reintegration as a type of approach that contributes to empowering the host community, constructive organisational capacity, improved efficiency, effectiveness and sustainability, and strengthens local government. This makes it a contribution towards laying the foundations for sustainable development. However, beyond the benefits to the community of this type of project, it should also take part in designing and planning reintegration strategies. So, the project includes, as necessary, the implementation of tools which are part of cooperation and development strategies —mainly the Peace and Conflict Impact Assessment analysis or Poverty Reduction Strategies.

Secondly, another type of linkage is the one that can exist between DDR processes and reform of the security sector. The project led by CICS has also monitored this link, which was one of the gaps identified in the United Nations' Integrated DDR Strategy.

The fact that DDR processes are a very small component of security sector reform, and involve a theoretical discourse that has seen very little development in the case of security sector reform, must be taken into account.²⁸ The CICS conceives this reform as showing a wide variety of factors and spheres in order to carry out transformation (security, governmental and judicial agencies and institutions). Possible coincidences and synergies between the two processes can emerge from a very early stage when there is an attempt to include these processes on the peace negotiation agenda. At the design phase for these processes, certain aspects are detected where the possible links between the objectives for both types of programme —which may be common ones— must be clarified, whether this involves clarifying the consequences of disarming and demobilising the armed groups, asserting the various options for demobilised ex-combatants or developing an integrated approach linking DDR processes, the reform of the security sector and the management and

collection of weapons to combat armed violence in post-war rehabilitation. In implementation, it is advisable to explore possible links between aspects such as the management of weapons at the disarmament and reduction phase and the restructuring of the Armed Forces under demobilisation by moving their personnel in cantonments or barracks.

However, one of the aspects this project does not consider, and which is conceived as an aspect to be taken into account in the future, is the role the private sector could play in peace-building processes and, more specifically, in DDR processes. The lack of suitable socio-economic conditions in peace-building contexts is reflected in the difficulties in creating jobs. In the light of the scarcity of resources at the phase of reintegrating ex-combatants, the private sector could be an alternative for job creation. So, the role of the private company could provide various services adopting different forms: cooperation with existing employment promotion bodies or economic planning with the local and central public authorities, NGOs and training institutions.²⁹

b) Development of the main DDR programmes during 2008

During 2008, 17 DDR programmes were identified (indicator no. 13). To break down the specific development of each programme, it has been decided to divide them between those started in 2008, those that began before and have followed their course for 12 months, and those completed in 2008.

One of the countries that started a DDR programme (at state or regional level) was **Burundi**, where the programme to disarm and demobilise the FNL was implemented, with the transfer of 2,500 combatants to cantonments. The Government drew attention to the fact that only 40 weapons had been handed over and that the armed group had not provided the Joint Verification and Supervision Mechanism with the list of the names of the 21,100 members taking part in the programme. This could be a result of criticisms of the poor living conditions in the cantonment centre. In **Rep. of Congo**, the National DDR Programme began the process of reintegrating 30,000 former combatants in the Pool region, 5,000 belonging to the armed group of Frédéric Bintsangou, alias "Reverend Ntoumi", 6,000 to the government forces and 19,000 already demobilised ex-combatants. This programme is financed by the WB, with 17 million dollars.

27. The participating organisations were ISS, Saferworld, the Overseas Development Institute, the Niall O'Brien Center for Active Non-violence, Reconciliation and Community Future and the University of St. La Salle of the Philippines. All documents concerning this project can be found at <<http://www.ddr-humansecurity.org.uk/>>.

28. Bryden, A., *Linkages between DDR and SSR*; 2nd International conference on DDR and Stability in Africa, UN/OSAA, June 2007. The United Nations considers that the discourse concerning security sector reform is relatively new and that there is very little sustained experience with this type of process, which does not have a particularly significant profile. Although there is a high level of analysis and monitoring of DDR programmes, the existing discourse on reform of the security sector is a relatively incipient one, and its approach is much more diverse depending on the context, so there is a need for conceptual and practical clarification.

29. ILO, *Manual on training and job opportunities for ex-combatants*, ILO, 1997, at <<http://www.ilo.org/public/english/employment/crisis/download/excombs.pdf>>.

Box 6.1. The role of private companies in reintegration in Colombia

To date, private companies have had a relatively secondary role in DDR programmes. However, in the light of the scarcity of resources at the reintegration phase due to diversion of funds or the poor planning of previous phases, the private sector could be a complement for generating employment.

In the case of Colombia, in July 2007, the IOM, the Senior Presidential Adviser on Reintegration and the company Ethanol Consortium Board signed an agreement to generate 1,500 jobs in the ethanol industry for demobilised combatants and people in a vulnerable situation. The project, which is part of IOM's strategy for cooperation between the public and private sectors, was financed via the company Controlsud International Group and USAID and involves workers planting sugar cane and building three production plants in three municipalities in the north of the country with a strong presence of armed groups and high unemployment rates. In a similar initiative, at the end of November the private company Comexa announced the purchase of 1,840 tonnes of chilli peppers picked by 320 demobilised soldiers and others in a vulnerable situation. This plantation forms part of the IOM Community Development and Reintegration Programme being carried out in the districts of Antioquia and Sucre —the first initiative combining the public and private sectors, together with that by the cement company Argos.

Although it is true that the context of Colombia is quite exceptional as a DDR programme, as it is at a much higher level of development than other programmes, other experiments could be explored in which the private sector could provide employment for ex-combatants by creating small production projects. So, this type of group could greatly benefit from the work of community support groups helping them to resettle, obtain proper professional training, find jobs or start their own micro-businesses.³⁰

Another process begun was the demobilisation of the Forces Nouvelles in **Côte d'Ivoire**. These began the disarmament process with more than 1,000 combatants at a ceremony held in Bouaké in the north of the country. However, the development of this process started with protests and violent disturbances begun by the ex-combatants due to the non-payment of the money promised in cash. Subsequently, ONUCI launched a scheme financed with five million dollars in order to speed up the reintegration of ex-combatants in order to reduce youth unemployment and create a secure, stable environment for holding the forthcoming elections. These 1,000 micro-projects are financed by the United Nations, with a total sum of between 450 and 640 euros per person. The intended beneficiaries are demobilised ex-combatants, members of militias and self-defence groups, young people in risk situations, women and children associated with armed groups. Despite the start of these projects, many gaps have been detected in this DDR process.

The programme initiated that created greatest expectations was the one in **Sudan**. In Geneva, the central Government, the government in the south of the country and the United Nations signed an agreement for the demobilisation and reintegration of about 180,000 ex-combatants and their families. The estimated budget was 430 million dollars, the largest sum ever suggested for this type of programme, lasting four years. It remains to be seen how this programme develops and whether the funds are distributed in a balanced way, because very often the reintegration phase for these processes finds itself in a deficit situation. Finally, in **Uganda**, the LRA and the Government signed the pre-agreement on DDR as the last point of the peace nego-

tiations. As the signing of the final agreement was awaited, the programme was aimed at both combatants and non-combatants associated with the LRA and included the alternative of rehabilitation in the State security forces or a return to civilian life. In the latter case, there would be aid for obtaining an academic education or professional training. The agreement resolves issues that had been controversial, such as the maintenance of military rank for demobilised personnel, or the release of pregnant women and children. Later, the WB announced the financing of reintegration projects for about 24,000 ex-combatants belonging to the LRA and the UPDF, at a cost of around 2.85 million dollars, and reconciliation activities and trust creation measures. Despite everything, hardly any progress was recorded in the process during 2008.³¹

In **Colombia**, the Government signed an agreement with the Ejército Revolucionario Guevarista (ERG) to demobilise around 40 combatants from this small group that split from the ELN in 1995. In the Temporary Location Zone established for the cantonment, the ERG handed over 35 small arms, 5,000 munitions units and about twenty grenades and explosives, which were destroyed. The agreement stipulated that demobilised personnel would be covered by the Justice and Peace Act and could access the Programme for Reincorporation into Civilian Life.

In **Liberia**, the final phase in the programme to rehabilitate and reintegrate ex-combatants began. Financed by Norway with 20 million dollars, it was planned that about 5,000 ex-combatants should carry out street cleaning work and agricultural projects. So, the chairman of the National DDR Committee (CNDDR), Jarvis

30. International Alert, *Local Business, Local Peace: the Peacebuilding Potential of the Domestic Private Sector*, International Alert, 2006, at <<http://www.international-alert.org/publications/252.php>>.

31. See chapter 1 (Armed conflict).

Box 6.2. Diagnosis for the DDR programme in Côte d'Ivoire

The Ouagadougou Agreement signed in 2007 between the Government and the Forces Nouvelles armed opposition groups specified, concerning DDR, the need to follow the recommendations used for the Linas-Marcoussis Agreement involving the creation of a Joint Operational Plan for DDR, as well as implementing a National DDR Programme and speeding up the process of disarmament and dismantling the militias in the west of the country.

However, the balance for the different processes running at the end of the year was not very satisfactory, as the processes in the north and west had hardly begun, while the regrouping of the State Armed Forces was officially considered to be complete even though the demobilisation of only 700 of the 5,000 intended troops had been recorded, amid claims of logistical problems. Another difficulty identified was the great proliferation of small arms in the country, as in the initial DDR process ceremonies ("*flamme de la paix*") only a few weapons in poor condition were registered, while the useful ones disappeared.

Concerning reintegration, a huge gap has been detected for the financing of the planned activities, particularly after the refusal of funding by the WB, which did not have full confidence in the development of this phase. Another aspect that could generate certain doubts lies in the degrees of inter-relationship between various government structures with a view to preventing possible overlaps in activities, although the government claims responsibilities are clearly defined.

Ultimately, to improve the security situation, a much more localised approach has been shown to be necessary, with the involvement of all responsible agents, making it possible to integrate reform of the security sector with the rehabilitation of the demobilised ex-combatants. This is because many aspects differ greatly from one zone to another: the level of insecurity, agents and dynamics and the number and characteristics of the ex-combatants and ex-militia fighters. There are also many obstacles to be overcome, largely concerning the reform of the security sector and the ratio of weapons handed over per combatant, particularly concerning the militias in the west of the country.

Witherspoon, noted the importance of reintegrating the 23,000 ex-combatants who still had to join the programme. The CNDDR asked the international community for around 18 million dollars more for the professional training of these ex-combatants. In the **Central African Rep.**, the UN Secretary General's special representative for children in armed conflicts, Radhika Coomaraswamy, achieved the release of child combatants who had been detained by the Chadian authorities and the declared commitment of armed Central African opposition groups to free the children in their ranks. It remains to be seen whether the Inclusive Political Dialogue (IPD) leads to the demobilisation of the APRD and UFDR armed groups during 2009.³²

Meanwhile, although it seemed that the programmes in the east of **DR Congo (Kivus)** were continuing to proceed normally, the new outbreak of conflict led to these processes being paralysed and increased the suspicion that demobilised Burundian and Rwandan ex-combatants had joined the conflict, swelling the ranks of General Nkunda's army.³³ This served to demonstrate once more the need to effectively implement the reintegration phase within these processes; that is, to guarantee the security needs (economic, political, physical and social) of the ex-combatants, beyond applying transitional justice mechanisms. Concerning this process, the UN Security Council unanimously approved a resolution urging the disarmament, demobilisation and repatriation of the militias from Rwanda continuing to

operate in neighbouring DR Congo, as well as an immediate halt to the recruitment of child soldiers and an end to existing gender violence, whether through sexual abuse or other forms of violence.³⁴

The end of the DDR process in **Angola** should be highlighted. There, the Institute for the Socio-professional Reintegration of Ex-Combatants estimated the number of former soldiers currently participating in reintegration projects at 3,000. According to the Institute, they had access to resources for agriculture and professional training and also received the same support for creating associations and cooperatives. Meanwhile, in **Haiti** the Government compensation process for former members of the FAd'H was considered to be complete, with 95% of the previously established payments made. The remaining 5% were for former soldiers who had already died. The living ex-FAd'H members will receive a training course in security work related to protecting people and public buildings. The Government had set aside around 937,000 dollars for the 2007 and 2008 tax years, while the total sum budgeted for the next two years amounts to two million dollars.

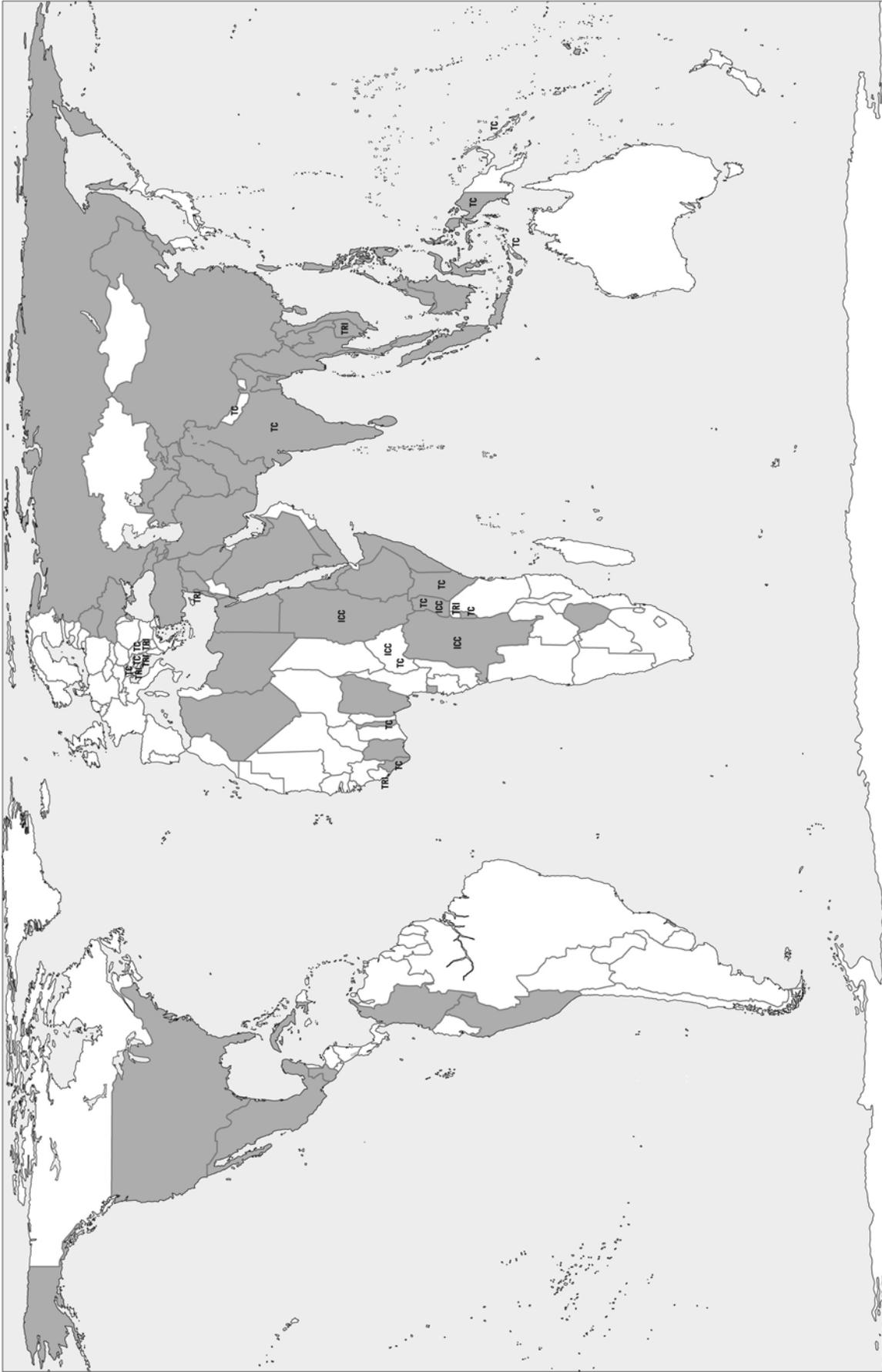
For 2009, there is the possibility of the opening of new DDR processes, as might be the case with the **Philippines (Mindanao)**. In the case of the region of Mindanao, the Government was trying to impose a DDR process before the negotiation process with the MILF armed opposition group. This was considered unac-

32. See chapter 3 (Peace processes).

33. See chapter 1 (Armed conflicts).

34. S/RES/1804 de 13 March 2008 at <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/2008/1804\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/2008/1804(2008))>.

ceptable by the MILF leader, Al Hay Murad Ebrahim, as it was considered that this would involve submitting to the Executive's demands. Murad also said that the DDR process should be one of the last points on the agenda for negotiation. Along these lines, although it is true that the Philippines has a long tradition of negotiation processes with armed opposition groups (MNLF in 1996, CPLA in 1986, NDF in 1992, etc.), the lessons learned on how to carry out this process have not been consolidated. In addition, to date, none of the parties has shown a clear commitment to carrying out a DDR process. So, there needs to be a clear statement that DDR is not a precondition for negotiation but rather one of the most sensitive points to be dealt with within a peace process. A detailed negotiation process could lead to the implementation of a participative, community DDR programme.



Countries with serious human rights violations
 Countries with a Truth Commission
 TRI Country where a special tribunal has been created
 ICC Countries with an ongoing ICC investigation

7. Human rights and transitional justice

- In 2008, serious human rights violations were committed in 60 countries.
- In December, the UN General Assembly adopted the Optional Protocol of the International Covenant on Economic, Social and Cultural Rights.
- The use of the fight against international terrorism continued in order to justify the promulgation of laws restricting individual freedoms, the use of torture by the State and the repression of opposition groups in various parts of the world.
- The ICC was forced to suspend its first trial, due to take place in June, of the Congolese warlord Thomas Lubanga, because the prosecution had concealed evidence from the defence.
- In July, the ICC prosecutor, Luis Moreno Ocampo, issued a request for an arrest order against the President of Sudan, Omar al-Bashir, accused of war crimes.
- In July, the Serbian authorities arrested the ex-president of the self-proclaimed Serbian Republic of Bosnia and Herzegovina, Radovan Karadzic, who had been under a search and capture order from the ICTY for 13 years.
- The Government of Indonesia recognised the crimes against humanity committed in Timor Leste in 1999, based on the presentation of the final report of the Truth and Friendship Commission.

In its **first section**, this chapter analyses the human rights situation in the world on a geographical and thematic basis together with the analysis of indicators nos. 14 to 18. In the **second part**, the most important elements of the **transitional justice processes** in progress (indicator no. 19) are described. The chapter begins with a map indicating the 60 countries with serious human rights violations and the countries that have transitional justice processes.

7.1. Human rights: analysis of the situation worldwide

During 2008, some events took place of particular importance in the United Nations human rights protection system, such as the establishment of the new **Committee of 18 experts** replacing the old Sub-committee for the Promotion and Protection of Human Rights, and the adoption by the UN General Assembly, on the 60th anniversary of the Universal Declaration of Human Rights, of the **Optional Protocol of the International Covenant on Economic, Social and Cultural Rights**. The result of five years of negotiations reaffirmed the importance of economic, social and cultural rights and the indivisibility of human rights. The signing and ratification of human rights treaties represents a first step towards States meeting their obligations to protect human rights. It also makes possible initial international legal support for demands that human rights should be respected. Along these lines, it should be highlighted that some States have yet to ratify important instruments, as included in indicator no. 14.

In 2008, there were serious human rights violations in a large number of countries, grouped in three areas in the next section. These are concerned with: a) systematic human rights violations, largely by the State, b) the violation of International Humanitarian Law (IHL) in armed conflict situations and c) the impact of anti-terrorism measures on individual freedoms. Based on this analysis and on indicators nos. 14 to 18 (section "d"), the list of countries with the most serious human rights violations in 2008 is presented at the end of this block.

a) Systematic human rights violations

Systematic human rights violations, largely committed by the State, occurred in a large number of countries. They included torture, serious abuses of power by State security forces and serious restrictions on the freedom of expression and opinion. The worst-affected groups were minorities, communication media professionals, human rights defenders and political opponents. A geographical and thematic analysis makes it possible to identify the patterns of violations most commonly present during 2008 in particular contexts, as described below.

On the African continent, various contexts of systematic human rights violations must particularly be highlighted in a climate of general impunity, as well as the persecution of human rights defenders and political opponents. Along these lines, the events in Zimbabwe were unusually serious. After the general election held in March, harsh politi-

cal repression measures were taken by the militia close to the ZANU-PF presidential party, directed at political opponents, MDC leaders and leaders of civil society. According to data from local NGOs, more than 163 people died, another 5,000 were tortured and more than 50,000 were forced to move because of the violence, particularly in rural areas.¹ As a result of another election, **Kenya** also experienced a wave of violence and human rights violations, as well as general impunity. The result was 1,500 deaths and more than 600,000 displaced persons at the beginning of the year.² Several local human rights NGOs also complained that the State security forces had tortured more than 4,000 people in an offensive against the SLDF opposition group in the Mount Elgon area. The operation was launched indiscriminately against the civilian population. According to the NGO Independent Medico-Legal Unit, it was the worst wave of torture under the government of President Mwai Kibaki.³ The human rights violations perpetrated by the Police in **Nigeria** and impunity regularly enjoyed by those responsible should also be highlighted. In this respect, Manfred Nowak, special UN rapporteur on torture, complained in a report that torture formed an intrinsic part of the *modus operandi* of the law and order services in the country.⁴

Concerning the persecution of human rights defenders and political opponents, Amnesty International expressed its concern over the deterioration in the human rights situation in **Equatorial Guinea** and the frequent use of arbitrary arrests, torture and the murder of political opponents. On the African continent, it also highlighted the approval by the **Ethiopian** Parliament of a law imposing tough restrictions on the work of NGOs in the country and banning foreign organisations from working in the following areas: human rights, promotion of equality, conflict resolution and reconciliation, children's rights and matters associated with criminal justice. In addition, local organisations receiving more than 10% of their resources from abroad and dedicated to working in these areas will have their activities prohibited. In Zimbabwe, humanitarian NGOs were also banned from operating between June and September.

Finally, it must be highlighted that **South Africa** was another context where serious human rights violations occurred. The then President, Thabo Mbeki, was forced to approve the deployment of the Army to protect the immigrant population from xenophobic attacks, largely in Pretoria. Because of these, there were at least 56 murders and between 30,000 and 80,000 people were displaced. Faced with the increase in unemployment

and crime in the main South African cities, immigrants, who number between three and five million, became the target for the frustrations of the local population.

Concerning the human rights situation on the American continent, there continued to be complaints of abuses by State security bodies and Armed Forces, perpetrated both while on and off duty. Such circumstances were reported, for example, by the UN special rapporteur on extra-judicial executions, Philip Alston, concerning the **Brazilian Police**. He accused some officers of forming part of the death squadrons of the so-called "militias" that extorted money from the inhabitants of the *favelas*. Concerning the rights of vulnerable groups, it must be highlighted that, a year on from the adoption of the **Declaration of the Rights of Indigenous Peoples**, the special rapporteur on the position of human rights and fundamental freedoms among indigenous peoples, James Anaya, condemned the wave of violence against members of the indigenous communities in the regions of Beni, Pando, Santa Cruz and Tarija in **Bolivia**. As a positive note, it should be highlighted that, in **Guatemala**, Congress approved the Law against Femicide and other Forms of Violence against Women, establishing penalties of between 25 and 50 years in prison, without the possibility of reduction or the application of replacement measures

On the Asian continent, the violent repression of freedom of expression should be highlighted, together with political persecution and the systematic use of torture by the State in various contexts, in a climate of general impunity. Along these lines, the repression by the Chinese authorities against the Tibetan community in **Tibet** was one of the most serious campaigns of the last 20 years. Several international NGOs also complained about the jailing and harassment of human rights activists and journalists and the blocking of websites during the Beijing Olympic Games.⁵ Human Rights Watch (HRW) highlighted the fact that the Chinese government was continuing to hamper the work of journalists and it documented the serious difficulties faced by some members of this profession in the country, including death threats.⁶

Another event particularly worth highlighting was the fruitless mediation in **Myanmar** by the secretary general's special envoy, Ibrahim Gambari. The prospects for change in the second half of 2007 evaporated due to the lack of political will among the Military Junta. It even extended the house arrest of the opposition leader Aung San Suu Kyi for the sixth consecutive year. However, at the end of September it released seven political

On the Asian continent, the violent repression of freedom of expression

1. See chapter 2 (Tensions).

2. See chapter 2 (Tensions).

3. IMLU, Preliminary Report Of Medico-Legal Investigation Of Torture By The Military At Mount Elgon "Operation Okoa Maisha", IMLU, April 2008, at <www.imlu.org>.

4. Nowak, M., *Informe del Relator especial sobre la tortura y otros tratos o penas crueles, inhumanos o degradantes, Misión a Nigeria*, A/HCR/7/3/Add.4, 22 November 2007, at <http://daccessdds.un.org/doc/UNDOC/GEN/G07/149/66/PDF/G0714966.pdf?OpenElement>.

5. Amnesty International, *People's Republic of China, The Olympics Countdown-Broken Promises*, July 2008, at <http://www.amnesty.org/en/news-and-updates/report/chinese-authorities-broken-promises-threaten-olympic-legacy-20080728>.

6. Human Rights Watch, *China's Forbidden Zones: Shutting the Media out of Tibet and Other "Sensitive" Stories*, Human Rights Watch, July 2008, at <http://hrw.org/reported/2008/china0708/>.

Box 7.1. What is the right to freedom of expression?

Freedom of expression is a vitally important human right as it is the right that makes it possible to uphold and promote other repressed rights. This is why it is also one of the rights most undermined by repressive regimes. The right to freedom of expression is included in many international and regional treaties that are binding on the States which are parties to them. The Universal Declaration of Human Rights defines it in article 19 as a right with three components: a) 'the right to freedom of expression and opinion', b) the right to receive information and opinions and c) the right to publicise them using any type of means (with the sole limitation of respecting the law, the "freedoms of others" and "just moral requirements"). According to this article, everyone has the right to seek, receive and publicise information and opinions without interference, although in practice many countries' legal texts incorporate limits to halt, for example, incitement to violence, calumny or defamation. Meanwhile, case law laid down by the international human rights protection systems offers the ideal framework for understanding standards of respect and guarantees that protect this right. In this context it is the American Human Rights Convention that sketches the broadest guarantees for reducing restrictions on the free circulation of ideas and opinions to a minimum. Meanwhile, the European System, through its Court; the Universal System, via the rapporteur on the freedom of opinion and expression, and the United Nations Human Rights Committee have made various basic contributions to the doctrine on guaranteeing this right.

prisoners from Suu Kyi's party, the LND, including U Win Tin, the longest-serving political prisoner in the country.⁷

Concerning the systematic use of torture on the Asian continent, HRW complained that India's Armed Forces Special Powers Act had been used for the past 50 years to violate fundamental freedoms in the north-east of the country, leading to extra-judicial executions, torture, rape and disappearances in a climate of total impunity.⁸ Along these lines, the Asian Center for Human Rights published a report also corroborating the indiscriminate use of torture in that country.⁹ Concerning **Thailand**, the Asian Legal Resource Centre made public the fact that, no one had been brought to justice as being responsible for the hundreds of cases of torture documented during the past decade, despite the fact that there was evidence implicating Government officials in many of them.

In Central Asia, the repression of political opponents and human rights defenders and freedom of expression and information continued. Despite the fact that **Uzbekistan** reopened its prisons to visits from the ICRC in the middle of the year, after they had been banned following the events of Andijan in May 2005, the authorities continued to ignore demands for an independent inquiry into the facts and continued to persecute anyone concerned with the events. The President of **Turkmenistan**, Gurbanguly Berdymukhammedov, kept the principal dissidents and human rights defenders in the country locked up, despite promulgating an amnesty aimed at other prisoners. Finally, several NGOs in **Kyrgyzstan** warned about the amendments introduced to the law on communications media, pointing out that they were a serious step backwards in terms of freedom of information.

On the **European continent**, in June the **Governments of the EU** agreed to harmonise policies for expelling around eight million illegal residents originating outside the community. This directive, approved by the European Parliament in June and strongly criticised by various social sectors, is intended to establish a framework of maximums. However, although it does not compel countries which have less restrictive legislation, there is a risk of it becoming a reference to be followed. The directive is aimed at people in irregular situations from third countries who have managed to enter the EU or who have exhausted the application processes for asylum and refugee status without success.¹⁰

In the **Caucasus** region, Miklos Haraszti, the OSCE representative concerned with freedom in the communication media, declared that cases in which independent journalists in **Azerbaijan** had been jailed for reasons unrelated to their profession formed part of a preconceived plan to repress critical voices. Meanwhile, the International Crisis Group (ICG) warned about the violent repression of demonstrators, the state of emergency, the limits on the freedom to meet and on the freedom of expression and many arrests of opponents in **Armenia**.¹¹ The serious human rights situation in **Russia** was again criticised by human rights organisations, as the Government drastically restricted freedom of association and expression during the period prior to the parliamentary elections. Meanwhile HRW complained that the new legislation granted broad powers to the State to interfere in the work of NGOs. Finally, Amnesty International highlighted the situation of the **Romany community**, one of the most marginalised groups on the European continent, particularly the position of their women. It said they continue to suffer discrimination concerning access to housing, health and education services, particularly in Russia, Greece,

7. See chapter 2 (Tensions).

8. Human Rights Watch, *Getting Away With Murder: 50 years of the Armed Forces Special Powers Act*, Human Rights Watch, August 2008, at <<http://hrw.org/backgrounders/2008/india0808/>>.

9. Asian Center for Human Rights, *Torture in India 2008: A State of Denial*. Asian Center for Human Rights, 2008.

10. European Parliament, *Directive on common procedures and regulations in member States on the return of illegal immigrants in the European Union*. 18 June 2008. (COM(2005)0391 – C6-0266/2005 – 2005/0167(COD)), at

<<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=//EP//TEXT+IMPRESS+20080625FCS32672+0+DOC+XML+VO//E>>

11. *Armenia: Picking up the Pieces*, Europe Briefing no. 48, ICG, April 2008, at <<http://www.crisisgroup.org/home/index.cfm?id=5385&l=1>>.

Box 7.2. The European directive on the detention and expulsion of people in irregular situations

After more than two years of discussions and debates seeking the harmonisation of detention and expulsion of people in irregular situations, in June the European Parliament approved what some sectors of civil society called the “disgraceful directive”. It includes the possibility of temporarily interning immigrants in irregular situations for 18 months, without the obligation for this period of detention to be necessarily confirmed by a judicial decision. Over the last few years, many NGOs and international organisations have complained of the sub-human conditions in internment centres. Article 3) g. of the directive defines “vulnerable people” as “children, unaccompanied children, disabled people, elderly people, pregnant women, single parents accompanied by children and people who have suffered torture, rape and other serious forms of psychological, physical or sexual violence”, adding that they do not enjoy any kind of protection against expulsion. The text merely reminds countries that this type of person must be treated “specifically” during the expulsion procedure. However, the possibility of repatriating unaccompanied children is established, provided their families, guardians or a reception centre take care of them on arrival and never in cases where their life or liberty is threatened by the situation in their country of origin. The directive establishes that countries should provide free legal aid for illegal immigrants without resources, according to their national legislation. In the case of expulsion, it suggests a ban on re-entry to any EU country for a maximum of 5 years. As several NGOs have highlighted, the expulsion and return of immigrants in irregular situations clearly violates several provisions of universal and regional instruments protecting human rights and contradicts several provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Member States will have 24 months to adapt to the provisions of the new directive, as it is due to be applied by 2010.

Moldavia, Hungary, Slovakia, Czech Republic, Bulgaria, Slovenia, Italy and Macedonia.

b) International Humanitarian Law (IHL) in armed conflict contexts

During 2008, the civilian population continued to be seriously affected by armed conflicts, despite the formal protection provided by IHL. Along these lines, John Holmes, UN assistant secretary general for humanitarian affairs, informed the Security Council that **two of the most pressing issues in this respect were sexual violence¹² and humanitarian access to the civilian population.¹³**

Meanwhile, one of the groups most sensitive to conflict were children. They were still participating in **17 armed conflicts, 10 fewer than four years ago** according to the 2008 report presented by the Coalition to Stop the Use of Child Soldiers.¹⁴ Their presence was particularly worrying in 2008 in the conflicts in DR Congo, Sudan, Uganda, Central African Rep. and Philippines. For her part, the UN secretary general’s special representative for children and armed conflicts, Radhika Coomaraswamy, urged the Security Council to take specific measures directed against the armed groups using them. Finally, the introduction by **the USA Government** of a **law on the recruitment and use of child soldiers** throughout the world should be highlighted. The Child Soldiers Prevention and Accountability

Act would make it possible to judge such crimes in accordance with USA legislation.

The most serious armed conflicts took place in Afghanistan, Chad, Colombia, Iraq, Israel–Palestine, DR Congo (east), Pakistan (north-west), Somalia, Sri Lanka (north-west) and Sudan (Darfur).¹⁵ Some important events happening during 2008 concerning effects on the civilian population in these and other less serious conflicts are detailed below.

On the **African continent**, a particularly serious situation continued in **Sudan (Darfur)** as reported by Sima Samar, special rapporteur on the human rights situation in that country. Samar pointed out that both the Sudanese Army and the armed opposition groups and pro-government militias had committed serious violations of rights in displaced persons’ camps.¹⁶ HRW also pointed out that patterns of sexual violence had changed and that women were as likely to be attacked in periods of calm as during attacks against their communities.¹⁷ In May, thousands of people, including women and children, were arbitrarily arrested and some of them judged under anti-terrorist laws by special courts following the attacks perpetrated by the Darfuri armed group JEM against the capital, Khartoum. The UN secretary general’s special representative, Ashraf Qazi, asked for a review of about fifty death sentences by hanging because the judicial processes followed did not comply with any international legal standards. HRW

Children were still participating in 17 armed conflicts, 10 fewer than four years ago

12. At the suggestion of the USA government, in June the UN Security Council debated and approved a resolution on sexual violence in conflicts. S/RES/1820, 19 June 2008 at <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1820\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1820(2008))>. See chapter 8 (Gender dimension in peace-building).

13. See chapter 5 (Humanitarian crises).

14. Coalition to Stop the Use of Child Soldiers, *Child Soldiers. Global Report, 2008*, Coalition to Stop the Use of Child Soldiers, 2008, at <www.childsoldiersglobalreport.org>. See chapter 6 (Disarmament).

15. See chapter 1 (Armed conflicts).

16. Samar, S., *Informe del Relator Especial sobre la situación de los derechos humanos en Sudán*, A/HCR/7/22, 3 March 2008, at <<http://daccess-dds.un.org/doc/UNDOC/GEN/G08/115/00/PDF/G0811500.pdf?OpenElement>>.

17. Human Rights Watch, *Five Years On, No Justice for Sexual Violence in Darfur*, HRW, April 2008, at <<http://www.hrw.org/reports/2008/darfur0408/>>.

also complained that the Ethiopian Army had submitted civilians to extra-judicial executions, torture and sexual violence in its June campaign against opposition groups from the Somali region.¹⁸ Finally, the increase in human rights violations suffered during 2008 by the population of **Somalia**, at the hands of various agents, including the troops of the Transitional Federal Government and armed groups, should be highlighted. In the middle of the year, the independent expert on the human rights situation in Somalia, Ghanim Alnajjar, expressed great concern over the escalation of violence and the deterioration of individual guarantees in this country. Equally, the United Nations deplored the unprecedented increase in sexual violence and other serious human rights violations by all parties involved in the **DR Congo conflict**.

Concerning the **American continent**, a group of independent UN experts called for urgent measures to be taken in the face of the clear deterioration of the position of human rights defenders, together with reparamilitarisation, in **Colombia**.¹⁹ In December, the Vice-President of Colombia, Francisco Santos, apologised on behalf of his Government before the UN Human Rights Council during the Universal Periodic Examination for the murders of civilians committed by members of his country's Armed Forces. In October, 27 soldiers were dismissed because of their responsibility for the murder of 11 young people who the Army had said were victims of combat.

On the **Asian continent**, suicide attacks by militias and USA bombing were mainly responsible for the high civilian death rate in **Afghanistan**. Philip Alston, UN special rapporteur on extra-judicial executions, deplored the fact that many of these crimes remained unpunished. For its part, the Kashmiri American Council condemned the continuing use of repression and the flagrant human rights violations perpetrated by the Indian security forces in **Kashmir**. According to this organisation, these included extra-judicial executions, rape, torture, kidnapping, arbitrary arrest, arson, looting and disappearances. For its part, HRW accused the Government of **Sri Lanka** of being responsible for the dramatic increase in extra-judicial executions and other human rights violations in the country, while human rights organisations criticised violations by the **Thai** Armed Forces for many years under cover of the state of emergency in force in the south of the country.

In Europe, another focus of attention in 2008 was **Georgia** and the armed conflict with **Russia** at the beginning of August. Along these lines, Luis Moreno Ocampo, chief prosecutor of the International Criminal Court (ICC), confirmed that his office was analysing information related to the alleged crimes committed by the Russian Armed Forces based on the complaint pre-

sented by Georgia. In turn, Russia expressed its intention to present a complaint against Georgia before this same body. Concerning **Chechnya**, the Russian NGO Memorial recorded a rise in kidnappings from May onwards and the burning of the family homes of alleged rebels. In **Ingushetia**, civilians continued to be victims of serious human rights violations.

In the Middle East, in March Amnesty International complained that, five years after the United States' invasion of **Iraq**, the human rights situation was very negative and a general climate of impunity prevailed.²⁰ The organisation pointed out that all the armed groups were responsible for indiscriminate bombings, suicide attacks, kidnappings and torture. Concerning economic and social rights, the UN indicated at the beginning of the year that four million Iraqis were suffering from hunger and that 40% of the population did not have access to drinking water, despite the income from oil. Finally, the general humanitarian crisis in the **Gaza** Strip intensified in the second half of the year due to the blockade on the territory which impeded the entry of food, medicines and fuel. This culminated at the end of the year in the Israeli offensive.²¹ Richard Falk, the UN special rapporteur on the human rights situation in the occupied Palestinian territories, declared in December that urgent measures were required to alleviate the human catastrophe in Gaza. Meanwhile, the United Nations Human Rights Commissioner, Navi Pillay, pointed out that the blockade had been depriving one and a half million Palestinians of the most basic human rights, which was a clear violation of the IHL. The UN Special Committee to investigate Israeli practices affecting the human rights of the Palestinian people and those of other Arabs in the occupied territories expressed deep concern over the reports received concerning the strangling of the Palestinian economy, the impact of the separation wall on the human rights of Palestinians, the expansion of settlements and the conditions of Palestinians held in Israeli jails and detention centres. Finally, a report from the Palestinian Central Statistical Office revealed that the percentage of Palestinians in Gaza living in poverty had exceeded 50% in 2007 —the highest figure ever recorded.

c) Human rights and terrorism

This section identifies the main impact of the so-called "fight against international terrorism" and the growing use of it to justify three types of action: the promulgation of laws restricting individual freedoms, the use and justification of torture by the State and the repression of opposition groups. It must be highlighted that there were important steps forward and backwards, particularly in Europe, and some of the most important cases are mentioned below.

18. Human Rights Watch, *Collective Punishment: War Crimes and Crimes Against Humanity in the Ogaden Area of Ethiopia's Somali Regional State*, HRW, June 2008, at <<http://www.hrw.org/en/node/62175/section/1>>.

19. Hina Jilani, the UN special rapporteur on human rights defenders; Philip Alston, special rapporteur of the organisation on extra-judicial executions and Leandro Despouy, special rapporteur on the independence of judges and lawyers.

20. Amnesty International, *Iraq: matanza y desesperación*, AI, 17 March 2008, at <<http://www.amnesty.org/es/news-and-updates/report/carnage-and-despair-iraq-20080317>>.

21. See chapter 5 (Humanitarian crises) and chapter 1 (Armed conflicts).

Concerning the promulgation of laws restricting individual freedoms, it should be highlighted that, following the attacks at the end of November the **Indian** Parliament, promulgated a law seriously limiting legal guarantees to terrorist suspects.²² In the **USA** and in relation to the use of torture by the State, the CIA was subjected to an investigation by the United States Justice Department in relation to the destruction of video recordings of interrogations of Al-Qaeda suspects at Guantanamo, including use of the *water-boarding technique*.²³ However, the Justice Department of that country informed the Senate Intelligence Committee that humiliating and abusive interrogations of people suspected of terrorism, clearly prohibited by article 3 of the Geneva Convention, would be allowed if they were intended to prevent a terrorist attack. Guantanamo was finally the focus of attention at the end of the year when the then president-elect, Barack Obama, announced his administration's intention to close the detention sector, probably after 2009, despite the legal difficulties the process could cause.²⁴

Concerning **Europe**, a report published by Amnesty International in June 2008 concluded that some European States had been involved in the **extraordinary rendition** and secret detention programme directed by the USA. Under this, people had been illegally detained and transferred from one country to another without any legal process.²⁵ All the victims interviewed by Amnesty International stated that they had been tortured or abused in custody. Despite other investigations carried out previously by the Council of Europe and the European Parliament, European governments repeatedly continued to deny this or claimed that confidentiality must be maintained over it for national security reasons.

The so-called "fight against international terrorism" was used to justify the practice of torture by the State

Concerning **Spain**, the UN special rapporteur for the promotion of human rights and fundamental freedoms in the fight against terrorism, Martin Scheinin, urged the Spanish authorities to introduce a series of legal reforms. He expressed concern because he continued to receive complaints of torture and abuse from detainees suspected of terrorism. The rapporteur also urged the Government to put an end to the practice of holding people suspected of terrorism incommunicado. Finally, groups upholding human rights, parliamentarians and Martin Scheinin himself expressed serious concern over the vote by the House of Commons in the **United Kingdom** in favour of an amendment to the anti-terrorism bill making it possible to detain people suspected of terrorism for a maximum of 42 days without charge (until then the maximum had been 28). The law would only apply in cases involving a "serious and exceptional" terrorist threat. Meanwhile, the *Human Rights Report 2007* presented by the House of Commons in the United Kingdom in July explicitly recommended the Government of that country not to trust guarantees offered by the USA concerning the use of torture and it asked the United Kingdom to investigate the tactics used in interrogations run by United States personnel.²⁶

Finally, concerning the repression of opposition groups, the Government of **Niger** toughened its anti-terrorist legislation, increasing the powers of the security forces in order to fight more effectively and legally against the Tuareg rebellion led by the MNJ in the north of the country, according to its leaders. It also maintained the State of Emergency in the north of the country throughout the year. Meanwhile, the anti-terrorist struggle in **Sri Lanka** is, according to the Minorities Rights Group (MRG), leading human rights violations affecting the

Box 7.3. The UN Human Rights Committee and anti-terrorist measures in Europe

In July, the UN Human Rights Committee expressed its concern at the treatment given to terrorist suspects in **France** and the **United Kingdom**. It reported that in the latter country these people could be detained for up to 28 days without charges being brought, while in France they could be prevented from contacting a lawyer for the first 72 hours after arrest. The Committee indicated that this type of act is a violation of the International Covenant on Civil and Political Rights. It pointed out that, although the crime of terrorism does require the application of special measures, States which are parties to the Covenant must ask for permission for introducing exceptions when they are going to contravene articles of the Covenant. Under article 4 of the Covenant, Governments may make a declaration that, for a defined period and with limited purposes, they need to take special measures. In all cases when a State resorts to article 4, it is the task of the Committee to study whether the exceptional measures proposed are necessary and proportionate. The European Court of Human Rights, for its part, had already confirmed at the beginning of the year that the ban on deporting people to countries where they might run the risk of being tortured or abused is absolute and unconditional. It emphasised that this may not happen under any circumstances, not even under the threat of terrorism or amid claims of national security issues.

22. National Investigation Agency (NIA) Act and Unlawful Activities (Prevention) Amendment (UAPA) Act.

23. A simulation of drowning in which the victim's head is covered with a plastic bag and is submerged in a bucket of water.

24. See the section Opportunities for peace.

25. Amnesty International, *State of denial: Europe's role in rendition and secret detention*, AI, June 2008, at <<http://www.amnesty.org/es/library/asset/EUR01/003/2008/es/2ceda343-41da-11dd-81f0-01ab12260738/eur010032008eng.pdf>>.

26. The section of the report on torture specifically emphasised *waterboarding* and the declarations made by the USA in the sense that this practice did not constitute torture.

Tamil and Muslim minorities, as the Government's anti-terrorist laws give too much power to the Police to detain suspects.²⁷ The MRG deplored the fact that these measures are actually being used to arrest hundreds of Tamils and to harass minorities.

d) Analysis of indicators

Based on an analysis of Amnesty International's annual reports:²⁸ and Human Rights Watch,²⁹ (indicator no. 15), it can be concluded that very serious abuses concerning the right to life and personal safety were committed in 71 countries; torture and abuse were applied in 104; arbitrary detentions were carried out in 90 countries; deaths in custody occurred in 26 countries; the number of countries where there were extra-judicial executions amounted to 61 and there was a climate of total impunity concerning the human rights violations perpetrated in 92 States.³⁰

With regard to the human rights situation described by inter-governmental and international organisations, it must be highlighted that the EU made **declarations on human rights in relation to Afghanistan, Azerbaijan, Belarus, Colombia, China, Guatemala, Iran, Myanmar, DR Congo, Russia, Syria, Somalia, Sudan, Sri Lanka, Togo and Uzbekistan, among others.** The ninth *Annual report on human rights from the European Union* in 2007 includes the EU's assessment of these and other countries, as appears in indicator no. 16.³¹

Concerning the countries indicated in the reports of the special proceedings, resolutions and declarations of the **Human Rights Council (HRC)**, as well as the reports of the United Nations High Commissioner for Human Rights and the Third Committee of the UN General Assembly (indicator no. 17), the special reference to **Afghanistan, Burundi, Colombia, Guatemala, Haiti, Iran, Israel/Palestine, Liberia, Myanmar, Nepal, DR Congo, DPR Korea, Sierra Leone, Sudan and Uganda** should be highlighted.

During 2008, **the HRC adopted 72 resolutions, 35 decisions and four presidential declarations.**³² The Council also held three special sessions during 2008 on Israeli military incursions into the occupied territories, particularly the Gaza Strip (January); the effect of the world food crisis on the right to food (May) and

the human rights situation in eastern **DR Congo** (November). Concerning the latter, the Council condemned the human rights violations and abuses committed in Kivu, particularly sexual violence and the recruitment of child soldiers. Meanwhile, concerning that country, the HRC's decision not to renew the mandate of the independent expert was strongly criticised by international NGOs.

Finally, during 2008 the HRC established the **Universal Periodic Examination** in order to examine the obligations of the UN's 192 member States concerning human rights over four years. Those examined are chosen by lot. This procedure, which is an attempt to put an end to criticisms received by its predecessor body the Human Rights Commission, accused of examining only a small number of countries, was criticised by some NGOs, as Governments were not meaningfully consulting civil society.

At the end of 2008, 93 countries had abolished the **death penalty** and, according to Amnesty International, of the 59 countries retaining it, only 24 carried out executions in 2007 (indicator no. 18). 80% of the executions of which news had been received were carried out in five countries: **Saudi Arabia, China, the USA, Iran and Pakistan.** HRW deplored the fact that four countries (Saudi Arabia, Iran, Sudan, Pakistan and Yemen) were also responsible for the 32 **executions of children** carried out in the world since 2005. During 2008 there were also various significant events concerning the application of the death penalty such as the 13 executions by hanging in **Japan**³³ or the suspension of the penalty of death by stoning in **Iran.** In **Afghanistan**, the President, Hamid Karzai, rejected calls for the restoration of a moratorium on the death penalty. He declared that the Government would follow the interpretation of Islamic law that penalises certain crimes with capital punishment.

As a conclusion, and based on the valuation and weighting of these indicators and the trends observed at international level, a list has been drawn up indicating the countries with serious human rights violations. So, this report considers that **in 2008 serious human rights violations occurred in 60 countries.**

27. Minorities Rights Group, *State of the World's Minorities 2007*. Minorities Rights Group, 2007, at <<http://www.minorityrights.org/>>.

28. Amnesty International, *Informe 2008 Amnistía Internacional. El estado de los derechos humanos en el mundo. 2008*, AI, 2008, at <<http://thereport.amnesty.org/document/40>>.

29. Human Rights Watch, *World Report 2008*, HRW, 2008, at <<http://www.hrw.org/en/reports/2008/01/30/world-report-2008>>.

30. Both reports referred to events happening in 2007.

31. Council of the European Union, *Informe anual de la UE sobre los derechos humanos 2008*, Brussels, 27 November 2008, en <<http://www.consilium.europa.eu/uedocs/cmsUpload/st14146-re02.es08.pdf>>.

32. Appendix VIII includes the work of the Human Rights Council in detail.

33. During the review of Japan carried out by the UN Human Rights Council in May 2008, several States urged it to apply a moratorium to executions in accordance with the provisions of resolution 62/149 of the UN General Assembly. In 2008, 102 people were sentenced to death in the country.

Table 7.1. Countries with serious human rights violations in 2008

Afghanistan	Haiti	Saudi Arabia
Algeria	India	Somalia
Armenia	Indonesia	Sri Lanka
Azerbaijan	Iran	Sudan
Bangladesh	Iraq	Syria, Arab Rep.
Burundi	Israel	Thailand
Cambodia	Kenya	Tajikistan
China	Kyrgyzstan	Togo
Colombia	Laos, PDR	Turkmenistan
Côte d'Ivoire	Lebanon	Turkey
Cuba	Liberia	Ukraine
DR Congo	Libya	Uganda
DPR Korea	Mexico	UAE
Egypt	Myanmar	USA
Equatorial Guinea	Nigeria	Uzbekistan
Eritrea	Pakistan	Vietnam
Ethiopia	Palestine, N.A.	Yemen
Fiji	Peru	Zimbabwe
Georgia	Philippines	
Guatemala	Russia, Fed. of	

* Countries with armed conflicts in bold.

7.2. Transitional justice

Some outstanding aspects of 2008 concerning the negotiation of amnesties, some of the judicial mechanisms in progress in the area of transitional justice and the work of Truth Commissions and other investigation commissions are presented below. Indicator no. 19 refers to countries which have begun a transitional justice process.³⁴

a) The peace vs. justice debate: amnesties

During 2008, conversations continued over possible amnesty measures in the context of various peace-building initiatives, particularly on the **African continent**. This coincided with the communication by the

UN Legal Unit that although it is necessary to maintain a complex balance between peace and the end of impunity, amnesties are utterly unacceptable for certain crimes. Along the same lines, the ICC prosecutor, Luis Moreno Ocampo, insisted on the validity of the Court's arrest orders regardless of the advances and setbacks for peace negotiations on the African continent. He applied this principle to the investigations and proceedings begun in various areas in conflict on the continent.

Concerning this issue, one of the most important events throughout 2008 was the insistent demand by Joseph Kony, leader of the LRA, that the ICC should withdraw the arrest order against him and two of his lieutenants as an essential step prior to the signing of a peace agreement with the Government of **Uganda**. Despite this demand, the ICC reported that the arrest orders continued to be valid regardless of the peace process. Alongside this, the Parliament of **DR Congo** approved a law granting amnesty to all Congolese living in the country or abroad applying to all crimes committed by rebel groups in North Kivu and South Kivu since June 2003. Meanwhile, in **Central African Rep.**, the APRD armed opposition group and the Government reached a peace agreement at Libreville on 9 May providing for a general amnesty and the abandonment of legal investigations against APRD combatants.³⁵ The International Human Rights Federation (IHRF) strongly condemned this general amnesty. Subsequently in the same country there was a worsening of confrontations after the Government presented three amnesty bills that were very favourable to members of the current Executive, based on which the Inclusive Political Dialogue process was suspended in August. The amnesty was one of the *sine qua non* conditions for the establishment of this Dialogue. On 15 September, all parties agreed to relaunch the Dialogue, and they reached a new agreement on the terms of the amnesty at the end of the month. At the end of December the Dialogue was completed with the achievement of various agreements and about thirty recommendations, including the formation of a truth and reconciliation commission.

b) The International Criminal Court

The ICC has made considerable progress in its five years of operation, but it did not manage to hold any trials in 2008. The first one is due to take place at the beginning of 2009.³⁶ It must particularly be highlighted that the Court (ICC) was strongly criticised following the request presented in July by its chief prosecutor, Luis Moreno Ocampo, for the issue of an arrest

34. Transitional justice is understood to be the set of judicial and extra-judicial mechanisms established in societies in transition in order to confront a past of human rights violations and systematic abuses. The main transitional justice strategies are trials (international, mixed, hybrid or internationalised and traditional courts), reforming State institutions (security forces and public offices), seeking truth and historical clarification (official, unofficial, local and international commissions), reparations to victims (restitution, rehabilitation, moral/memory compensation and guarantees of non-repetition), as well as promoting reconciliation.

35. See chapter 3 (Peace processes).

36. Cases can be referred to the Court by a State Party to the Statute of Rome, the UN Security Council or on the initiative of the prosecutor (or the court itself).

order against the President of Sudan, Omar al-Bashir, on charges of genocide, crimes against humanity and war crimes.³⁷ According to the prosecutor, al-Bashir had implemented a plan against the Fur, Masalit and Zaghawa groups due to their ethnic origin. The prosecutor underlined that the President's plan was genocide. Moreno Ocampo maintained that the Armed Forces and *Janjaweed* militias, following al-Bashir's orders, attacked and destroyed villages and pursued those who took refuge in displaced persons' camps for five years. The prosecutor declared that the Sudanese president had mobilised the entire State apparatus, the Army and the militias for this purpose and that his control over the process was absolute. As a result of this request, the Arab League and the AU asked the UN Security Council to issue a resolution to suspend the legal action against the Sudanese Head of State.³⁸ For his part, Moreno Ocampo declared he was maintaining his independence and pointed out that political factors could not be taken into account. At the beginning of 2009, an ICC panel made up of three judges will decide whether it is appropriate to issue an arrest order against al-Bashir or whether the proceedings should be dropped because of lack of supporting evi-

The International Criminal Court (ICC) was strongly criticised following the arrest order against the President of Sudan, Omar al-Bashir

dence. al-Bashir is the first serving Head of State to face genocide charges.

Another particularly important event was the suspension in June of the proceedings against the first war crimes suspect before the Court, the former Congolese warlord **Thomas Lubanga**. Lubanga's trial was due to be the first held by the ICC and it was scheduled to begin in 2008. However, the judges indicated that a fair trial could not be guaranteed as the prosecution had concealed evidence from the defence. The fact that a procedural error had forced the suspension of the Court's first trial showed up the weaknesses — including procedural ones— of the system, but also indicated the Court's clear commitment to carrying out impartial trials with guarantees. At the end of the year, the ICC reported that the trial would begin again in January 2009. The significant arrests of Mathieu Ngudjolo Chui,³⁹ ex-leader of the FNI in **DR Congo**, and Jean-Lose Bemba Gombo, ex-vice-president of DR Congo accused of crimes against humanity and war crimes committed in the **Central African Rep.** between 2002 and 2003.⁴⁰ He is the first person arrested for war crimes in this country and the first high-profile suspect to appear before the Court.

Box 7.4. The International Criminal Court and the inconsistencies of an important historic landmark

The Statute of Rome which established the ICC came into force on 1 July 2002, after being ratified by the required 60 States (108 have now ratified it). The ICC can now judge crimes committed since 2002 and it has cases open in four African countries:⁴¹ Central African Rep., DR Congo, Sudan (Darfur) and Uganda and it has published more than ten arrest orders for war crimes and crimes against humanity. The majority of those accused are, however, on the run, as Government cooperation in arresting them is usually almost non-existent. The Court —undoubtedly a remarkable historical milestone— has, however, been subject to various criticisms. It is accused, for example, of focusing its activity too much on the African continent and still more on contexts of armed conflict, thereby obstructing the culmination of peace negotiations in particularly complex contexts. On several occasions its chief prosecutor has repeated that there can be no more impunity for people guilty of war crimes in Africa, not even when a peace process is in progress. This issue has been permanently present, for example, at the negotiating table with the LRA since the ICC, encouraged by the Government of Uganda, issued arrest orders against its principal leaders. The question of why certain arrests have been formally ordered rather than others for those facing the same criminal charge adds more elements to these criticisms, based on the Court's supposed need to maintain "good relationships" with some Governments in order to be able to operate in certain contexts.

Since it was set up, the ICC has managed to approach and report on its work with victims and public opinion in general and it has tried to develop a crucial role in witness protection, carrying out committed *in situ* investigations in situations of open armed conflict. However, the Court has also made important errors in its operation which have led, for example, to the suspension of the trial of Thomas Lubanga in June. The Court also regularly faces issues with particularly complex backgrounds, such as that generated by the arrest order in 2005 against the Ugandan Dominic Ongwen. He was forcibly recruited by the LRA at the age of 10, trained to fight, murder and mutilate and, because of his effectiveness and loyalty to the group, he was promoted during his 18 years in the bush to occupy a leading position in the LRA. Ongwen was accused of crimes against humanity and recruitment of children and was therefore the first person accused by the ICC of the same crimes of which he was also a victim. This case, which could also be relatively common in certain contexts, such as, for example, in Uganda

37. See chapter 3 (Peace processes).

38. Since the UN Security Council sent the Darfur case to the ICC in March 2005, al-Bashir's Government has rejected the jurisdiction of the Court and has declared that its judicial system is sufficiently capable and impartial to judge crimes at national level. The member countries of the UN Security Council can suspend the work of the institution for a year if nine votes can be achieved in favour of a resolution requesting this.

39. Ngudjolo is accused of having planned and carried out the massacre committed at Bogoro in the north-east of the province of Ituri in the DR Congo, in February 2003, and as a result is facing three charges of crimes against humanity and six of war crimes, including sexual slavery and the use of child soldiers. He is the third Congolese in ICC custody after Thomas Lubanga Dylilo and Germain Katanga.

40. See chapter 1 (Armed conflicts).

41. The Prosecutor's Office is analysing situations on three continents. Afghanistan, Chad, Colombia, Côte d'Ivoire, Georgia and Kenya.

(with a total of 66,000 children recruited) raised the ethical and legal question of whether a child victim of an armed conflict should be judged for crimes he has also been a victim of, and what his legal status is with regard to the jurisdiction of the ICC. This discussion is significant in that the way the dilemma between victim and perpetrator is managed can give rise to impunity or the mistaken allocation of responsibilities.

In July 2008, the issue of the influence of the ICC on conflicts and the subsequent peace processes became more important due to the application for an arrest order against the President of Sudan, Omar al-Bashir. The Sudanese Government warned that this judicial action would undermine the peace process in Darfur and recalled that the country did not recognise the ICC's authority. Meanwhile, the victims in the refugee camps welcomed the decision of international justice with visible jubilation. For his part, the UN Secretary General Ban Ki-moon showed himself to be very concerned over the impact this accusation could have on peace-keeping operations, humanitarian work and the negotiating process. Other voices even demanded that the prosecutor's activities should be subordinated to political negotiations. In the face of these criticisms, arguments were also put forward to defend the prosecutor, Moreno Ocampo: it was the UN Security Council itself that ordered these investigations and it is also clear that political efforts to resolve the conflict have not been successful over the past five years. This has led, for example, to considerable delays and complicated negotiations in order to establish the UNAMID peace mission, whose deployment is still partial. Finally, and despite such exacting discussions, the issue need not, perhaps, have been considered so important due to the difficulty in carrying out the detention order. This, ultimately, calls into question the true effectiveness of the Court, which always requires the political cooperation of Governments in order to arrest suspects. All these issues indicate that the Court has, perhaps, not been able to or known how to handle the expectations raised by its establishment. In any case, the dilemma between peace and justice should not impede the consideration of peace, justice and the need for reconciliation as a whole, and the true potential for peace represented by these three objectives acting simultaneously.

c) *Ad hoc* International Criminal Courts

The **International Criminal Court for Rwanda** (ICCR) continued to pass sentences against those responsible for the 1994 genocide, leading to important arrests at the end of 2008.⁴² Its work was also marked by the approaching end of its mandate. In this sense, ICCR prosecutor Hassan Bubacar Jallow asked the UN Security Council for an extension in order to be able to complete all the trials, as the arrest of several Rwandan genocide suspects would prevent the court completing several first-instance cases in 2009. A resolution adopted unanimously by the UN Security Council in December expanded the number of judges *in extremis*, so that the pending trials could be completed and new ones even carried out.⁴³ Another subject of controversy was the signing of an agreement between the Government of Rwanda and the ICCR so that people sentenced by the court could complete their sentences in Rwanda. The agreement was received with strong protests from ICCR detainees who alleged that their transfer could result in a *de facto* death penalty. Amnesty International urged the ICCR not to carry out these transfers because of a lack of impartiality and fairness in the Rwandan judicial system.

The International Criminal Court for the former Yugoslavia (ICCY) confirmed the arrest of former president Radovan Karadžić

In Europe, the **International Criminal Court for the former Yugoslavia (ICCY)** confirmed the arrest of two particularly important fugitives:⁴⁴ the Bosnia Serb **Stojan Ćupljanin** and the ex-president of the self-proclaimed Serbian Republic of Bosnia and Herzegovina (now the Srpska Republic of Bosnia and Herzegovina) **Radovan Karadžić**, in June and July respectively. Concerning the latter, in 1995, the ICCY issued an arrest order for war crimes and genocide, including the Srebrenica massacre and the siege of Sarajevo. His arrest near Belgrade 13 years later appears to correspond to the pressure the EU had been putting on the Government of Serbia for several months.⁴⁵ Several Governments praised Serbia, except for Russia, which

called the impartiality of the court into question and called for Western leaders also to be placed in the dock for the NATO bombings in the country. Meanwhile, in Sarajevo, the Srebrenica Mothers' Association declared that justice would finally be done. The ICCY has about fifty cases outstanding, but the top priorities of its prosecutor Brammertz are to arrest the other two principal fugitives, Ratko Mladic and Goran Hadžićs.⁴⁶ Meanwhile, some Serbian leaders clashed with the Court based on the acquittal of the former prime minister of Kosovo and ex-commander of the Kosovo Liberation Army Ramush Haradinaj. According to the Serbian Gov-

42. This court was set up by the UN Security Council in its resolution 955 of 8 November 1994 to try those allegedly responsible for the genocide and other serious violations of International Humanitarian Law committed in Rwanda and neighbouring territories between 1 January and 31 December 1994.

43. S/RES/1855 19 December 2008 at <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1855\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1855(2008))>.

44. This court was set up in 1993 under Security Council resolution 827⁴⁵ 25 May 1993 to pursue the people responsible for serious International Humanitarian Law violations committed in Yugoslavia from 1991 onwards. The Security Council has powers to extend the ICCY's mandate.

45. In April, Serbia signed a stabilisation and association agreement with the EU, the first step towards its membership, but the EU negotiated that it would not come into force until Belgrade cooperated fully with the ICCY. The handover of war criminals was the condition the EU imposed for future membership.

46. Sources within the ICCY claim that Ratko Mladic, Karadžić's military leader, is being monitored by the Serbian secret services and his capture depends on a political order. Goran Hadžić, the leader of the Serbs in Croatia (in Krajina) is accused of deporting and murdering Croats in Vukovar.

Box 7.5. Responsibilities for the genocide at Srebrenica

In September 2008, a Dutch court decided that the UN could not be declared responsible for the failure of its peace-keeping forces with respect to the prevention of the genocide at Srebrenica. 6,000 claimants were suing the UN and the Dutch Government in the District Court at The Hague. They alleged that the Dutch peace-keeping forces had failed to protect their families from the massacre perpetrated in 1995, which took place in an area declared safe by the UN. The District Court of The Hague indicated that the UN's immunity—appearing in its founding charter—prevented a national court from any country holding the organisation liable. However, the blue helmets were under the orders of the UN and not of the Dutch Government. The claimants announced they would appeal against the decision and that they could take the case to the European Court of Human Rights, arguing that the Dutch court should have withdrawn the UN's immunity given the seriousness of the case. International jurists pointed out that if the decision was revoked it would open the door to other courts being able to legally question the negative effects of UN peace-keeping missions in the future. It must be highlighted that international courts—both the ICC and the ICJ—had classified the events occurring in Bosnia as genocide.

ernment, this decision calls the legitimacy of the Court into question, but it declared that it had not found conclusive evidence. Concerning the acquittal of the Muslim Bosnian commander Naser Oric, the President of Serbia, Boris Tadic, declared that it was also a scandal and would not contribute to ethnic reconciliation. In this case, too, a UN Security Council expanded the number of judges for the Court to ensure its work could be carried out before the end of its mandate.⁴⁷

d) Mixed, hybrid or internationalised courts

Concerning the **United Nations Special Court for Sierra Leone** at the beginning of the year, and delayed by six months, the trial of the ex-president of Liberia, **Charles Taylor**, the first African Head of State tried for crimes against humanity before an internationalised criminal court, began again.⁴⁸ His lawyer declared that the trial was merely political and added that the defence team was very small and was being subjected to many restrictions by the prosecution. Stephen Rapp, the Court's chief prosecutor, pointed out at the end of the year that, since January, approximately 50 witnesses had appeared before the court testifying that on several occasions Taylor ordered and instigated war crimes and provided arms in exchange for diamonds. The trial is due to end in July 2009, when the defence has also presented its case.⁴⁹ Rapp also reported that the court had passed the first guilty verdicts in history for **the recruitment of children**.

In 2008, the **United Nations Special Tribunal in Cambodia**⁵⁰ continued the procedures necessary for judging the five main leaders of the Khmer Rouge, despite continuing obstacles from the Government in the fight against impunity.⁵¹ Most of them are in preventive custody awaiting trial, despite their efforts to be freed. Concerning Kaing Guek Eav, alias "Duch", it must be

pointed out that his trial, the first to be held in September 2008, was delayed until the beginning of 2009 following an application presented by the prosecutors to include new charges against him.

Finally, three important events that marked the work of this court in 2008 should be highlighted. The first is the possibility that, for the first time in history, victims could participate as a civil party with rights during the proceedings in a tribunal charged with investigating war crimes, crimes against humanity or genocide. According to the regulations, they enjoy rights including participation in investigations, having legal representation, calling witnesses and formulating questions to the defendant. The second concerns the serious problems of the court's independence and the problems of its prosecutor, Chea Leang, in trying more suspects, as demanded by the international prosecutor, Robert Petit. These are inspired by the Prime Minister, Hun Sen, a former Khmer commander. Finally, it must be highlighted that, concerning the tribunal's financial difficulties, the German Government announced in October that it was going to give greater financial support to the Tribunal. It became the second biggest sponsor after Japan and thereby averted the serious economic difficulties based on the fact that the tribunal had become discredited among donor countries, which accused it of lacking independence.

Concerning the **Special Court for the Lebanon**, set up to judge those responsible for political assassinations, particularly that of the former prime minister Rafiq Hariri, the UN Secretary General, **Ban Ki-moon**, reported at the end of the year that the implementation phase had begun following the completion of the preparatory stage (including the signing of an agreement with the Netherlands to host the judicial proceedings and the selection of judges and a prosecutor). The Secretary General also reported that it was due **to come into oper-**

47. S/RES/1849 12 December 2008 at <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1849\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1849(2008))>.

48. Taylor was accused of 11 crimes against humanity, including murder and mutilation of the civilian population, the kidnapping of women and girls as sex slaves and the use of children as combatants.

49. In 2006, the Security Council authorised the holding of the trial in The Hague for security reasons and last year an agreement was reached with the British Government under which Taylor would serve his sentence in the United Kingdom if found guilty.

50. This court was set up in 2003 to judge the senior leaders of the Khmer Rouge for serious human rights violations committed between 1975 and 1979. It is made up of Cambodian and foreign staff and judges.

51. They include Ieng Thirith (former social security minister), Khieu Samphan (former head of state), Nuon Chea (number two in the regime) and Kaing Guek Eav, alias "Duch", governor of prison S-21, considered to be the biggest Khmer Rouge torture centre.

ation on 1 March 2009. Ban Ki-moon declared that the launch of this Special Court would contribute to eradicating impunity, and he added that he was confident the Security Council would back the agreed plan. Along these lines, the UN will not publish the names of the twenty or so people allegedly involved in Hariri's murder. Instead, the names will be handed to the Special Court prosecutors, who will analyse the evidence.

e) Truth Commissions and other investigating commissions

The most important advances and setbacks in 2008 concerning commissions seeking the truth and other investigating commissions are detailed below.

Table 7.2. Comissions de la Veritat i altres comissions: avenços i retrocessos del 2008

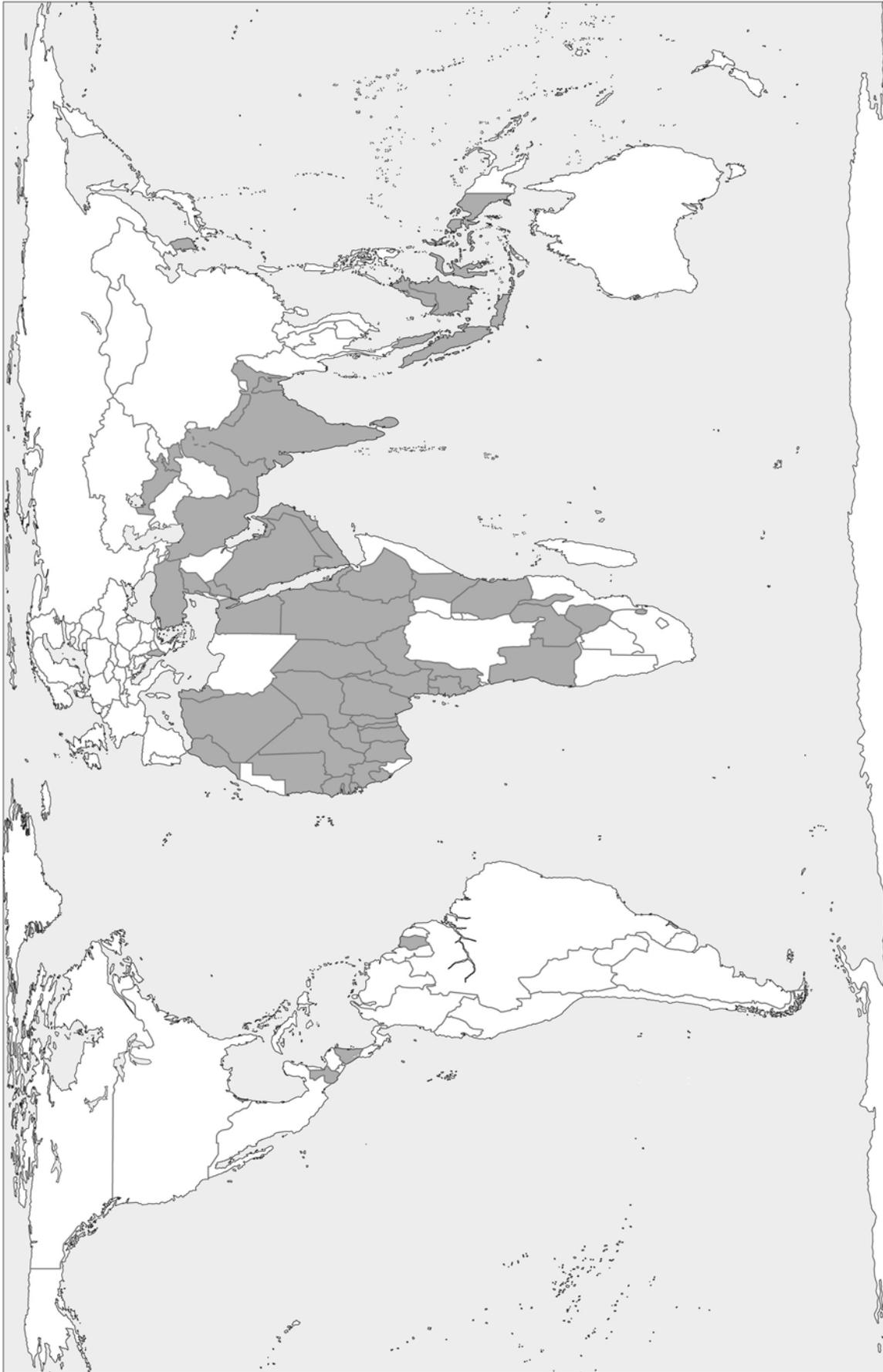
Liberia	At the beginning of 2008, the Truth and Reconciliation Commission for Liberia (2006) began its hearings again concerning the atrocities committed between 1979 and 2003. They had been interrupted because of lack of funds. Many Liberians who attended the first public sessions expressed confusion over the true significance of these hearings, considering that those responsible were not going to be tried. ⁵² Meanwhile, Amnesty International, showed concern in July for the policy of granting general immunity to people providing information. Meanwhile, during 2008 the Commission complained that some people in the Government, acting individually, were attempting to frustrate its work. Finally, on 30 November the Commission published a list with the names of 198 suspects, drawn up from the declarations made by the victims and from investigations carried out by the Commission. This came in a context in which the Government had not yet taken any measures to judge those responsible, and had not set up any protection programme for victims and witnesses. The current President of the country, Ellen Johnson-Sirleaf, pointed out by some witnesses as having played an important role in the 15 years of conflict, finally did not appear before the Commission in December.
Timor-Leste	The Government of Indonesia accepted the final report of the Truth and Friendship Commission finally presented in July. This concluded that the Indonesian Army was responsible for the serious human rights abuses perpetrated by the militias it armed and financed in 1999 in the context of the holding of the referendum on independence in Timor-Leste. According to the final report, the Indonesian Army knew that systematic attacks were taking place against the civilian population of Timor-Leste, including murders, rapes, torture and forced disappearances, and despite this it continued to arm and organise the militias. The report also pointed out that the pro-independence groups in Timor-Leste committed serious human rights violations. In the report, the Commission recommended that both Governments should express their regret and should apologise for the violence caused. Although for the moment the two Governments have ruled out taking legal action against the military and civilian officials mentioned in the report, the former president of Indonesia, Abdurrahman Wahid, declared that his country should continue investigating the possible establishment of an international war crimes court. For his part, José Ramos-Horta, President of Timor-Leste, stated that his country would not request the establishment of an international court because, in his opinion, justice must also be restorative. Victims and human rights groups in Timor-Leste appealed to justice and demanded compensation, because they considered that an apology was not sufficient. The Commission was strongly criticised by human rights organisations but, after the completion of its work, some NGOs such as HRW indicated that the report was independent and credible. At one time Indonesia did establish a special court to judge those responsible for the crimes committed in 1999, but it acquitted all the senior Army leaders.
Kenya	In October, Kenyan Parliament approved the establishment of a Truth, Justice and Reconciliation Commission to investigate the human rights violations committed between 12 December 1963 and 28 February 2008. It announced that those accused of genocide and other serious human rights violations would not obtain an amnesty. The establishment of the Commission is one of the recommendations of the National Committee for Dialogue and Reconciliation which was set up to study the causes of the post-electoral violence. This was attributed to unresolved historical injustices, such as the distribution of land and State resources, and to alleged human rights violations perpetrated by previous Governments and political leaders. The Commission will have Kenyan and foreign representatives. The Commission is intended to recommend the trial of suspects and the forms of reparation to victims. It will also be responsible for providing a forum for reconciliation. In the section on economic crimes, the commission can also investigate cases of corruption and the illegal export of natural or public resources. Amnesty International declared that some sections of the law were contrary to international regulations and that it did not include an effective, long-term programme for victims and witnesses. Concerning the clauses on amnesties, HRW declared that they were not consistent with the obligations undertaken by Kenya under international law.

52. The Commission began its work in 2006 and, although it cannot pass judgment, it can recommend that charges be brought against guilty parties. Since it was set up, the Commission has made an effort to hold hearings in Monrovia and other cities and it is due to hear the testimony of approximately 5,000 victims and suspects.

Central African Republic	The Inclusive Political Dialogue (IPD) was completed in December with the achievement of various agreements and about thirty recommendations, including the formation of a broad Government, the holding of free, open elections, and the establishment of a committee to monitor and supervise the agreements signed and a truth and reconciliation commission.
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Other Truth Commissions (in preparation or under discussion)

Burundi	In October, the UN Secretary General, Ban Ki-moon, presented a report indicating that there had been no progress in the establishment of a Truth Commission or a Special Court in the country. According to the agreement signed in November 2007 between this body and the Government, consultation should have been carried out before 28 March 2008. As a response, the Government appointed two national directors to support this consultation. At the end of 2008, it was planned that the consultation, with an estimated cost of a million dollars, could be carried out after January 2009. According to the Government, this was an attempt to involve the Burundian population in the country's national reconciliation process, collecting their opinion concerning the mechanisms of transitional justice.
Former Yugoslavia	In September, three NGOs —Document, from Zagreb; Research and Documentation Center, from Sarajevo, and the Humanitarian Law Center, from Belgrade— announced the establishment of a Commission for the former Yugoslavia charged with establishing the facts of what happened during the wars that afflicted the country. The Regional Commission for Establishing the Facts about the War Crimes in Former Yugoslavia is intended to compile information collected by the NGOs and the ICCY and to act as a forum for victims. International experts and some NGOs from Bosnia and Herzegovina expressed doubts about this project. Bosnian victims' organisations also fear that the initiative will not prosper, but they agree that it is very important to try to find out the truth.
India (Jammu and Kashmir)	The Intra-Kashmir conference urged the establishment of a Truth and Reconciliation Commission for the Jammu and Kashmir region, including Kashmir controlled by Pakistan. The Commission would have the same characteristics as the one set up in South Africa and would examine the atrocities committed by the Indian Army in Kashmir and the position of militants or Ikhwanis who gave themselves up. It would also record acts of violence perpetrated against citizens of Kashmir.
Nepal	The law for the establishment of a Truth and Reconciliation Commission concerning the serious human rights violations perpetrated both by the Government and by the Maoists during the armed conflict of February 1996 to November 2006 continued to be paralysed during 2008, largely due to the appointment of a new Government. This law, revised on several occasions due to a series of disagreements concerning the granting of amnesties to those responsible for war crimes, was criticised by human rights experts and by the Conflict Victims' Society for Justice Nepal (CVSJNI). Specifically, it could recommend the granting of amnesties even if those responsible had committed serious human rights violations or crimes against humanity. However, the bill denied amnesty to people who had been involved in any kind of murder committed after they had taken military powers, in any event perpetrated in a cruel or inhumane way or if they had used rape as a weapon of war.
Togo	In March, the Head of State, Faure Gnassingbé, carried out consultations at national level for the establishment and implementation of a truth and reconciliation commission in Togo, which would bring to light the crimes committed in the country since 1958 and study ways of compensating the victims. This mechanism was included in the Overall Political Agreement signed on 20 August 2006 in Ouagadougou, Burkina Faso, by the political class and civil society of Togo.
Uganda	In July, academics and civil organisations suggested the establishment of a law on truth and reconciliation that would allow Uganda to recover from the post-war situation and open itself up for development. This law would form part of the "Beyond Juba" project and its aim would be to find formulas to achieve peace and reconciliation once the peace process had been satisfactorily completed. Among other things, the law establishes the creation of a national truth committee on which members of the UPDF and the LRA would publicise what they had done and would be pardoned once they had admitted their errors. It would also be intended to contribute to discovering the causes leading to the war in northern Uganda, although the events occurring at the end of the year in the area postponed any advances in this sense.



■ Countries with serious gender inequalities

8. Gender dimension in peace-building

- The situation of women in terms of gender equality was serious in 67 countries and especially serious in 34. In 12 of these countries there is one or more armed conflicts.
- During 2008, there were many reports about the use of sexual violence as a weapon of war in various armed conflicts and post-war rehabilitation processes, particularly in DR Congo, where the figures were alarming.
- The UN Security Council passed resolution 1820 on sexual violence in armed conflicts.
- The UN Secretary General issued recommendations to strengthen the application of resolution 1325 on women, peace and security, highlighting the sending of Security Council missions to investigate violence against women and the approval of national action plans.
- Several women's organisations and civil society expressed their caution following the announcement of the beginning of peace processes with Taliban militias in Afghanistan and Pakistan because of the consequences a possible agreement between these groups could have for women's rights.

This chapter analyses the various initiatives being carried out by the United Nations and various international organisations and movements concerning peace-building from a gender perspective.¹ This gender perspective makes it possible to show up the differentiated impacts of armed conflicts on women and men, as well as the degree to which both participate in peace-building, the way this is achieved, and the contributions women are making to this process. The chapter is structured in three main blocks: the first reviews the world situation concerning gender inequality through the analysis of the Gender Equality Index; secondly an analysis is made of the gender dimension in the impact of armed conflicts, and the third section is devoted to peace-building from a gender perspective. At the beginning of the chapter, a map is attached indicating the countries with serious gender inequalities.

8.1. Gender inequalities

The **Gender Equity Index (GEI)**² (indicator no. 20) **measures gender equality based on three dimensions: education (literacy and registration for all educational levels), economic activity (income and activity rates) and empowerment (participation in elected and officer positions)**. The importance of this indicator lies in the fact that it is one of the few not limited simply to disaggregate information by sex. Instead it analyses the information based on the unequal relationships established between men and women; that is, by being a gender-sensitive indicator.³

1. Gender is the "category that underlines the cultural construction of sexual difference; that is, the fact that the different behaviours, activities and functions of men and women are culturally constructed rather than biologically determined. The gender perspective alludes not only to the analytical potential of this category but also to its political potential to transform reality. From this viewpoint, gender is not only a tool for analysing the position of women in the world, it is also a political proposal in as much as it requires commitment to the construction of equal, just gender relations." Murguialday, C. "Género" in Hegoa, *Diccionario de acción humanitaria y cooperación al desarrollo*, 2000, Icaria. The definition offered by the Office of the United Nations Special Adviser on Gender Issues and the Advancement of Women points out that "gender refers to the social attributes and opportunities associated with being a man or a woman and relationships between women and men, boys and girls, as well as relationships between women and relationships between men. These attributes, opportunities and relationships are socially constructed and learned in the process of socialisation. They are specific to a context and time and they can change. Gender determines what is expected, permitted and valued in a woman or in a man in a given context [...]" <<http://www.un.org/womenwatch/osagi/conceptsanddefinitions.htm>>.
2. Devised by Social Watch <<http://www.socialwatch.org>>.
3. While statistics disaggregated by sex provide factual information about the position of women, a gender-sensitive indicator provides direct evidence of the status of women compared to a particular standard or reference group—in this case, men. Schmeidl, S. and Piza-Lopez, E., *Gender and Conflict Early Warning: A Framework for Action*, International Alert, 2002, at <<http://www.international-alert.org/women/publications/EWGEN.PDF>>.

Table 8.1. Countries with serious gender inequalities

Countries with a GEI of between 50 and 60*		
Albania	<i>Iran</i>	Suriname
Algeria	<i>Kenya</i>	<i>Syria</i>
<i>Angola**</i>	Korea, Rep.	Swaziland
<i>Bangladesh</i>	Malaysia	<i>Tajikistan</i>
Burkina Faso	<i>Mali</i>	Tanzania
Cape Verde	Malta	<i>Timor-Leste</i>
Ethiopia	<i>Nicaragua</i>	United Arab Emirates
Gabon	Qatar	<i>Uzbekistan</i>
Ghana	Sao Tomé and Príncipe	Vanuatu
<i>Guinea</i>	Senegal	Zambia
<i>Indonesia</i>	Sri Lanka	<i>Zimbabwe</i>

Countries with a GEI of less than 50		
Bahrain	Guatemala	Pakistan
Benin	<i>Guinea-Bissau</i>	Palestine***
<i>Cameroon</i>	India	São Tomé and Príncipe
Central African Rep.	Jordan	<i>Saudi Arabia</i>
Chad	<i>Lebanon</i>	Sierra Leone
<i>Congo, Rep.</i>	Malawi	Sudan
<i>Côte d'Ivoire</i>	<i>Mauritania</i>	Togo
<i>Djibouti</i>	<i>Morocco</i>	Tunisia
<i>Egypt</i>	<i>Nepal</i>	Turkey
Equatorial Guinea	<i>Niger</i>	Yemen
<i>Eritrea</i>	Nigeria	
Gambia	Oman	

* The GEI establishes a maximum value of 100, which would indicate a position of full equality. The number 60 has been taken as a reference because it is the world average.

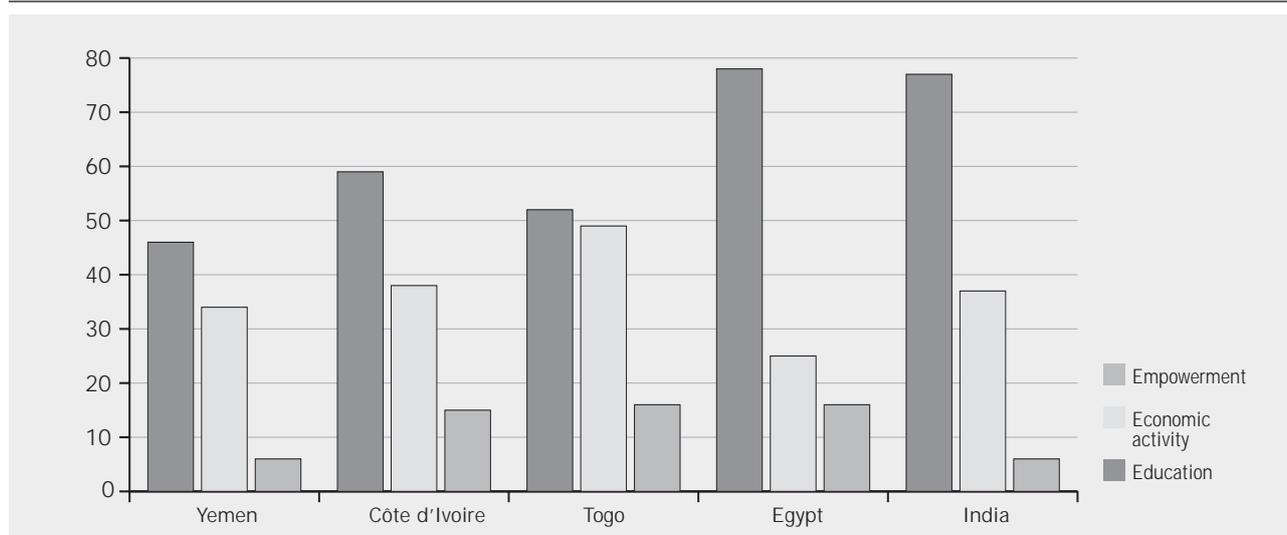
** Countries with one or more active armed conflicts are in bold and the countries with one or more active tension are in italics.

*** In the report by Social Watch, Palestine appears under the name of Gaza and the West Bank.

Although the GEI does not cover all facets of gender equality, it does make it possible to show that **the position of women is serious in 67 countries and especially serious in 34.**⁴ It must be added that, according to the data compiled in this indicator **no country in the world has achieved full gender equality**, although there are countries that have achieved equality in the educational dimension. The analysis obtained by cross-referencing the data from this indicator with that from countries in an armed conflict situation reveals that 12 of the countries in this serious gender inequality situation are going through one or more armed conflicts. It should be pointed out that, for six of the countries where there is one or more armed conflict, there is no gender equality data. This means that 17 of the 30 armed conflicts active during 2008 are in countries where there are serious gender inequalities and that eight of these conflicts are taking place in contexts where there is no data available in this respect. So, **77% of armed conflicts for which there is gender equality data took place in contexts of serious inequality.** In five countries where there was one or more armed conflict, the gender equality figures do not cross the thresholds for a serious situation established in this report. This situation would coincide with the thesis maintained by some authors when they note that gender inequality in a country raises the probability that it might suffer an internal armed conflict.⁵

In addition, in 31 of the countries with serious inequalities there was one or more situations of tension. This means **44 of the 80 tensions active during 2008 occurred in countries where there were serious gender inequalities, representing 55% of tensions.** Meanwhile, eight of the countries which have experienced a deterioration in their GEI position since 2004 are carrying

Graph 8.1. Countries with the worst GEI in 2008



Source: Self-created based on the GEI 2008.

4. The responsibility of this classification falls on the author of this study, not on Social Watch.

5. Caprioli, M., "Gender equality and state aggression: the impact of domestic gender equality on state first use of force" at *International Interactions*, vol. 29, issue 3, pp. 195-214, 2003 and Caprioli, M., "Primed for violence: the role of gender inequality in predicting internal conflict" in *International Studies Quarterly*, vol. 49, no. 2, pp. 161-178, 2005.

out a post-war rehabilitation process,⁶ which demonstrates that, on many occasions, the gender dimension and the struggle against inequality and discrimination are not a priority when armed conflicts end, and that the end of these conflicts often leads to a worsening of women's living conditions.

8.2. The impact of violence and conflicts from a gender perspective

This section looks at the gender dimension in the conflict cycle, particularly concerning violence against women. Armed conflicts are phenomena with a hugely important gender dimension. Firstly, a gender analysis helps to dispel the traditional view of armed conflicts as neutral realities, calling into question whether the genesis of armed conflicts is independent of the power structures, in gender terms, existing in a particular society. Secondly, from this perspective, serious doubts are also raised over statements that attempt to homogenise the consequences of conflicts without taking into account the gender dimension and gender inequalities.

a) Sexual violence as a weapon of war and violence against women in war contexts

Sexual violence is a widespread weapon of war throughout almost all armed conflicts currently in progress. Its use demonstrates an intention to cause an impact on the social fabric of communities affected by these war crimes, as well as doing harm that is not easy to repair to the women who suffer it. Throughout 2008 there were many reports about the use of sexual violence, both in contexts of armed conflict and political and social tension. Meanwhile, it must be highlighted that this year there have also been various international initiatives to tackle this violence, attempting to put an end to it and to punish its use in war contexts. These will be analysed in the second part of this section.

In **DR Congo**, the increasing severity of the armed confrontations in the last few months of the year also led to an increase in the already high levels of sexual violence. In 2007 the country had already been described by some humanitarian organisations as one of the worst places in the world to be a girl or a woman. The United Nations and various NGOs estimate that hundreds of thousands of women and girls have been victims of such violence since the armed conflict began. Concerning the figures for 2008, in the first six months of the year 3,500 women complained of having suffered sexual violence in the two Kivu provinces. This could rep-

No country in the world has achieved full gender equality

resent about 10% of the total cases, as this is normally the percentage reported. The UN Secretary General's annual report on women, peace and security includes the fact that three out of every four women in Kivu North have been raped.⁷ DR Congo

also shows how the fight against this kind of violence cannot only be carried on through law reform. Although such reform is important, specific political actions are necessary. The toughening of legislation against sexual violence in the country in 2006 has not resulted in a drop in the number of aggressions nor has it brought about a reduction in impunity, because the majority of these crimes are not reported or punished.

Meanwhile, there have been reports over the use of sexual violence in contexts of political violence, such as **Zimbabwe**. Here, during the course of the elections and the electoral campaign, many women in rural areas were victims of sexual violence, according to local NGOs. Those responsible for these abuses were members of the Armed Forces, veterans of the national liberation war and members of the ZANU-PF ruling party.

Various organisations in **Sierra Leone** reported that, eight years after the end of the armed conflict in the country, in which sexual violence was widely used as a weapon of war, rape could be reaching figures higher than those recorded during the conflict.⁸ The highest rates of sexual violence against women are taking place in the areas with the greatest presence of former combatants. The organisations working to provide support to the victims indicated that a large number of the perpetrators are people who, in turn, were victims of this violence during the course of the armed conflict, when they were children. According to some organisations, sexual violence is becoming an endemic and omnipresent phenomenon in the country. In **Côte d'Ivoire**, a year after the end of the armed conflict, an increase in sexual violence has also been recorded, particularly in the west of the country. In **Liberia**, a country which has also been through a post-war rehabilitation process, sexual violence was the most commonly reported crime, particularly rapes of girls aged between 10 and 14.

In the **Central African Rep.**, a country in armed conflict, reports of increasing sexual violence were repeated, particularly in the north of the country, an area affected by the armed violence. According to the United Nations, this violence is having a particular impact on the internally displaced population and on women who have taken refuge in Chad as a result of the armed conflict, as well as on children. The United Nations pointed out that 1,000 women who had survived sexual violence received care between the end of 2007 and the beginning of 2008. This figure demonstrates the seriousness of this situation, because presumably the number of women who had been victims of

6. They are Angola, Congo, Côte d'Ivoire, Eritrea, Indonesia, Lebanon, Sierra Leone and Sudan, countries where the armed conflict has ended since 1998.

7. Report S/2008/622 of 25 September 2008 <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2008/622>>.

8. The United Nations estimates that 64,000 women were raped during the course of the armed conflict which the country went through between 1991 and 2002 <<http://www.stoprapenow.org/>>.

this violence is much greater than the number of those who have received care.

The situation in **Burundi**, where although there is no open armed conflict at the moment, the country is the scene of a tension as a result of the armed conflict that occurred until 2006, should be highlighted.⁹ The rate of violence against women, and particularly sexual violence, was very high during the conflict and this has persisted since. The UN Secretary General recognised in one of his reports on the country published during 2008 that an increase in the number of rapes had been recorded over the last few months.¹⁰ The majority of victims of this violence are underage girls, as 60% of rape victims are aged under 16, according to the organisations Amnesty International and ACAT. In addition, the number of cases of sexual violence perpetrated by a family member close to the victims is increasing.

The organisation Ruta Pacífica de Mujeres in **Colombia** presented the study *Las violencias contra las mujeres en una sociedad en guerra: un atentado contra su integridad y su cuerpo* (Violence against women in a society at war: an attack on their integrity and their bodies) which analyses the attacks committed against the women of Colombia and highlights that the number of attacks reported is much lower than the number of attacks committed. La Ruta Pacífica indicated that the State does not have a national information system making it possible to systematically collect details of attacks on women. NGOs complained that, despite the fact that six out of every 100 Colombian women had been the victim of sexual aggression; the figures used by official bodies were much lower.

Meanwhile, the NGO Save the Children published a report including the sexual abuse committed by United Nations peace-keeping personnel and those of other UN agencies and NGOs against children in armed conflict contexts.¹¹ The research involved hundreds of children in Sudan, Côte d'Ivoire and Haiti, and it shows the vulnerability of these children, who face serious difficulties when they attempt to report what has happened, as well as a lack of care and assistance. Save the Children noted the lack of leadership and action by the international community to put an end to such abuse.

Concerning initiatives in the international sphere, two measures must be particularly highlighted. Firstly, the adoption of UN Security Council resolution 1820 on sexual violence in conflicts.¹² Secondly, the call made

by the International Criminal Court (ICC) to collect 10 million euros intended to provide care for two million victims of sexual violence as a result of armed conflicts in Africa.

Concerning the first of these initiatives, **in June the UN Security Council debated and passed a resolution on sexual violence in conflicts** put forward by the USA Government.¹³ The adoption of this resolution and its discussion in the Security Council occurred as a result of the growing social and institutional debate on the need to put an end to this war crime, whose use has been documented in practically all current armed conflicts. Resolution 1820 recognises that the civilian population is the principal victim of armed conflicts, and that women and girls are particularly affected by sexual violence which can come to be a tactic of war, persisting even after the end of hostilities. The resolution indicates that the use of sexual violence can contribute to exacerbating armed conflicts. It therefore requires all parties to put an end to its use without delay and to adopt rapid measures to protect civilians, particularly women and girls. It also requests that such violence should be excluded from the provisions of amnesties in peace processes and it urges countries participating in peace-keeping missions to increase the level of training for their contingents to provide a response to this violence.

Secondly, the appeal launched by **the International Criminal Court (ICC) to collect 10 million euros intended to provide care to two million victims of sexual violence as a result of armed conflicts in Africa should be highlighted**. The ICC pointed out that sexual violence against women and girls was the most frequent form of crime and that rape has become a weapon of war intended to propagate ethnic cleansing. The money collected will be devoted to rehabilitation for victims in northern Uganda, DR Congo, Central African Rep. and Sudan (Darfur) and will be managed by the Trust Fund for Victims.¹⁴ Its aim is to make reparations to the victims of genocide, war crimes and crimes against humanity. The Trust Fund for Victims indicated that the money will be devoted to financing physical and psycho-social rehabilitation projects for victims, as well as community work to prevent stigma and discrimination against them and to vocational training projects to ensure their access to the job market. Acts of rape, sexual slavery, enforced prostitution, forced pregnancy and other forms of sexual violence constitute war crimes and crimes against humanity,¹⁵ as they are serious violations of the Geneva Conven-

The ICC pointed out that sexual violence has become a weapon of war intended to propagate ethnic cleansing

9. See chapter 2 (Tensions).

10. Report S/2008/330 of 15 May 2008 at <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2008/330>>.

11. Save the Children, *No one to turn to*, Save the Children, 2008 <http://www.savethechildren.org.uk/en/docs/No_One_to_Turn_To.pdf>.

12. S/RES/1820 (2008) at <[http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1820\(2008\)](http://www.un.org/Docs/journal/asp/ws.asp?m=S/RES/1820(2008))>.

13. For more information about this issue, see the section Opportunities for Peace and Barómetro 17, April-June 2008 <<http://www.escolapau.org/img/programas/alerta/barometro/barometro17.pdf>>.

14. The Trust Fund for Victims is an institution acting in the places where the ICC has jurisdiction, providing care for the most vulnerable victims of genocide, war crimes and crimes against humanity.

15. Concerning sexual violence, the ICC's Statute of Rome establishes that a crime against humanity will be understood as "any of the any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: [...] Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity" (article 7), and a war crime will be considered as: "Committing rape, sexual slavery, enforced prostitution, forced pregnancy, [...], enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions" (article 8).

tions, so the ICC will promote support to the victims of crimes committed in areas under its jurisdiction. In response to the call issued by the court, Denmark pledged to set aside 500,000 dollars to begin this fund.

The decision by the Government of **Liberia** to set up a special court to judge cases of sexual violence and violence against women operates along similar lines. Sexual violence was one of the most widespread crimes during the armed conflict that affected the country from 1989 to 2003. However, with the end of the conflict, the sexual violence and impunity have persisted. This has led some women's organisations, such as the Association of Female Lawyers of Liberia, to lead a campaign for the establishment of this court.

b) Domestic violence against women in war contexts

Throughout the year, there were reports about the serious impact domestic and family violence is having on the women of several countries which went through or have recently gone through an armed conflict.

The forum on gender violence in **Sri Lanka**, made up of various local and international organisations and the United Nations, deplored the fact that at least 60% of the women in this country had suffered domestic violence, abuse which has been gradually increasing. Women living in the areas affected by the armed conflict in the north and east of the country and those living in accommodation built after the tsunami and in institutions like orphanages and detention centres were most affected by this violence. The forum indicates that the most common forms of violence were rape, rape within the family, sexual harassment and sexual violence in general, including forced prostitution and human trafficking.

In **Afghanistan**, the United Nations indicated that reports of domestic violence had increased by 40% since March 2007, which does not necessarily imply that there had been an increase in this violence. Nevertheless, various organisations have pointed out that there was an increase in such violence as a result of the growing culture of impunity establishing in the country, the weakness of institutions in enforcing compliance with existing legislation, the increase in poverty and other factors. The British organisation Womankind Worldwide complained in a report that 80% of Afghan women were affected by domestic violence, that 60% of marriages were forced ones and that half of girls are forced to get married before they are 16.¹⁶ Womankind Worldwide pointed out that, despite the rhetoric on

women's rights generated to justify the armed intervention by the USA and other countries in Afghanistan in 2001, as well as that concerning their emancipation, there has been no tangible change in the situation for the moment.

These cases reflect the inter-relations between armed violence in the context of conflicts and violence against women in the family and domestic sphere. Although it is true that violence against women in the home is a phenomenon of global dimensions, affecting a large number of women throughout the world, the existence of an armed conflict leads to the exacerbation of this domestic violence. Figures such as those for Afghanistan and Pakistan, countries where 80% of women could be affected by domestic violence, provide evidence of this situation.

In **Uganda**, research carried out by the Commission for Legislative Reform revealed that, of a total of 6,000 people surveyed, 92% recognised that there were different forms of domestic violence in their communities, especially in the areas of the country most affected by the armed conflict. The lack of specific legislation on domestic violence and certain traditional customs providing cover for such violence could contribute to its high prevalence.

A factor of considerable importance when it comes to analysing domestic violence is the presence of small arms in the home.¹⁷ This issue was tackled during the Third Biennial Meeting of States as part of the United Nations Action Programme on Small Arms. The NGO network IANSA highlighted the **close link between civilian possession of small arms and the high level of violence against women in the home**. It stated that the small arms policies which best guarantee the protection of women are those that regulate the acquisition and possession of this type of weapon in the domestic sphere. IANSA reported that women are 12 times more likely to die because of domestic violence when there is a weapon in the home.¹⁸ In addition, legal firearms are the ones most often used in domestic homicides in many countries. The legislation on domestic violence and the possession of firearms has been harmonised in countries like Australia, Canada, South Africa and Trinidad and Tobago in order to prevent people who have committed domestic violence possessing weapons.

c) Peace-keeping operations

Peace-keeping operations are one of the international community's main instruments for establishing peace in some of the armed conflicts currently occurring. Per-

16. Womankind Worldwide, *Taking Stock – Afghan Women and Girls Seven Years On*, Womankind Worldwide, 2008, at <<http://www.womankind.org.uk/upload/Taking%20Stock%20Report%2068p.pdf>>.

17. For further information on this issue, see Barómetro 18, July-September 2008, at <<http://www.escolapau.org/img/programs/alerta/barometro/barometro18.pdf>>.

18. International Action Network on Small Arms, *Prevenir la violencia armada contra las mujeres en el hogar*, IANSA, 2008, at <<http://www.iansa.org/women/documents/PrevenirViolenciaHogar.pdf>>.

haps as an example of blindness to the gender perspective as one of the fundamental dimensions that should characterise peace-building, the majority of peace-keeping missions have not incorporated this analysis and working tool. This is despite the fact that many of these missions do have a gender adviser. In addition, over the last few years, the fact that the staff of these missions have often been responsible for acts of sexual violence and exploitation against the local population has been widely deplored. This shows the long way ahead before the gender perspective is fully incorporated in these circumstances.

Concerning such accusations, it must be highlighted that there were **new reports that personnel from the United Nations mission in DR Congo, MONUC, were responsible for cases of exploitation and sexual abuse.** Members of the Indian military contingent were subject to an investigation after preliminary inquiries found indications of guilt. MONUC has repeatedly been subject to these reports. Some of them were made against mission personnel deployed in the province of North Kivu. This is particularly serious as this province has been the scene of many cases of sexual violence as a result of the armed conflict, both by the armed opposition and the country's security forces.

The United Nations mission in Liberia (UNMIL) pointed out that, during 2007, there was a considerable reduction in the number of reports against its personnel for sexual abuse, compared to the previous year. The mission showed its determination to investigate any report and to publish the results of the investigations. Meanwhile, the contingent made up entirely of Indian police-women was renewed. The UN secretary general's special representative for the country, Ellen Margrethe Løj, highlighted the role played by this police unit. She pointed out that its presence served to encourage the integration of women into the Liberian police force. In addition, its role in attention to cases of sexual and gender violence against women and children was highlighted.

Finally, the holding of a high-level conference organised by UNIFEM and the Rwandan Armed Forces must be highlighted. This issued a declaration urging an increase in the recruitment of women into peace-keeping operations. It also called for the strengthening of training on gender issues for all members of such missions and the adoption of more measures aimed at promoting a policy of zero tolerance of sexual abuse and exploitation by United Nations personnel. Meanwhile, in January, a meeting was held of all gender advisers and focal points in United Nations peace-keeping missions. It noted progress made and highlighted the challenges still facing this type of mission. In terms of advances, it was highlighted that increasing numbers of women are win-

ning elections, there is more legislation on sexual and domestic violence and on rights of inheritance, and support is being given to the recruitment of more women for security forces. Outstanding challenges include transforming international directives into actual practice and confronting resistance on gender issues on the part of mission staff themselves.

8.3. Peace-building from a gender perspective

This section analyses some of the most outstanding initiatives for incorporating the gender perspective into the various areas of peace-building.

a) The international peace and gender agenda 2008

In September, the UN Secretary General presented his report on women, peace and security, in accordance with the provisions of resolution 1325, approved by the UN Security Council, which requires him to monitor this issue every year.¹⁹ Among the main conclusions of this report, the statements concerning the consequences of armed conflicts for women and girls must be highlighted in the first place. The report indicates that **women and girls continue to represent the majority of victims of armed hostilities** and that the destruction of economies and social structures as a result of armed conflicts has a particularly serious impact on them.

The destruction of economies and social structures as a result of armed conflicts has a particularly serious impact on the women

A large part of the debate on this issue in the Security Council, as well as the presidential statement issued in the special session on women, peace and security, focused on the issue of women's participation in all phases of peace processes. **The chairperson of the Security Council urged the Secretary General to appoint more women as envoys and special representatives.** Meanwhile, the NGO Working Group on Women, the Peace and Security urged the Security Council not to recognise peace processes carried on without the participation of women, in the same way that on other occasions it had expressed its disapproval of amnesty agreements contravening international law. The appointment of a senior adviser on gender issues to the Department of Political Affairs was also requested. Given the crucial role played by this United Nations department in the development of peace processes, the absence of a gender infrastructure is particularly serious, as it makes it difficult to incorporate this perspective in the peace processes it is supporting.

19. Report S/2008/622 of 25 September 2008 <<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2008/622>>.

Box 8.1. Measures proposed by the Secretary General to strengthen the application of 1325

In the 2008 report on the implementation of resolution 1325, the UN Secretary General made the following proposals in order to achieve the full application of this resolution:

1. Ensuring that the needs and concerns of women are integrated into the drafting of conflict prevention strategies and early warning measures.
2. Guaranteeing that the Security Council is ready to send assessment missions where sexual violence is perpetrated or its use is encouraged as a tactic of war or as part of a generalised or systematic attack against the civilian population.
3. The Security Council should remind the warring parties in armed conflicts that they are responsible for protecting women. It should also focus its attention on preventing and eradicating this violence, including selective sanctions against people or parties in conflicts that commit generalised or systematic acts of sexual violence.
4. The Security Council should increase its use of the Arria formula²⁰ or similar provisions for consultations with NGOs or women's groups concerning the situations of individual conflicts in their programmes.
5. National commitment and capacity to apply resolution 1325 must be strengthened through action plans and national and regional strategies.
6. Member States should support the strengthening of the United Nations' capacity to include the gender perspective in all peace and security spheres and to dedicate sufficient resources for these purposes.
7. Prioritising women's leadership and access at all levels and processes for adopting decisions on the establishment and consolidation of peace and post-war rehabilitation and development.
8. All measures intended to prevent and eradicate sexual and gender violence should be intensified, including the use of more systematic tactical and operational responses in peace-keeping forces and United Nations humanitarian aid programmes and by protecting women in situations of displacement and broader strategies to tackle the impunity of those responsible for sexual abuse.
9. Systematically integrating the gender perspective into the reform of the security sector and the rule of law.
10. Promoting cooperation and collaboration with regional organisations in order to make a more significant contribution to the achievement of the objectives of security and equality for all.
11. Inter-governmental bodies should strengthen their mandates and increase resources for peace-keeping operations to prevent sexual and gender violence in conflicts and post-war processes.
12. Women's needs in societies emerging from conflict situations should be systematically assessed. Finance should be allocated for specific purposes and the accountability of donors and governments to women should be improved.

b) The gender dimension in peace processes

This section will analyse some important events in three contexts in which peace processes have occurred, either in an incipient or consolidated form: the cases of Afghanistan, Pakistan and Nepal.

During 2008, preliminary talks began with armed Taliban organisations in **Afghanistan** and **Pakistan**. The analysis of these processes from a gender perspective takes on particular importance as this gender dimension has been one of the key issues in the course of the armed conflicts that have affected the two countries, with the Taliban militias confronting various armed and political agents. In the case of Afghanistan, the issue of women's rights and their role in society has been

central in the armed conflicts the country has undergone, and they have set the political agenda. Some authors note the role this issue has played at various points in history, particularly in the nineties, with the establishment of the Taliban regime, in which rules of behaviour for women and restrictions on their rights were the central element of this fundamentalist movement's policy.²¹ The international military intervention led by the USA after the attacks of 11 September 2001 was impregnated with the gender dimension. This was because one of the elements initially used by the international coalition, and particularly the Executive of George W. Bush, to legitimise and justify it was the need to protect the rights of Afghan women, which had been seriously violated by the Taliban regime.

20. This formula allows representatives of countries that are not members of the Security Council or important figures to take part in informal meetings with members of the Security Council, without breaching this body's rules

21. Moghadam, V., "Patriarchy, the taleban, and politics of public space in Afghanistan" in *Women's Studies Forum*, Vol. 25, no. 1, pp. 19-31, 2002.

So, the announcement by the Afghan Executive during the last months of 2008 of the beginning of contacts with the Taliban and the desire to begin a formal negotiation process means that an approach is necessary from a viewpoint taking into account the impact these negotiations and any possible peace agreement with the Taliban militias might have on the position of women in the country and on the already serious gender equality situation. Although peace processes and negotiations appear as the main route for ending armed conflicts,²² these processes must not become legitimisers and perpetrators of certain social orders that deprive women of enjoying their rights and developing their capabilities, as could happen should the Taliban become incorporated into power in Afghanistan.

Along these lines, **some Afghan women's organisations expressed their alarm in the face of the possible results of peace negotiations with the Taliban, some of whose members could come to form part of the Government of the country.** Given the history of women's human rights during the regime led by this group²³ this is a warning that should not be ignored by the international community. No peace agreement receiving the blessing of the

international community should involve the legitimisation of the women's exclusion or of discriminatory practices involving a violation of their fundamental rights.

A similar situation to the one in Afghanistan occurred in neighbouring **Pakistan**, where, in April, the Pakistani government signed a peace agreement with the Pakistani Taliban insurgents led by Maulana Fazlullah in the Swat area (North-West Frontier Province). Under this, the Government agreed to impose *Sharia* in the area in exchange for the Taliban insurgents giving up armed actions. Despite the fact that the agreement reached established that the Taliban would allow women to carry out their duties at work, the fear of the imposition of a certain interpretation of *Sharia* led various civil society organisations to express their concern over the signing of this agreement. As part of the seminar "Peace: At What Cost? A Civil Society Perspective", some of these organisations pointed out that the agreement was signed ignoring public opinion. They expressed their rejection of it, pointing out that it included elements that discriminated against women, such as inheritance rights. These organisations also expressed their concern over the signing of an agree-

Box 8.2. The gender agenda in peace processes

Peace processes appear to be the most frequent way of putting an end to armed conflicts, at least in the last few years. Under these processes an attempt is made to put an end to armed violence and to lay the basis for reconstructing societies that have been affected by war and violence. Recently, as a result of the synergy occurring between the feminist movement and the impulse provided by the United Nations, the gender dimension in armed conflicts has become increasingly recognised. So, the literature attempting to analyse this dimension in the various elements and phases constituting armed conflicts has multiplied. Alongside this, some agents directly involved, particularly in the area of development cooperation and peace-building, have developed practices and policies that have notably, although still in an incipient way, tried to integrate the gender perspective as a tool for analysis and action. Traditionally, peace processes have been presented as "neutral" social processes in which the gender dimension is not important. However, this dimension is a notable one and evidence of this has been provided in the way peace processes have developed: peace process excluding women based on agendas ignoring the women's needs and suggestions, together with gender inequality. This situation has served to perpetuate discriminatory and patriarchal norms, policies and practices in post-war societies.

However, peace processes are unique opportunities to achieve deep social transformations in societies that have suffered armed conflicts, including those relating to the position of women. There are basically two ways of integrating the gender perspective into these processes. The first and most widely accepted is direct participation by women in these processes, although the actual reality of peace processes shows that the presence of women is still rare. However, such participation by women is no guarantee that the negotiations will tackle issues affecting gender equality. To date it has been women's organisations which have been the main promoters of agendas covering these issues. So, for a peace process to incorporate the gender perspective the presence of women is insufficient and a second way is required, involving changes in negotiation agendas. If peace processes and agreements are considered from a reductionist perspective, as spaces whose only purpose is to put an end to direct violence and confrontation, the incorporation of the gender perspective is unnecessary. But if, on the other hand, the aim is to tackle the causes of armed conflicts and transform the conditions that made them possible, the integration of the gender perspective is essential.

Peace processes therefore require, firstly, the presence of women for the purposes of justice and the struggle against exclusion and discrimination. But, alongside this, it is necessary to transform the debates and discussions accompanying these

22. See chapter 3 (Peace processes).

23. The oppression of Afghan women was basically characterised by their exclusion from public areas. It was exclusion not only in symbolic terms, as their active participation in these areas was banned, but also a physical exclusion. Their presence in the streets was prevented and they were confined to their homes, as they could not go into public areas if not supervised by a man. After the Taliban took Kabul, a series of decrees was approved imposing serious restrictions on women's freedom of movement, association and participation in public life. They also banned schooling for girls and almost entirely shut off job opportunities for women. In addition, health services for them were banned if care was not provided by women, whose access to jobs in the sector was tremendously restricted.

processes, so that the results are provided with more democratic content. This statement is not intended to maintain that gender can explain or provide an answer for all the issues that arise and are dealt with in the context of a peace process. It merely notes that the gender perspective makes it possible to have a more complete view of conflict and to visualise different proposals to transform the violence affecting its deep-lying causes.

ment with those responsible for the deaths of innocent civilian populations, declaring that this agreement would also serve to consolidate extremism in the region.²⁴

Meanwhile, throughout 2008 the peace process in **Nepal** and the implementation of the peace agreement reached in 2006 continued, with the formation of new institutions and large-scale legislative reforms, particularly the drafting of a new Constitution. These circumstances could be particularly fertile for the development of reforms which could put an end to the gender inequality present in many areas of the political, social, cultural and economic life of the country. It is therefore time to properly identify the main challenges and the demands made by women's organisations for carrying out these reforms.

One of the main challenges noted by the various women's organisations that have been involved in the peace process in the country is the repeal of discriminatory legislation. Amnesty International points out that in 2007 there were still 118 applicable discriminatory provisions in 54 different laws. Discriminatory legislation is one of the main obstacles perpetuating the denial of full citizenship to Nepali women. Because of this, its reform or repeal should be one of the first measures adopted by the Government. The laws that have excluded women have served to legitimise political, social and cultural practices, attitudes and behaviours that have impeded the full development of

women's capabilities. In addition, they have served to normalise issues such as violence against women, their lack of access to private property and failings in terms of personal autonomy, perpetuating the dependence and infantilisation of Nepali women by denying them the exercise of full citizenship. So, putting an end to discriminatory legislation and beginning new legislative development that would safeguard and promote the exercise of women's human rights is an urgent requirement.

Another area to which more attention must be paid so as not to generate new exclusions in the post-war rehabilitation process concerns the reform of the security sector. The number of women combatants is a significant one and, because of this, regardless of the decisions finally adopted —integration of the two Armies, integration of the Maoist combatants in other State security forces, reintegration into civilian life—²⁵ it is important that women's specific needs are taken into account. Meanwhile, the risk of stigmatisation for the women who have taken up arms during the armed conflict must be highlighted. There are many social prejudices against these women, whose crossing of the dividing line between the public and the private and the assignment of tasks involved in this sexist division goes beyond the limits of what is socially acceptable. This risk of stigmatisation means there could be self-exclusion from the benefits that could be obtained in the security sector reform processes, as has happened in many similar processes in other countries. This,

Box 8.3. Women's participation in the Constituent Assembly of Nepal

The political situation in Nepal over the next few years will be marked by the work of the Constituent Assembly, resulting from the elections held in spring 2008. It is intended to be capable of laying the basis for refounding the country, underpinned by democracy, equality and justice. So, one of the first challenges would be to configure more inclusive, democratic institutions that better represent the plurality of the country, not only in terms of the sex-gender axis, but also putting the ethnic plurality of the country and the existence of many excluded population groups at the centre of the design of public policy.

Meanwhile, and in order to guarantee that women's participation in politics is effective, a process of empowerment and training of future women parliamentarians to ensure that their presence in these institutions is a substantial one is needed. It must be pointed out that one of the complaints formulated by many women who have taken part the 2008 elections as candidates is that they are not supported by their own political groups and that their participation as candidates has been more of a response to legal requirements than the result of a true political will to establish significant gender agendas. So, although it is true that the quota policy might mean an initial boost to promote the presence of women in deeply hostile contexts, it is also a fact that such a presence can be stripped of all content if the parties do not recognise the importance of women taking an active part in politics. However, it must be pointed out that the results of the elections to the Constituent Assembly have been relatively favourable to this presence of women. 33.22% of seats will be occupied by women, a figure slightly higher than that established by the Interim Constitution, which indicated that women's representation must be 33%. So, although they are fewer in numerical terms, their presence will be an appreciable one.

24. For more information on this issue, see chapter 8 (Gender) of Barómetro 17, April-June 2008 <<http://www.escolapau.org/img/programas/alerta/barometro/barometro17.pdf>>.

25. Strictly speaking, reintegration into civilian life does not form part of the reform of the security sector, but this element was thought to be worth noting because of its close links with this sphere.

then, is a group to which particular attention must be paid to ensure equality and non-exclusion.

A priori, two basic issues should be taken into account. Firstly, ensuring that women combatants have equal access to all opportunities or benefits that might be offered to promote either integration into the Armed Forces or other security bodies or their reintegration into civilian life. So, the requirements established must not be exclusive, discriminatory or insensitive to gender inequality. Secondly, the reform of this sector must be designed taking into account the special needs of women—not only combatants but also civilians.

When talking about security, violence against women is a very important element. More than a third of Nepali women have suffered domestic violence,²⁶ which also represents a high percentage of the total violence suffered by women in the country.²⁷ In fact, this is one of the first elements noted by women's organisations when they mention the main challenges the country must tackle in the post-war rehabilitation process. This issue must therefore be tackled urgently, as these high rates of violence have tremendous consequences for the lives and health of women and are a serious obstacle to exercise of the rights of citizenship. They also perpetuate the submission and confinement of a large number of women in the private sphere.

c) The reintegration of women combatants

The incorporation of the gender perspective into disarmament, demobilisation and reintegration (DDR) processes is very recent and has basically focused on the disarmament and demobilisation phases, which are the ones that have received greatest attention, both from the local agents involved in these processes and the international community. Experiences of reintegration processes for former combatants that have incorporated the gender perspective are therefore very scarce. However, from the analysis of the way this perspective has been applied in the few existing experiences and in other phases of DDR, and based on the many reflections made on how the gender perspective should be incorporated into peace-building processes in a broader sense, some useful ideas can be extracted for designing reintegration processes that take the gender perspective into account.

Working from a gender perspective in peace-building processes involves starting from a fundamental basic premise. Armed conflicts have different impacts on men and women as a result of the gender structure present in all societies. It must be pointed out that the importance of carrying out DDR processes—specifically reintegration ones— from a gender perspective does

not lie merely in the benefit this may involve for individual women participating in this process. Incorporating the gender perspective in any of the stages making up a peace-building process may result in an improvement in the position of women in general. This means it is important to establish a link between policies and specific projects and the desire to carry out larger-scale social transformations to promote gender equality in a particular society.²⁸

Meanwhile, a fundamental premise should be the consideration of women as a plural group, with different needs and interests and in different situations as a result of their age, their ethnic group, their social origin, family circumstances or the rural or urban context they live in or come from, among other issues. So, the homogenisation of women as a group should be avoided when it comes to designing reintegration strategies, and the plurality of the situations and capabilities of demobilised women should be taken into account. It is important to bear in mind the huge variety of tasks carried out by women within armed organisations, which may range from active participation in combat to tasks linked to sustaining these groups, such as cooking, nursing and logistics. It should also not be forgotten that women members of armed organisations have sometimes been victims of sexual exploitation.

The processes to reintegrate former combatants should be designed in such a way that they do not exclude women in their development. For many women, reintegration implies a return to a society still governed by strict rules and rigid gender structures which, in many cases, contrast with their experience within the armed organisations.²⁹ Despite the fact that these usually maintain sexist patterns in their organisation in the majority of cases, it is also true that the reality of armed conflict and the internal organisational needs of these groups could have given rise to more egalitarian relationships. This is shown by the very fact that women have had the chance to participate actively in one what are traditionally highly masculinised organisations. So, the return to a situation in which women are confronted by situations of discrimination, especially in economic spheres and the area of social participation, can be particularly traumatic for them. **Women combatants can suffer stigmatisation as a result of transgressing of the social roles socially assigned to men and women** as part of their active participation in combat or their joining an armed organisation.³⁰ Meanwhile, and particularly in the case of women occupying important posts within these organisations, their return to civilian life and the loss of the status occupied during the armed conflict can also be a source of frustration.

Any reintegration process requires the proper identification of the people who will benefit from it. It must be

26. Sharma Paudel, G., "Domestic Violence against Women in Nepal" in *Gender Technology and Development*, Vol. 11, no. 2, pp.199-233, 2007.

27. Dhakal, S., "Nepalese women under the shadow of domestic violence" in *The Lancet*, Vol. 371, no. 9612, pp.547-548, 2008.

28. Schroeder, E. *Multi-country Demobilization and Reintegration Program (MDRP) Gender Desk Study*, World Bank, 2005.

29. Farr, V., *Gender-aware disarmament, demobilization and reintegration (DDR): a Checklist*, UNIFEM, October 2008, at <http://www.women-warpeace.org/webfm_send/1614>.

30. Bouta, T., *Gender and Disarmament, Demobilization and Reintegration. Building Blocs for Dutch Policy*, Conflict Research Unit, Netherlands Institute of International Relations "Clingendael", The Hague, 2005.

Box 8.4. The importance of the family and community environment in women's reintegration processes

So that a reintegration programme can properly incorporate the gender perspective, it must not be aimed exclusively at combatants, but rather also at their families and dependents. A reintegration policy that does not take this personal and family environment into account can end up utterly excluding women, as it can lead them to give up the aid or benefits of the programme in order to care for the people they are responsible for. Reconciliation of family life and employment must be one of the cornerstones of this process, taking account of the diversity of family situations demobilised women can find themselves in. Meanwhile, it is important that reconciliation policies do not reinforce women's reproductive role, multiplying the burden they take on when joining the job market while accepting their family responsibilities. These processes can therefore serve to promote greater awareness among men of the need for an equitable division of tasks between men and women.

Meanwhile, reintegration must take account not only of the immediate environment of the demobilised person but also the whole community into which this person is to be reintegrated, in order to avoid generating new conflicts and social divisions and to prevent the worsening of feelings of grievance. The civilian population of a particular community that has suffered the consequences and impact of an armed conflict can harbour feelings of hostility towards the demobilised people if they receive material or social benefits in exchange for their demobilisation and, by contrast, the community does not directly benefit. So that social imbalances or situations of injustice are not generated, it is important that the community can benefit directly from reintegration processes. This means community-based reintegration projects where ex-combatants, host communities and other sectors of civilian society, like NGOs, take part in the design can facilitate reintegration and an improvement of the living conditions of the population that has been the victim of an armed conflict. Reintegration processes that do not include the community can contribute to an increase in the stigmatisation of women ex-combatants and can lead to an increase in violence against women, if the community perceives that they are receiving benefits to the detriment of others.

pointed out that **some women tend to exclude themselves from collective demobilisation processes before the aid phase for combatants begins.**³¹ This occurs for various reasons which must be taken into consideration to ensure that all women who wish to do so receive the same support as other combatants in their reintegration process. As already indicated, the fact of having been a combatant or having been a member of an irregular armed group can lead to stigmatisation for some women. For this reason, and to avoid being identified as such, some women exclude themselves from these processes. Meanwhile, particularly in cases when women have dependents, if these processes are not carried out quickly enough, some women opt to seek means of subsistence by themselves, without waiting for these to be provided for them. It must also be added that, on many occasions the presence of women in an armed organisation is made invisible, which also makes it much more difficult for them to access reintegration processes. So, in order to ensure women's inclusion, an exhaustive identification of those who could be included must be carried out, as well as specific information campaigns aimed at former combatants or associates of armed groups.

Meanwhile, **it is important that reintegration processes do not imply a step back for women in achieving certain rights, economic autonomy or independence in decision-making.** They must therefore be encouraged to put into practice the knowledge and skills developed in activities not necessarily normally considered feminine. Reintegration programmes must ensure that a sexist

division of this work is not perpetuated, relegating women to professional sectors considered traditionally feminine and, consequently worse paid and socially less well thought of.³² Economic reintegration programmes must have the basic objectives of putting an end to women's economic dependence and contributing to their emancipation. In addition, economic reintegration projects must prevent ghettos of ex-combatants and dependents being created and forced into situations of poverty or the unofficial economy. These people must not be pushed into carrying out unpaid jobs or those with excessively low salaries which could lead to them seeking forms of subsistence that promote marginalisation or participation in black economy activities.

31. Bouta, *Ibid.* and Farr, *op. cit.*

32. Oza Ollek, M., *Forgotten females: Women and girls in post-conflict disarmament, demobilisation and reintegration programs*, McGill University, Montreal, 2007; Farr, *op. cit.*

Conclusions

The conclusions from the eight chapters making up this report are collected together here. **31 armed conflicts were recorded in 2008 and 30 of them remained active** at the end of the year (the war between Russia and Georgia started and finished in 2008). Although the total number of armed conflicts is practically the same as the previous year (30), it must be pointed out that the 2008 list includes three new cases —India (Nagaland), Pakistan (Baluchistan) and Russia (Ingushetia)— and does not include three conflicts that ended in 2007: Côte d'Ivoire, Palestine (confrontations between Fatah and Hamas) and Lebanon (Naher al-Bared). **By far the majority of armed conflicts in 2008 happened in Asia (14) and Africa (nine), while the remainder took place in Europe (four), the Middle East (three), and America (one).** In all cases, without exception, the State was one of the contending parties in the dispute. Apart from the international conflicts between Georgia and Russia, and Israel and Palestine, **half of the conflicts were internationalised internal (15) and almost the other half (14) were internal.**

Although the number of reasons for an armed conflict to break up may vary, it is clear that **almost two out of every three conflicts (19 out of 31) largely concern identity-related aspirations or demands for greater self-government.** There are another 16 cases in which the principal incompatibility is linked to opposition to a particular Government or to the political, economic, social or ideological system of a State. In five of these cases —Iraq, Chad, Central African Rep, DR Congo (east) and Somalia— several armed groups are fighting to take over or erode central Government. Meanwhile, in seven of the 11 cases in which opposition to the system was one of the main causes of the conflict, several armed groups were seeking the creation of an Islamic State or were accused of maintaining links with the Al-Qaeda network —Algeria, Afghanistan, Philippines (Mindanao-Abu Sayyaf), Iraq, Pakistan (north-west), Russia (Chechnya), Russia (Ingushetia) and Yemen. In the three remaining cases —Colombia, Philippines (NPA) and India (CPI-M)— the insurgent groups were pursuing the establishment of a social, political and economic system. Finally, in another four cases —Iraq, Nigeria (Niger delta), DR Congo (east) and Sudan (Darfur)— control of resources was one of the important causes of the dispute, although many other conflicts were also fuelled or heightened by control of resources or territory.

In terms of intensity, **in 10 cases —Afghanistan, Chad, Colombia, Iraq, Israel-Palestine, DR Congo (east), Pakistan (north-west), Somalia, Sri Lanka, Sudan (Darfur)— very high levels of violence were recorded, generating a figure of many more than 1,000 deaths, although in some cases, like Iraq, Sri Lanka or Somalia, this figure is much higher.** Medium intensity was recorded for almost half the conflicts (13), while the remaining eight —India (Nagaland),

Philippines (Mindanao-Abu Sayyaf), Philippines (NPA), Myanmar, Central African Rep., Russia (Chechnya), Russia (Ingushetia) and Yemen— showed low intensity. As for development, in 14 out of the 30 conflicts active at the end of the year there was an increase in hostility compared to the previous year; in nine cases the conflict situation did not show significant changes and a reduction in violence was recorded in seven cases: India (Assam), India (CPI-M), Iraq, Myanmar, Central African Rep., Thailand (south) and Yemen. To sum up, generally speaking the conflict situation worsened noticeably in comparison to 2007.

At the end of 2008, 80 tension scenarios could be counted. Compared to the previous year, the situation in countries such as Mauritania, where a coup d'état in August returned the country to a past situation of instability; Nicaragua, because of the electoral fraud protests formulated by the opposition; and the instability in the republics of the northern Caucasus, among others, contributed to an increase in the number of crises at a world level. At the same time, the reduction in levels of violence compared to the previous year in one context made it possible to cease to consider it as an armed conflict, although tension remained high. This was the case with the internal dispute in Palestine, where the confrontations between Fatah and Hamas included sporadic but intense episodes of violence. In geographical terms, **tensions mainly concentrated in Africa (27) and Asia (25),** and there were 14 situations of tension in Europe. In America and the Middle East there were seven tension scenarios in each zone.

As observed over the last few years, the trend was for **the majority of tension situations to be markedly internal.** 68% were dominated by agents from the country itself, while 15%, although they were internal, were characterised by having elements of internationalisation. In several cases this was due to the presence and active role of international missions in the territory. The others (17%) were international tensions; that is, they involved two or more States. The majority were concentrated in Africa (54%). Concerning the factors causing the tensions, all of them **were due to multiple factors, with opposition to government policy standing out as the main element leading to instability.** In 43% of cases, government action generated political and social opposition movements. In the majority of cases there were also armed movements confronting the authorities with the aim of achieving or eroding power. In many contexts, this generated mass protests, as in Bolivia, where the position of the President came into conflict with that of the authorities in the eastern districts, or in Thailand, where weeks of demonstrations and police charges led to the resignation of two prime ministers. Finally, more than a third of tensions (40%) were of low intensity, while 40% stood at medium levels and 20% at high ones.

As regards peace processes, **the analysis of 70 negotiation processes which took place in conflict or tension situations makes it possible to record that 58 of them (83%) have open dialogues or formal peace negotiations.** Regardless of their positive or negative evolution, this represents a significant and hopeful figure and, despite the difficulties, it reaffirms the historical trend that the vast majority of conflicts came to an end at a negotiating table and not with the military victory of one of the parties. The countries where there is still no negotiation with armed groups (or where this has broken down) are Angola (FLEC), Niger (MNJ), Ethiopia (ONLF), Chad (UFR), Algeria (OQMI), Colombia (FARC and ELN), Philippines (Abu Sayyaf), India (ICC-M), Sri Lanka (LTTE), Turkey (PKK) and Chechnya (various militias). Except for the first two cases (unresolved conflicts which are not classified as "armed conflicts"), the remaining 10 conflicts are of greater intensity and are considered to be armed conflicts.

Generally speaking, peace processes have encountered many difficulties during 2008. In 30% of cases, the negotiations have gone well or have ended satisfactorily. In a similar percentage, the negotiations have gone badly, which, together with the 12 cases where there have been no negotiations, makes 40% of failed cases. **It should be pointed out, however, that six disputes (Benin – Burkina-Faso, Burundi, Kenya, Colombia (ERG) and the internal conflict in the Lebanon) have been resolved, and that the TMVP has been demobilised in Sri Lanka.** On the other hand, most crises points arose in negotiation processes, so the "temperature of peace" has continued to drop during the last five years. The main reasons for crises to come up include problems concerning the negotiating model, disagreement within the armed groups over agenda items when it comes to negotiation, particularly when one of the parties insists on preconditions or puts forward 'non-negotiable' demands.

International **post-conflict peacebuilding (PCPB)** kept initial response operations open **in nine countries** (Afghanistan, Côte d'Ivoire, Haiti, Iraq, Liberia, Nepal, DR Congo, Central African Rep. and Sudan [South]). In two cases, **PCPB was applied in armed conflict contexts** (Afghanistan and Iraq), while in the other cases there were **various levels of tension or regional conflicts.** Except for more recent processes such as Nepal and the Central African Rep's, all activities usually carried out during this first stage of the process **remain open between four and seven years after the PCPB began.** Although in all cases initial response has incorporated operations in the area of security and socio-economic development, as well as participation and the rule of law, the areas that take longest are usually those related to security (extension of military missions, inconclusive demobilisation of combatants, etc.). **The United Nations the Peacebuilding Commission included the Central African Rep. on the list of countries it is dealing with** (Burundi, Guinea-Bissau and Sierra Leone).

In relation to **humanitarian crises**, there were **36 emergency situations during 2008.** The most serious were the 19 that took place on the African continent, a region that continued to be the most seriously affected

in humanitarian terms. Despite the fact that the total number of crises went down compared to the previous year (43), the situations analysed largely worsened in comparison to 2007. The deterioration in the humanitarian situation was strongly related to the increase in violence in various contexts of tension and armed conflict. On the other hand, **the global increase in food and oil prices contributed to aggravating the insecurity of food supplies all over the world,** and worsened the situation of vulnerability of the population in relation to previous years, particularly on the Asian continent. This situation led to the main international, political and economic organisations to concentrate their efforts on thinking up new strategies to counteract the effects of the food crisis, largely deciding to strengthen the agricultural sector in poor countries that depend on food imports. However, the actions shown to be most effective in this area were those directly implemented by Governments in some of the affected countries.

The increase in population displacement because of the effect of violence was another factor that contributed to the aggravation of several humanitarian crisis contexts. **The number of people affected by displacement increased on a global scale, with Afghanistan and Iraq being the countries with the largest numbers of refugees and Sudan and Colombia those with the largest numbers of internally displaced persons.** The lack of clear, effective strategies to return and resettle the population in many contexts also contributed to the persistence of situations of serious vulnerability. Meanwhile, during 2008 **donor countries made a record effort to provide funds to respond to emergency humanitarian situations, with more than 7,000 million dollars pledged for humanitarian aid.** Despite this fact, only 67% of the humanitarian appeals made through the United Nations could be financed. In addition, an unequal distribution of economic allocation between the different humanitarian emergency and intervention sector contexts was once again recorded.

Concerning **disarmament**, the general trend in the **armament cycle** was a reaffirmation of the **rise in spending on military production to levels above those of the Cold War** period. In both cases, it remains to be seen whether the world economic crisis will have an effect on sectors which are clearly headed by **the USA.** This country was also the main spokesman for the discourse proclaiming the threat to peace and security of the **nuclear programmes of DPR Korea and Iran.** There are hopes that the first will be resolved next year, but in the second case stagnation looks likely. So, with the change of United States Government, the development of the presumably palliative strategy of the implementation of the USA anti-missile shield on European territory is still a question mark.

The constant growth in **weapons transfers**, led by the vast majority of **permanent members of the UN Security Council**, and the **uncontrolled proliferation of small arms** were deplored by new reports from Amnesty International and Oxfam as violating International Humanitarian Law and causing damage to the MDG. This is counteracted by two more positive aspects: firstly, the signing of the **Treaty Banning Cluster Bombs** and the

transformation of the **EU Code of Conduct** on arms export controls into a legally binding text. In this sense, the strict application of these two new treaties must be ensured to see if they can reinforce the future approval of an **International Arms Trade Treaty**.

Finally, defects in the design and implementation of **DDR programmes** in various contexts around the world have remained visible. This highlights the need to continue to develop new theoretical approaches that can contribute to tackling the challenges to be overcome. So, the implementation of **community-based programmes**, the identification of their possible links with **security sector reform** processes and the diagnosis of the role the **private sector** could play in this type of process were among the main issues debated during 2008.

In 2008 there were serious **human rights** violations in 60 countries. Along these lines, the chapter reiterates the daily difficulties facing numerous people and organisations in exercising their rights and fundamental freedoms throughout the world. In fact, **in many countries there were systematic human rights violations, largely committed by the State**, as well as serious restrictions on freedom of expression and opinion. **The main groups affected were minorities, communications media professionals, upholders of human rights and political opponents**. It must be highlighted that one of the main impacts of the so-called "fight against international terrorism" during 2008 was the increasing use of it to justify three types of action: the promulgation of laws restricting individual liberties, the use of torture and its justification by the State and the repression of opposition groups under the cover of new laws. Meanwhile, the civilian population continued to be seriously affected by armed conflicts, with the most pressing issues in this respect being sexual violence, humanitarian access to the civilian population and the issue of child soldiers. As positive notes, it must be highlighted that, on the 60th anniversary of the Universal Declaration of Human Rights, the UN General Assembly adopted the Optional Protocol to the International Convention on Economic, Social and Cultural Rights and that the increasing trend towards the abolition of the death penalty at international level was consolidated.

In the area of **transitional justice**, an outstanding event was the harsh criticism in July of **the International Criminal Court (ICC) following the request presented by its chief prosecutor, Luis Moreno Ocampo, for it to issue an arrest order against the President of Sudan, Omar al-Bashir**. The International Criminal Court for Rwanda (ICTR) continued to pass sentences against those responsible for the 1994 genocide, leading to important arrests at the end of 2008. In Europe, the International Criminal Court for the former Yugoslavia (ICTY) confirmed the arrests of the Bosnian Serb Stojan Ćupljanin and the former president of the self-proclaimed Serbian Republic of Bosnia and Herzegovina, Radovan Karadzic. The work of both courts was also marked by the approaching end of their mandates. Concerning the United Nations Special Court for Sierra Leone at the beginning of the year, and delayed by six months, the trial of the ex-president of Liberia, Charles Taylor, the first African Head of State tried for crimes

against humanity before an internationalised criminal court, began again. Finally, the Government of Indonesia's acceptance of the final report of the Truth and Friendship Commission should particularly be highlighted. The report concluded that the Indonesian Army had been chiefly responsible for the serious human rights abuses perpetrated by militias in Timor-Leste in 1999.

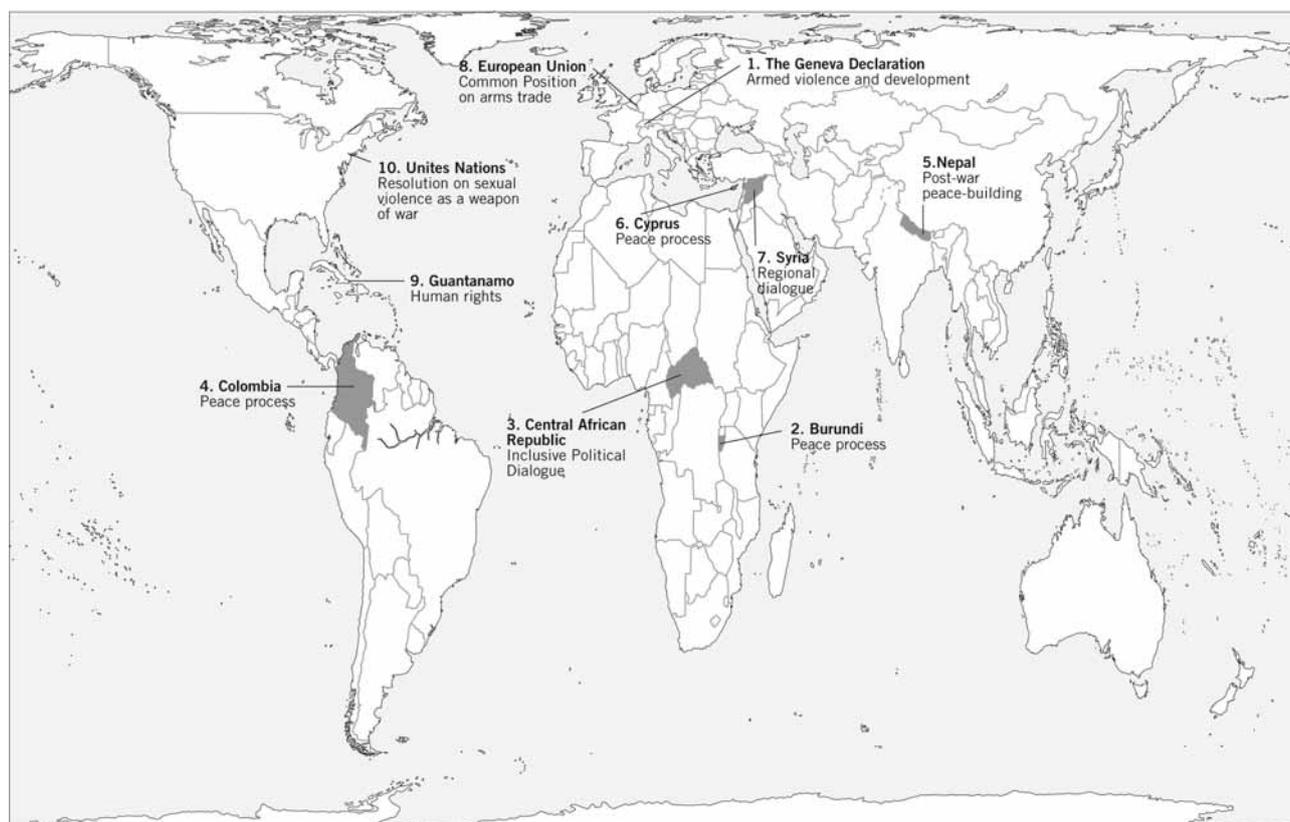
Concerning the **gender dimension** no notable changes were noted in trends that appear to have become consolidated in the last few years. A large number of countries continued to suffer high levels of gender inequality, and **full equality has not yet been reached in any State in the world**. In addition, **80% of armed conflict for which there is gender equality data took place in contexts of serious inequality**. Concerning the impact of gender on armed conflicts, the most serious was, again, that caused by the use of sexual violence as a weapon of war. This element was present in almost all active armed conflicts during the year and was particularly savage in DR Congo. However, the **Security Council's approval of resolution 1820 concerning sexual violence** should be noted. This instrument is intended to complement resolution 1325, from 2000 which had already established the need to ensure the protection of women and children in armed conflict contexts.

With regard to peacebuilding from a gender perspective, it must be stressed that once again there was no great progress. The announcement of incipient contacts in order to begin peace processes in Afghanistan and Pakistan led to warnings about the consequences any peace agreement with the Taliban might have, emphasising the requirement that **no peace process anywhere in the world should serve to perpetuate gender discrimination**. However, in other processes, such as the one in Nepal, a degree of tangible progress was recorded, providing evidence that, rather than the difficulties inherent in any process of this kind, **it is the lack of political will that prevents greater advances in this field**. So, the outstanding challenge of the last few years remains: to achieve a change of perspective **making it possible to conceive peace policies also as opportunities for the transformation of gender inequality**. This, in turn, would lead to peacebuilding being conceived from a fairer and more inclusive point of view.

Opportunities for peace 2009

After the analysis of peace-building in 2008, the UAB's Escola de Cultura de Pau (School for a Culture of Peace) highlights ten scenarios which constitute the opportunities for peace for 2009. These include negotiation processes, contexts of post-war rehabilitation, situations of socio-political tension and issues on the international agenda for which positive factors are coming together that could lead to satisfactory progress during this year. These opportunities underline a total of ten contexts, including four thematic areas and six geographical scenarios: the international commitment to reduce global armed violence; the steps taken in Burundi, between the Government and the last armed group, to move the peace process definitively forward; the open door for peace in Central African Republic due to the Inclusive Political Dialogue; the confluence in Colombia of civil initiatives for peace and change among the leading parties in the conflict; the prospects for the consolidation of an inclusive, democratic and sustainable framework in Nepal; the restarting of the negotiation process in Cyprus; the international and regional approach towards Syria as an opportunity for a more constructive dialogue with Damascus; the positive impact of the transformation of the EU Code of Conduct on the arms trade into a Common Position, which makes it binding; the announcement of the closure of the Guantanamo detention centre as a step towards reversing the human rights world crisis currently underway; and the creation of a new international mechanism to protect women's rights, with the approval of a resolution on sexual violence as a weapon of war.

All these opportunities for peace will require the effort and real commitment of the parties involved and, in some cases, the international support so that the synergies and positive factors already present contribute to peacebuilding. In all cases, the Escola de Cultura de Pau's initiative is an attempt to offer a realistic view of these scenarios, pointing out the existing difficulties which could jeopardise a true opportunity for peace.



1. The Geneva Declaration: a reduction in armed violence by 2015

On 12 September 2008, representatives of 85 countries met in Geneva to reaffirm their commitment to the Geneva Declaration on Armed Violence and Development, approved in 2006 by about forty countries and, to date, signed by 94 countries. This declaration recognises that the costs of armed violence are among the main obstacles to achieving the Millennium Development Goals, so the signatory States commit themselves to achieving a substantial and quantifiable reduction in levels of armed violence by 2015. Despite the fact that many States with armed conflicts have not signed the Geneva Declaration and that no binding mechanisms are provided to enforce compliance with it, there are some positive new aspects, both in the declaration signed in 2006 and in the final document approved after the conference of September 2008, organised the Swiss Government and the UNDP.

Firstly, the human and social cost of armed violence is recognised. Coinciding with the recently held review conference, the Geneva Declaration Secretariat published the report *Global Burden of Armed Violence*,¹ which attempts to quantify the impact of armed violence from a global perspective, considering the different types and different phases of violence. Among others issues, the report indicates that, each year, armed conflicts or disputes cause about 740,000 deaths. Of the total number of victims of armed conflicts, about 52,000 are caused directly and 200,000 indirectly, mainly because of preventable diseases. In addition, another 490,000 people die every year through violence in contexts where there is no armed conflict. The countries with the largest numbers of violent deaths are Colombia, El Salvador, Guatemala, Jamaica, South Africa and Venezuela. By regions, southern Africa, Central America and Latin America are the areas most affected by violence, all of them exceeding 25 homicides for every 100,000 inhabitants. According to the Pan-American Health Organisation, a mortality rate of more than 10 homicides for every 100,000 inhabitants indicates a tremendously serious epidemic situation. As for the economic impact of violence, the report indicates that the impact of war can cause annual reductions of more than 2% in GDP.

Secondly, the process that began with the approval of the Geneva Declaration is innovative because of the way it links the reduction in armed violence to the dynamic and methodology of the Millennium Development Goals. This means there are quantifiable targets and specific instruments and activities are designed to achieve them. So, a group of 13 countries (Switzerland, which carries out coordination tasks, Brazil, Guatemala, Finland, Indonesia, Kenya, Morocco, Holland, Norway, Philippines, Spain, Thailand and United Kingdom) drew up a Framework for the Implementation of the Geneva Declaration aimed at improving the

mechanisms for quantifying the impact of armed violence and increasing awareness of them among governments, international organisations and civil society. Some countries (Guatemala, Burundi, Jamaica, Kenya and Papua New Guinea) were selected for pilot experiments. Meanwhile, since the adoption of the Declaration in 2006, three regional conferences have been organised on the link between armed violence and development in Guatemala (April 2007), Kenya (October 2007) and Thailand (May 2008), giving rise to regional action frameworks.

The Geneva Declaration commits States to have achieved a substantial and quantifiable reduction in levels of armed violence by 2015

Thirdly, the Geneva Declaration could be an opportunity because it an issue that is historically sensitive for States on the international agenda: the management of armed violence. Traditionally, States have not allowed foreign interference in dealing with issues that are assumed to threaten national security. Along these lines, it must be highlighted that in November 2008 the UN General Assembly adopted a Resolution on the "Promoting Development through the Reduction and Prevention of Armed Violence", proposed by the Swiss Government. This resolution urges the UN Secretary General to collect more information on the relationship between armed violence and development from the perspective of States, and to report annually to the Assembly on the progress made on the issue. In addition, the countries signing the Geneva Declaration also pledge to implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

As has occurred with other international instruments, there is the risk that the objectives contained in the Geneva Declaration will be obstructed by the lack of political will among States or by the incapability of the United Nations to ensure compliance with it. By way of example, it must be pointed out that many States are a long way from compliance with the Millennium Development Goals for 2015. However, the Geneva Declaration puts armed conflicts on the international agenda and creates multilateral mechanisms for monitoring them. It also recognises that the States, through policies for resolving conflicts peacefully, protecting human rights and promoting sustainable development and a culture of peace, are ultimately responsible for eradicating armed violence.

1. Geneva Declaration, *Global Burden of Armed Violence*, September 2008, at <<http://www.genevadeclaration.org/pdfs/Global-Burden-of-Armed-Violence.pdf>>.

2. The peace agreement in Burundi

On 4 December, a summit of heads of State from the Great Lakes region was held on the peace process in Burundi. There, an agreement was reached between the government and the last armed opposition group in the country, the Parti pour la Libération du Peuple Hutu – Forces Nationales de Libération (PALIPEHUTU-FNL), better known by the name of its armed wing, the FNL. The achievement of both the Declaration of the heads of State at the summit and the new peace agreement could mean the beginning of the end of the political transition process that began with the signing of the Arusha Peace Agreement in 2000. On 7 September 2006 the FNL and the Government signed the General Ceasefire Agreement. This has been threatened by several violations over the last two years, with the consequent danger that the violence which had afflicted the country since the beginning of the conflict in 1993 would break out again. This situation remained fragile, despite the efforts of the countries from the region joining forces in the Regional Peace Initiative, and the facilitators, South Africa and the AU. In this scenario, several factors make the peace agreement of 4 December an opportunity for moving the peace process forward and beginning its definitive implementation.

Firstly, it should be highlighted that the summit culminated with a Declaration by the countries of the Great Lakes region urging the parties to make a firm commitment to complying with the agreements reached on 4 December before the end of the month, a request reiterated by the UN Security Council. Previously, the official mediator and South African Minister of the Interior, Charles Nqakula, together with the foreign ministers of Tanzania and Uganda, had stressed that the mandate of the mediation team would end on the last day of the year. For this reason they urged both sides to complete the process as, if they did not, they ran the risk of losing regional support on this date. This multiple pressure forced the FNL to agree to change its name, removing ethnic references. It therefore agreed, in accordance with the Constitution, to stop using the term PALIPEHUTU. The FNL had always previously refused to give way on this issue. This requirement was fundamental for the creation of a political party. The prospect of participation in the elections that will take place in 2010 as a means of survival for the group faced with the possibility of being left isolated could have contributed to the FNL making this decision. Another step was the reform and establishment by the Government of the Independent, Permanent National Electoral Commission, together with the need to follow an independent, inclusive process to suggest its membership, with a view to the elections.

Secondly, the Government agreed to free FNL political prisoners and to grant 33 government posts to members of the organisation —the other two big FNL demands. The decree approved by the President on 30 December on the release of the political prisoners granted them provisional immunity concerning crimes

committed, except for war crimes, crimes against humanity and genocide. For the moment, the only discrepancy that has emerged concerns the headcount of political prisoners, as the FNL representatives in the Joint Verification and Monitoring Mechanism (JVMM) had counted 442 prisoners and not 247, as the Government suggested.

Despite these advances, the country faces various challenges concerning fundamental aspects of consolidating the peace, particularly the application of the ceasefire agreement between the FNL and the Government, the consolidation of the institutions democratically elected in 2005, the strengthening of the governability of the country, compliance with the process of disarmament, demobilisation and reintegration of ex-combatants and the reform of the security sector, among the main issues. In addition, a climate of violence persists, largely attributed to ordinary crime, followed by that committed by the security forces and the rebels. Human rights violations also continued and the many acts of sexual violence should particularly be highlighted, alongside restrictions on civil liberties, including arrests of members of the political opposition and representatives of civil society, the communications media and the trade unions. An example of this situation was the government decree restricting meetings and demonstrations by political parties and associations, a decision which was finally revoked following considerable pressure from local bodies and the international community.

In the face of these challenges, the initiatives adopted to complete the peace negotiations could provide an outlet for the main demands and aspirations of the CNDD-FDD Government and the FNL. Eight years ago, both sides were absent from the negotiating table in Arusha with the Government led by the Tutsi party UPRONA. In 2003, the CNDD-FDD armed group signed a peace agreement and subsequently moved into government following its victory at the 2005 elections, making it responsible for the negotiations with its former companions in arms, the FNL. Now the time has come for the FNL, the last insurgent group in the country, to put away its weapons and to join in with the democratic game. This will provide the best opportunity of the last few years to try to lay the basis for a possible end to the ethno-political violence that has affected Burundi since its independence in 1962.

In Burundi, the FNL agreed to change its name, removing ethnic references, a decision it had always refused to make

3. The Inclusive Political Dialogue in Central African Republic

Between 8 and 20 December 2008, the Inclusive Political Dialogue (IPD) was held in the Central African Republic, with the participation of representatives of the Government, public authorities, armed groups, the political opposition, trade unions and civil society. These conversations, the focus of political debate in the country for the last two years, were supported by BONUCA and the Swiss organisation the Centre for Humanitarian Dialogue. The aim was to seek solutions to put an end to the conflicts suffered by the Central African Republic over the last few years. The application of the IPD recommendations could therefore mean the beginning of a new era of peace and stability in the country.

The keys to the holding of the IPD were the signing beforehand, in June, of the Global Peace Agreement by the Government, the APRD and the UFDR. Their participation in the IPD was possible thanks to the efforts of the official facilitator, the Gabonese President Omar Bongo, who led the preparatory process for the IPD, and of the subsequent Global Peace Agreement Monitoring Committee. The IPD, which was postponed several times during the year (it should have begun on 8 June, was put off until 23 July and was finally held in December), was also subject to the approval of the amnesty law on 13 October. Previously adopted by the presidential majority in the National Assembly but unanimously rejected by the political and armed opposition, the bill did not include crimes committed since 1960, while movement to cantonments and the handover of weapons had to be completed within two months. The measure was designed to protect the security forces that first supported the coup d'état of the former rebel leader François Bozizé, a president subsequently legitimised at the ballot box, and later supported him in dealing with the insurgency, committing serious human rights violations in the north of the country. The result of the amnesty law finally approved establishes a framework of impunity for all parties involved in acts of violence committed since Bozizé's coup d'état, which enabled him to achieve power on 15 March 2003. The only exceptions are genocide, war crimes and crimes against humanity. Meanwhile, Omar Bongo's conciliatory efforts also contributed to attracting the parties to the IPD.

The conditions for holding the IPD, drawn up between the end of 2007 and March 2008 with the support of the Centre for Humanitarian Dialogue, were the third attempt at national dialogue in 10 years, after those made in 1998 and 2006. This dialogue has been considered a success by the international community because of the simple fact that it has been held and because of its inclusiveness, as almost all the politico-military and social agents in the country took part. Also the fact that in November 2008 the bill to reform the

security sector was presented to the National Assembly.² It was drawn up after two years of coordination between the Central African authorities and the EU, strengthened the IPD because it could be considered an advance on a future DDR for the insurgents, as some of them could end up integrated into the Army. After the end of the IPD, talks began between the Government and opposition to implement the thirty or so recommendations. Most important among these were the formation of a consensus Government, the holding of free, open elections in 2010, the implementation of a DDR process for the insurgents, the establishment of a committee to monitor and supervise the agreements and a truth and reconciliation commission.

The international community celebrated the participation of almost all the politico-military and social agents in the Central African Inclusive Political Dialogue

Despite the positive progress involved in the holding of the IPD, the Central African Republic faces many problems and challenges making it difficult to implement its recommendations for overcoming the current instability. Firstly, there is the questionable the political will of the parties to come

together in a Government leading to the holding of presidential elections in 2010, as well as beginning a reconciliation process. Secondly, despite the signing of the various peace agreement, a climate of insecurity prevails in the north due to the existence of gangs of criminals —the *zaraguinas*; in the central western area because of the presence of the APRD; and in the south, where the growing presence of the Ugandan armed group the LRA, kidnapping children and plundering towns and villages, has been aggravated by the offensive by armed forces from Uganda, DR Congo and Southern Sudan in order to do away with this group, which has forced it to seek refuge in the southern Central African Republic. It is feared that the LRA's presence will increase in 2009. So, these issues demonstrate the need to reform the security sector and the rule of law. Thirdly, despite the attention aroused by the armed conflict in neighbouring Darfur, the million civilians affected in the Central African Republic are not receiving the attention of the international community. This means the situation could worsen if there is an increase in instability resulting from a failure to form a Government, problems with the DDR process, an increase in crime or LRA operations.

Considerable challenges therefore remain open and must be faced by the country, but the opportunity emerging based on the dialogue and negotiation process resulting from the holding of the IPD must not remain a mere declaration of intent approved the international community.

2. "Projet de Loi de Programmation 2009-2013", Assemblée Nationale Centrafricaine, Bangui, November 2008.

4. Openness for peace in Colombia

The Democratic Security policy by the Government of President Álvaro Uribe has implemented a military strategy characterised by the combination of dialogue with the ELN, seeking its disarmament and demobilisation, and military confrontation with the FARC guerrillas in order to destroy their offensive capacity and force them to surrender and disarm. But over the last six years the final results of this policy have been a long way from these objectives, which were established as a formula for resolving the armed conflict in Colombia. This strategy, which found support among a representative proportion of the society, has gradually been running out of steam while the interest in a negotiated political solution to the internal armed conflict has been growing. This opens the door for 2009 to be a year when the idea of a political solution can move to the fore and the basis for future peace negotiations could be laid. There are several factors which, considered together, make it possible to identify a new opportunity for peace in Colombia.

Firstly, despite the fact that the Armed Forces have inflicted more serious blows on the guerrillas than ever before, particularly on FARC, they maintain their strategic structures, capability and a fighting strength that cannot be ignored. This makes it clear that an overall military defeat of the guerrillas is not close at hand, strengthening the desire of civil society to resolve the conflict by negotiated means. This perception is reinforced by the far-reaching crisis of legitimacy affecting the Armed Forces because of the successive scandals that have surrounded the Army. Particularly damaging was the discovery that a good part of the deaths inflicted on the armed groups were "false positives", manufactured with the recruitment and subsequent murder of civilians who had nothing to do with the conflict and who were subsequently presented as guerrilla militants killed in combat.

Meanwhile, maintenance of the counterinsurgency war has involved a large allocation from the national budget, which is almost entirely financed by tax paid by Colombians, as well as USA financial aid through Plan Colombia. The crisis in the international financial system has had a deep impact on USA capacity to continue assisting programmes in other countries, including Colombia, which has now been given advance notice of considerable cuts in Plan Colombia and a redefinition of the priority elements of the plan. In addition, the United States Government has announced that it will cease to financially support Colombian Army units that have been involved in the "false positives" scandals or in human rights violations. To this is added the fact that the Colombian State lacks sufficient resources to maintain sustained open warfare indefinitely.

In the midst of a scenario of non-dialogue between the insurgent organisations and the Government, a space has opened up in the country for a civil initiative for dialogue in the form of letters between a group of academics, artists and leaders of social groups and the

commanders of FARC. This dialogue is gaining increasing numbers of adherents inside and outside the country, and will very possibly be extended to the ELN. As a practical result of this dialogue, FARC has expressed its commitment to release six people abducted still under its control as a signal of goodwill towards the political solution of the conflict and for the humanitarian exchange. This extra-governmental dialogue is an example of the exhaustion of a society, suffering permanent from the military confrontation, and helps to lay the basis for a future opportunity to find a political solution to the conflict.

Latin America as a whole has started several integration initiatives, including the Union of South American Nations (UNASUR), whose founding statute refers explicitly to the cooperation on peace issues, development, protection of democracy and protection of regional resources. In its first action, UNASUR has found a way out of the political crisis in Bolivia, demonstrating the vitality of this new scenario and particularly its usefulness when it comes to providing joint support for political solutions to the internal conflicts of the member countries. Meanwhile, the ELN and FARC guerrillas have stated that a peace process in Colombia would be viable if it had the support of the Latin American community. The ELN has explicitly called on UNASUR to become involved in establishing the conditions opening a peace process and providing support to the process of dialogue.

With a view to the 2010 presidential elections, and in a context where Parliament is dealing with a Referendum Act allowing President Álvaro Uribe to be re-elected and where his public order policies are becoming discredited, the main opposition parties are strengthening their option for a political solution to the conflict. 2009 is a pre-electoral year in which alignments and alliances will take place and electoral discourse will gather momentum.

Finally, the election of Barack Obama in the USA has awakened interest throughout the world in his offer of dialogue to deal with conflicts and tensions that his country has been involved in. In this context, it is legitimate to think that the political solution to the internal Colombian conflict might be supported by the new USA cabinet.

5. The consolidation of peace in Nepal

In 2008, after elections were held in April, the new Constituent assembly was formed in Nepal, with the huge task of drawing up a Constitution to establish the pillars of the post-war Nepali legislative framework. The result of the elections was not only the establishment of this Assembly, but also the creation of a new government headed by the Communist Party of Nepal (Maoist), a party which had held the Armed Forces and all State institutions at bay for ten years. So, in the year of the third anniversary of the signature of the peace agreement that put an end to the armed conflict that had afflicted Nepal since 1996, the opportunity to consolidate a democratic framework in order to resolve social conflicts appears to be definitively gaining ground from the possibility of a new outbreak of war. The almost complete integration into State structures of those who led the armed rebellion for a decade is a good sign of the deep transformation that has taken place in the Nepali scenario.

So, during 2009, the foundations could be laid for the beginning of a new political and social scenario in the country. The Constitution emerging from the current Constituent Assembly could become the legislative framework for post-war Nepal, leaving far behind the exclusion and authoritarianism that have characterised its history. However, the challenges still remaining to be faced are by no means small ones. Among the deep-seated difficulties, there are basically four outstanding ones. Firstly, the consolidation and strengthening of democracy as a political system so that political pluralism is guaranteed and there is true recognition of citizen's rights for the whole Nepali population. The new Government faces the task of achieving consensus that make it possible to ensure the sustainability of the future Constitution, attempting to put an end to decades of authoritarian, exclusive government. Respect for human rights must be the guideline for this new framework for coexistence in a country where they have been violated too often.

Secondly, the necessary measures must be adopted in order to deal with the structural violence suffered by the vast majority of Nepalis every day, which lay behind the start of the armed conflict. The new Government should implement the priorities in its programme announced during the election campaign through specific policies: the fight against the poverty that affects a large part of the population, the social exclusion — lower castes, women and ethnic minorities are among the social groups which have traditionally been denied the rights of citizenship, and the deep social inequalities.

Thirdly, the Government faces the challenge of beginning the process of reconfiguring the territorial organisation of the State to include the various pro-autonomy sensitivities and aspirations which have been gathering strength, basically since the end of the armed conflict. So, the main challenge on this issue is to provide a solution to the situation of violence and tension experi-

enced in the Terai region, where many social sectors have expressed their dissatisfaction and their desire to achieve greater recognition. Alongside the demands expressed by organised civil society in this region of Nepal, the Government will have to deal with the fragmented armed insurgency which has opted for the military route to express the grievances suffered by the Madhesi population inhabiting the south of the country.

Fourthly, the future of the Maoist combatants involved in the armed conflict for ten years remains to be resolved. The solution to this issue not only involves offering these thousands of young people making up the Maoist army a solution, but also taking a long-term view in order to deal with the future of the Nepali Armed Forces. With the end of the armed conflict, their size and functions have been called into question.

Since the peace was signed in 2006, there have been significant advances reinforcing the route to a sustainable peace. The very holding of elections and the victory of what had, until then, been the armed opposition illustrates the road to democratic normalisation the country has taken with the signing of the peace agreements, and the option of the negotiated route rather than a military solution to the armed conflict. The still incipient inclusion of certain social groups that have historically been excluded from social and political institutions must also be highlighted. The presence of people of Madhesi origin in the new Government that emerged from the polls in April 2008 and the high level of representation for women in the Constituent Assembly, resulting from the same elections, is significant.

Nepal has before it an opportunity to put an end to a history of authoritarianism and exclusion which must not be wasted. Although it will be difficult to have the new Constitution promulgated in 2009, some hugely important progress can be achieved in drafting it. The political class has the duty to face this new era with responsibility and a broad view in order to guarantee the population decent living conditions and spaces for participation and expression that are favourable to civil society.

The new Nepali Government will have the task of achieving consensus to ensure the sustainability and inclusiveness of the future Constitution

6. The negotiations for reunifying Cyprus

After more than 35 years of division in Cyprus, following Turkish invasion of the northern third of the island in 1974 as a response to a military coup supported by Greece, and after more than four decades of attempts at negotiations supervised by the United Nations, a new opportunity for peace has opened up in Cyprus. The resumption of the peace process in 2008, with a new negotiating framework and a renewed impulse from local leaders makes it possible to glimpse the final resolution of the conflict and the beginning of a common future for Greek Cypriots and Turkish Cypriots as a real possibility. However, it is a picture that is not free of risks and difficulties. After the failure of the Annan Plan in 2004 —rejected in the Greek Cypriot referendum, although supported on the Turkish Cypriot side— and following the limited results of the 2006 initiatives (the so-called Gambari Process), 2008 saw an optimistic rebirth of the peace process. There are various factors that led to a new situation on the island in 2008, opening up a historic opportunity for 2009.

Firstly, a change of leadership. The election of the Communist leader Demetris Christofias as the new Greek Cypriot President in the elections of February 2008, replacing the man behind the “no” to the Annan Plan, Tassos Papandopoulos, has been crucial. Even if as a partner in the Government he supported the “no” to Annan’s proposal during the 2004 referendum, since he took on the presidency Christofias has made an explicit, practical and symbolic commitment to the relaunch of dialogue. His commitment is supported by the long relationship of personal friendship and political understanding he maintains with the Turkish Cypriot leader Mehmet Ali Talat. The latter was elected in 2005 after the resignation of Rauf Denktash, who had favoured a “no”, and, from a moderate position, he has shown clear signs of seeking an understanding.

Secondly, the establishment of a new negotiating framework. Since their first meeting on 21 March 2008, the two leaders agreed to relaunch the peace process: firstly with a preparatory phase lasting several months led by mixed working groups (focusing on issues relating to a possible final agreement) and joint technical committees (in charge of seeking solutions to the everyday problems of the population); and, since 3 September, also with substantial direct negotiations, including weekly meetings between the two leaders, and a direct telephone line. In their joint communiqué in May, they pointed to a horizon: commitment to a bizonal, bicomunal federation, with political equality, as defined in various UN Security Council resolutions, including a federal Government recognised as a sole international entity and constituent Greek Cypriot and Turkish Cypriot States of equal status. To support this new process, confidence-building measures were begun in areas such as cultural heritage, crime prevention, the environment and health, as well as the reopening of a crossing point in Ledra Street in the historic centre of Nicosia, a measure with great symbolic content.

Thirdly, international supervision, which, although it is not a new feature in the case of Cyprus, does take on particular importance for the achievement of a possible solution. The United Nations, aware that this may be the last opportunity in the near future for a negotiated solution for the island, is committed to the process, with the support of the Security Council. The EU and Turkey have also shown their support for the negotiating process, from their position as parties indirectly involved in it: the EU as a block of which the Republic of Cyprus is a member State and Turkey as a guarantor or “big brother” for the Turkish Cypriots. It remains to be seen whether the slowdown in the process of integrating Turkey into the EU can galvanise and accelerate the commitment of the parties to a solution for the island which could, in turn, contribute to disentangling some thorny issues in EU-Turkish relations.

The restarting of the peace process in Cyprus in 2008, with a new negotiating framework and a renewed impulse from local leaders, invites optimism

Fourthly, apparent majority local support. According to polls, the population on both sides is disposed towards a compromise solution with United Nations mediation. Among the options, a bizonal federation appears as an intermediate route which, although it is not the best solution for either party, achieves sufficient acceptance to be supported. However, mistrust after decades of division and lack of communication, along with the fact that each side sees itself as weak, fearing to be absorbed by the other, constitute an obstacle that should not be underestimated. The final solution negotiated by the local leaders will, ultimately, be presented to referendums of both populations. This is why it is so important that in 2009 the peace process deals in depth with issues such as the empowerment of civil society through confidence-building measures, openness and communication.

As the negotiations move forward, the process will become tougher because of problems in achieving agreement on very difficult issues such as security, property and Turkish immigration to the island. To this are added other risks, such as the excessive prolongation of the process given the absence of deadlines on the negotiating calendar, and the erosion of the power of the leaders if there is pressure from the most inflexible agents. The shadow of decades of failed attempts is too long. However, the political will, the vision for the future, the negotiating framework and the external and internal support exist and are all apparently sufficient so that the historic opportunity for resolving the division of Cyprus can be consolidated during 2009 and can take shape in the near future.

7. The incorporation of Syria into the regional peace picture

2008 saw several advances towards peace centred on Syria, bringing a significant change in the equation of conflict and relations in the region. Firstly, in May, Syria and Israel announced the beginning of peace talks with Turkish mediation after contacts were broken off in 2000, and after more than six decades of disputes, including three wars and the occupation of the Golan Heights by Israel. Meanwhile, Syria and Lebanon agreed in August to establish diplomatic relations and to begin to establish a common border for the first time since Lebanese independence in 1943, and after years of tense, complex relations.

This new regional framework of relations with Syria at the centre is even more important in that: a) it has been accompanied and reinforced (if not conditioned) by a U-turn in the approach of key agents from outside the region, such as the USA and several European countries, towards Syria, with the beginning of a policy of moving closer to Damascus; b) this has followed an intense period of condemnation, isolation and sanctions against the Syrian Government of Bashar al-Assad, after he refused to support the invasion of Iraq led by the USA in 2003, and c) it has occurred in the context of a regional scenario that includes high level conflicts: the Iraqi powder keg and the growing tension around Iran's allegedly non-civil nuclear pretensions.

The serious warlike offensive by Israel against the Gaza Strip at the end of December has, to some extent, overturned this scenario, but only partly so. Although, considering the seriousness of the events, Syria declared that it was suspending conversations with Israel after Turkey made a declaration along the same lines, the strategic importance of moving closer to Syria and holding dialogue with the country has become clearer than ever. This derives from the fact that Damascus is the headquarters of Hamas, the group involved in military confrontations with Israel, and it is from there that its exiled leaders run the organisation. Because of this, Syria's role in providing potential mediation and putting pressure on the Palestinian movement has escaped no-one, and this was shown by the meetings at the peak of the crisis between the Syrian president and various European leaders who requested his mediation with the Palestinian organisation.

2009 appears to be a year when a new policy that sees Syria moving closer to its neighbours and to the international community as a whole is not only necessary but possible. Various factors are involved in this. Firstly, the new international context which could emerge after the election of Barack Obama to the United States presidency, as his actions abroad are unlikely to be the same as the unilateral, counterproductive and simplistic policy of the USA in the region under the leadership of the president until now, George W. Bush. Secondly, the change of paradigm involved in the acceptance that holding dialogue with the "friends of one's enemies" could be more beneficial than harmful. From this new

viewpoint, Syria's relationship with Hamas, Hezbollah and Iran becomes more of a trump card than a danger. Thirdly, Syria's interest and need to participate in this new distribution of roles: initially due to its desire to obtain international legitimacy after years of ostracism and, then, in order to deal with its domestic problems, not just concerning political opposition but also economic difficulties. From a domestic point of view, the opportunity offered to Syria means a strengthening of Al-Assad's regime and an open door to economic investment and to foreign relations that could be beneficial for a country that has seen how the arrival of one and a half million Iraqi refugees, among other factors, has accentuated its economic crisis.

Despite the unpredictability of the development of the conflicts in this region, the change to a more open approach to Syria—an unquestionably important agent in the region—showing greater integration and more dialogue can only be a reason for optimism and an opportunity not to be wasted in 2009, particularly in a volatile, complex context like the Middle East.

Although in the face of the serious warlike offensive against Gaza Syria declared it was suspending conversations with Israel, the strategic importance of dialogue with Damascus was made clearer than ever

8. The application of the EU's Common Position on the arms trade

One of the most important —and at the same time positive— events concerning the arms trade during 2008 was the conversion of the EU Code of Conduct into a Common Position.³ From now on, this Code will be compulsory and, as a result, all member States will be obliged to examine each export in the light of the European regulations. The Common Position adopts almost the same criteria as the Code of Conduct but also adds the need for the importing country to respect International Humanitarian Law and the verification of the final destination of the weapons. Ultimately, although some countries' legislation already included compulsory strict application of this treaty, from now on exporting arms to countries in armed conflict situations, where human rights are violated or where there is a risk of diversion to third countries, among other aspects, will mean a flagrant breach of European law. This legal step forward is an excellent opportunity for peace because of greater control over the arms trade and an inestimable contribution to conflict prevention. France was the country which had most strongly opposed this conversion, largely due to its trade treaties with China, a country subject to an EU arms embargo since 1989. However, it was during the French presidency that the text was converted to a legally binding one.

Despite everything, not all aspects related to the new legal status of the EU Code of Conduct are fully satisfactory, and here lie the opportunities for some improvement in 2009. Firstly, the mere fact that such legislation has been approved does not mean that strict compliance with the arms trade regulations is guaranteed at European level. The supervision mechanisms include the obligation to notify the other EU countries of licences refused and the reasons for such action. If the member States follow the eight criteria of the Common Position scrupulously this will contribute to the prevention of armed conflicts and it will be a very positive contribution of European countries to peace-building, become an unprecedented example of arms trade regulation at regional level. However, there is still the danger that the inertias of previous years will be maintained and that the rules will continue to be breached (to date, many organisations from civil society have complained of constant breaches of this legislation). An example close at hand is Spain, a country which has already incorporated compulsory compliance with this code into its legislation but where exports to countries in armed conflict situations, such as Israel and Colombia, have also been the subject of special concern because of the consequences they could generate.

Secondly, as a broad spectrum of organisations from civil society, NGOs and research centres have complained, the content of the criteria making up the code has not been strengthened, so many aspects still

require reviewing. The criteria are still not detailed or clear enough and they lack an allocation of responsibility to States concerning international legislation. Among the main improvements that could be made to the eight criteria making up the code are provision of more details of the international obligations of States (criterion 1), the inclusion of the requirement so that the arms transferred cannot be used for violent crime (criterion 3), more details on advice on the relationship between transfer and the legitimate need for defence (criterion 4) and the introduction of a more specific assessment of the impact on sustainable development in the receiving country (criterion 7).

In addition, other aspects are also worthy of improvement, such as the introduction of controls over re-exports, new measures to prevent the risk of corruption and the unification of criteria for drawing up the annual export reports provided by each member State. Without these additional contributions, this legally binding instrument will not be provided with sufficient strength.

The adoption of a compulsory code of conduct by the EU is an excellent opportunity for peace and for greater control over the arms trade

Ultimately, the optimism that can be derived from the improvement of the principal European legislation must not be understood as a definitive step towards strict compliance with it. The opportunity lies, firstly, in consolidating this new legislation and checking whether the member States are complying with it strictly. If this occurs and the technical provisions mentioned above are incorporated, a more effective instrument for preventing armed violence and controlling the illicit proliferation of arms will be achieved. It must be pointed out that the responsibility for seeing that improvement of the Common Position and compliance with it actually happen lies with the member States, through their national sovereignty to decide on their arms trade policy, and with the EU in its work to supervise and strengthen the Common Position. Civil society, represented by NGOs and research centres, must play a crucial role, with its supervision and pressure, to make these improvements possible. In addition, the properly developed text could strengthen the approval of a future International Arms Trade Treaty, which would represent a new opportunity for peace in the next few years.

3. See the EU resolution at <http://www.grip.org/bdg/pdf/20081208-Position_commune_15972.pdf>.

9. The closure of Guantanamo as a turning point in the current human rights crisis

The announcement by Barack Obama when he was president-elect of the USA, of his intention to close Guantanamo detention centre, where more than 800 detainees have been held since the centre opened seven years ago, could be a turning point during 2009 in the crisis in democratic values and human rights which appears to have dominated the world, particularly Western democracies, over the last few years. Regardless of the legal and logistical complications that the relocation of the almost 250 detainees who remain in custody may pose, it will be particularly important to re-establish some non-negotiable principles in the international human rights order based on this event. These would include the presumption of innocence and the prohibition of arbitrary arrest and torture by States that have signed international conventions prohibiting and punishing these practices. The etymological origin of the word "terrorism" is the so-called "Terreur", the name used for two periods of the French Revolution characterised by emergency government based on the use of force, illegality and repression. Over the last few years, some governments have reproduced some of these elements based on the so-called "war against terrorism" at an international level.

During the seven years that have elapsed since 11 September 2001, there has been a growing devaluation of certain democratic and human rights principles. This has gradually but inexorably damaged the advances achieved over the last five decades in favour of the universal protection of individual freedoms and the assumption that there is a series of non-negotiable principles which States must respect as part of the obligations they have contracted concerning instruments of international protection. In fact, it was as a result of the horrors of the Second World War when the need to create an international human rights protection system became tangible. The system would go beyond sovereign States and guarantee the prevalence of universal principles above the arbitrary nature of Governments. This phase of the internationalisation of human rights led to the approval of the Universal Declaration of Human Rights and, more importantly still, the discussion and subsequent approval of a long series of instruments that are binding for States that are party to it. The statement, widely publicised by the United Nations, that human rights must be achieved for all people in all parts of the world, was put into practice. This was one of the great landmarks of the last century.

However, a particular concept of security has been growing unstopably in importance in the political arena and has even made use of valid democratic mechanisms. In it, the "justified" use of torture —ignoring binding international principles for the protection of human rights— and the indiscriminate repression of individuals or organisations under cover of anti-terrorist laws have prevailed. This new ideological framework for action has gradually been transferred into the legislative field with the discussion in parliaments on the

five continents of laws and amendments which have limited, among other things, the legal guarantees of terrorism suspects and have increased periods for preventive detention incommunicado. This has facilitated torture at the hands of government agents on the pretext of ensuring State security and of their adoption as emergency measures.

The political decision to close Guantanamo, but particularly the debate it could generate at political and judicial level, may lead in 2009 to a return to the agenda not only of the need to reserve some irrevocable principles that should serve as guides for State policy in this area, but above all, to a reversal of the body of law built up over the last few years that provides legal cover for these practices. Therefore it remains to be seen whether the decisions taken in this regard will help reverse what has become an international trend, which in the eyes of many analysts, represents the worst human rights crisis since the Second World War both because of its scope and the depth of the foundations it calls into question and because of its impact worldwide.

The decision to close Guantanamo could contribute to reversing the worst human rights crisis since the Second World War

10. Resolution 1820 on sexual violence as a weapon of war

In June, the UN Security Council approved resolution 1820 on sexual violence, proposed by the USA Government. This resolution was approved as a result of the growing international concern over the use of this type of violence as a weapon of war in almost all currently ongoing armed conflicts. In places like DR Congo this has reached tremendously worrying proportions. The resolution is an attempt to complement and strengthen resolution 1325 on women, peace and security, approved in 2000 also by the Security Council, which urged all parties in a conflict to ensure the protection of women and girls from such violence.

The approval of resolution 1820 means recognition of the seriousness of the impact of sexual violence on armed conflicts and on post-war rehabilitation processes. The fact that this war crime —typified as such by the ICC—⁴ is receiving this international recognition is extremely important, as until the nineties its existence was hardly recognised or documented, still less punished. A decade after this issue was included on the international agenda, after the wars in the Balkans and the genocide in Rwanda, it is particularly significant that Governments and the United Nations itself have decided to adopt specific instruments to deal with this crime, whose impact is felt by victims and in society for a long time after the end of the armed violence. Resolution 1820 is the only one approved by the UN Security Council after number 1325 which deals exclusively with and expands on any of the issues raised in the initial resolution. This provides an idea of how central the issue of sexual violence is in the impact of armed conflicts in gender terms and it demonstrates that the international community has recognised the need to have instruments that make it possible to provide a better international response to this problem. The existence of these mechanisms, in turn, allows organisations from civil society to have tools available in order to pressurise their governments to extend and strengthen their response policies and to require commitments to be met.

However, there are some risks that must not be forgotten. Important activists have pointed out that behind this resolution lies the hidden intention to reduce the political profile of this issue and to cut back the commitments made by member States when UN Security Council resolution 1325 was approved. Some critics point to the fact that the text proposed by the USA and approved means a step backwards from important milestones that had been achieved, such as the recognition of sexual violence as a war crime by the international criminal courts for Rwanda and the former Yugoslavia. The text of Resolution 1820 states that sexual violence as a weapon of war “can” constitute a war crime or a crime against humanity, reducing the level of recognition these international courts had previously provided.

Another much-criticised element is the fact that the new resolution only urges United Nations personnel to recognise when these situations have occurred and to respond to them. However, it does not incorporate a preventive approach in the deployment of peace-keeping missions. The resolution also indicates that women must be invited to take part in the discussions aimed at resolving the conflicts when possible, while 1325 urged the inclusion of women in all prevention, resolution and reconstruction phases, as well as in the implementation of peace agreements.

Resolution 1325 involved the adoption of a global framework meaning that work on the issue of women, peace and security would deal with all dimensions in parallel, rather than looking at the various important areas in a fragmented way. Ultimately, there is the risk that the approval of the resolution could represent a step backwards from the commitments already accepted by member States.

So, the challenge lies in not wasting the opportunity represented by any international mechanism to protect human rights. Sexual violence must be pursued and punished, as established by the legal mechanisms set up with this aim, and the international community must take its responsibility so that passivity, not to say complicity, must cease to have a place on the international agenda when it comes to tackling these serious crimes that are so damaging to the civilian population. The existence of a new international instrument is always a step forward in that it extends Governments’ capacity to respond. Despite the weaknesses of resolution 1820, its approval should facilitate this work in pursuing these crimes, as well as prevention and the care of victims. In the last few years, complaints over this kind of violence have multiplied in many armed conflicts. 2009 should mark a turning point, with the adoption of specific measures by Governments in the light of this new resolution. This demonstrates that work for peace must be provided with instruments dealing with the gender inequalities that give rise to and help feed armed violence.

The approval of resolution 1820 means recognition of the seriousness of the impact of sexual violence on armed conflicts and on post-war rehabilitation processes

4. See the section “Sexual violence as a weapon of war and violence against women in war contexts” in chapter 8 (Gender).

Annex I. Country and indicators table and definition of the indicators

The following table has been prepared using a list of 20 indicators regrouped in five categories related to armed conflicts and situations of tension, peace processes, post-war peace-building, humanitarian crises, militarization and disarmament, human rights and transitional justice, and gender. The indicators refer to 195 countries: 192 member states of the United Nations, the Palestinian National Authority, Taiwan and the Holy See. Although several chapters refer to the situation in Western Sahara and Kosovo, both recognised as States by several countries, these are not included in this year's table because their international legal status is still unclear at the moment.

Different interpretations can be drawn from the table, either by analysing the current situation of a country in the light of the different indicators or by comparing the situation in several countries in relation to a specific indicator. The bookmark attached shows the numbering and names of the indicators which facilitates its interpretation.

ARMED CONFLICTS

1. Countries with armed conflict

SOURCE: School's follow up of the international situation based on information drawn up by the United Nations, international organisations, NGOs, research centres and regional and international media.

This indicator shows the countries with one or more armed conflicts. An armed conflict is understood to be any confrontation involving regular or irregular armed parties with objectives perceived as incompatible in which the continuous, organised use of violence: a) causes at least 100 deaths in a year and/or have a serious impact on the area (destruction of infrastructures or environment) and human security (e.g. people wounded or displaced, sexual violence, food insecurity, impact on mental health and on the social fabric or disruption of basic services); b) is intended to achieve objectives that can be differentiated from ordinary crime and are normally linked to:

- demands for self-determination and self-government or identity-related aspirations;
- opposition to the political, economic, social or ideological system of a State or the domestic or foreign policy of a government, which in both cases provides motives for a struggle to achieve or erode power;
- or the control over natural resources or the territory

- Armed conflict.

TENSION

2. Countries with tension

SOURCE: School's follow up of the international situation based on information drawn up by the United Nations, international organisations, NGOs, research centres and regional and international media.

This indicator shows the countries with one or more situations of tension. Tension is considered as any situation in which the pursuit of certain objectives or the failure to meet particular demands made by various agents leads to high levels of political and social mobilisation and/or use of violence with an intensity that does not reach the level of an armed conflict. It can include confrontations, repression, coups d'état and terrorism or other attacks where escalation could in certain circumstances, degenerate into an armed conflict. Tension is normally linked:

- to demands for self-determination and self-government or identity-related aspirations;
- to opposition to the political, economic, social or ideological system of a State or the domestic or foreign policy of a Government, which in both

cases provides motives for a struggle to achieve or erode power;

- or the control over natural resources or the territory

- Tension.

PEACE PROCESSES

3. Countries with peace processes or negotiations formalised or at an exploratory phase

SOURCE: School's follow up of the international situation based on information drawn up by the United Nations, international organisations, NGOs, research centres and regional and international communications media.

It is understood that there is a peace process when the parties participating in an armed conflict have reached an agreement to proceed with negotiations making it possible to find a peaceful solution to the conflict and to regulate or resolve the basic incompatibility between them. The proceedings can be given various names, but in all cases a dialogue has begun, with or without the help of third parties. Negotiation processes may exist, whether they develop in a positive or negative way. The fact that a negotiating process exists is viewed independently of whether it is evolving well or badly. It is considered that a process or negotiation is at the exploratory stage when the parties are involving on a preliminary trial and consulting process without having reached a definitive agreement to open negotiations. This also includes the cases of peace processes that have been interrupted or failed in the past, where attempts to relaunch them remain ongoing.

- PN Countries engaged in formal peace processes or negotiations during the year.
- EX Countries engaged in negotiations at an exploratory stage during the year.

POST-WAR PEACE-BUILDING

4. Countries with international intervention at the initial response stage of post-conflict peace-building.

SOURCES: United Nations (Secretary General's reports, Security Council, Department of Peace-Keeping Operations, Peace Building Commission, UNDP, UNHCR, United Nations Development Group, ILO), World Bank, MDRP and International IDEA.

See Appendix IX for a detailed description of this indicator. The indicator has six components, two for each area of intervention, which reflect the *scope* of the Post-conflict Peace-building (PCPB). It is considered there is intervention in a particular area when the international community plays a leading role in developing the activities. In addi-

tion, it is understood that certain changes in the activities reflect *progress* from initial response to the transfer of responsibilities. When the nature of all activities except one has already changed, it is considered that the initial response phase is being completed. These are the areas, activities and indications of progress:

Security:

- Military mission: Deployment; withdrawal.
- Management of weapons and combatants: cantonment; demobilisation or re-enlistment.

Participation and the Rule of law:

- Constitutional reform: Start of the process; approval of the Constitution.
- Electoral processes: Start of the process; holding of elections.

Socio-economic development:

- Conference of donors and development plans: holding of the first conference; publication of the first plan.
- Refugees and internally displaced persons: assistance to refugees and internally displaced persons; beginning of mass return.

- Country with international intervention at initial response stage.
- Country with international intervention completing initial response.

HUMANITARIAN CRISES

5. Countries facing food emergencies

SOURCE: Food and Agriculture Organization and Global Information and Early Warning System, *Perspectivas de cosechas y situación alimentaria nº 1, 2, 3, and 4 for 2008*, FAO and GIEWS at <<http://www.fao.org/GIEWS/spanish/cpfs/index.htm>>

FAO early warning system indicates countries suffering from food emergencies due to droughts, floods or other natural disasters, civil disturbance, population displacement, economic problems or sanctions. Countries with food emergencies are considered to be those facing (or which faced at some point in the year) unfavourable prospects for the current harvest and/or an uncovered deficit of food supplies which has required emergency foreign aid during the year.

- Country facing food emergency

6. Countries where at least one in every 1,000 people is internally displaced

SOURCES: Internal Displacement Monitoring Center <<http://www.internal-displacement.org/>> [con-

sulted on 20 December 2008] and United Nations Populations Fund, *State of the World Population 2008*, UNFPA 2008, at <<http://www.unfpa.org/swp/2008/presskit/docs/en-swap08-report.pdf>>.

The indicator assesses the seriousness of the displacement situation based on the percentage of internally displaced persons out of the total population of the country. The figure corresponds to the number of displaced persons, updated in December 2008. In cases where the source gives two figures, the average has been taken as a reference. People are considered to be internally displaced when they have been forced to flee and leave their home, particularly as a result of or in order to avoid the effects of armed conflict, generalised situations of violence or natural or human disasters and when they have not crossed a recognised international border.

- Country facing a very serious displacement situation: at least one in every 100 people is internally displaced
- Country facing a serious displacement situation: at least one in every 1,000 people is internally displaced or at least 5,000 people are internally displaced without reaching this percentage
- ▲ Country where there are systematic internal population displacements but without figures on the number of people affected

7. Countries of origin where at least one in every 1,000 people is a refugee

SOURCES: United Nations High Commissioner for Refugees, *2007 Global Trends. Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, UNHCR, June 2008 at <<http://www.unhcr.org/statistics/STATISTICS/4852366f2.pdf>> and United Nations Populations Fund, *State of the World Population 2008*, UNFPA 2008, at <<http://www.unfpa.org/swp/2008/presskit/docs/en-swap08-report.pdf>>.

The indicator assesses the seriousness of the displacement situation based on the percentage of refugees in relation to the total population of the country of origin. The figure indicates the number of refugees or people in a situation similar to refugee status,¹ in 2007. Refugees are people who are outside their country of origin or normal residence, who have a well-founded fear of persecution due to their race, religion, nationality, belonging to a certain social group or political opinions and who cannot or do not want to receive protection from their country or return to it for fear of persecution.

- Country confronting a very serious refugee situation: at least one in every 100 people is a refugee

1. "This category is descriptive in origin and include groups of people who are outside their country or territory of origin and who have a need for protection similar to that of refugees, but who have not been granted refugee status for practical or other reasons" according to *2007 Overall Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, UNHCR, June 2008, at <<http://www.unhcr.org/statistics/STATISTICS/4852366f2.pdf>>

- Country confronting a serious refugee situation: at least one in every 1,000 people is a refugee, or at least 5,000 people are refugees without reaching this percentage

8. Countries included in the United Nations Consolidated Appeal Process (CAP) in 2008 and countries that have submitted flash appeals during the same year through the United Nations system.

SOURCE: Office for the Coordination of Humanitarian Affairs, *Humanitarian Appeal 2008. Consolidated Appeal Process*, OCHA November 2008 at, <[http://ochadms.unog.ch/quickplace/cap/main.nsf/h_Index/CAP_2009_Humanitarian_Appeal/\\$FILE/CAP_2009_Humanitarian_Appeal_SCREEN.pdf?OpenElement](http://ochadms.unog.ch/quickplace/cap/main.nsf/h_Index/CAP_2009_Humanitarian_Appeal/$FILE/CAP_2009_Humanitarian_Appeal_SCREEN.pdf?OpenElement)> y Financial Tracking Service de Reliefweb, <<http://www.reliefweb.org/fts>>

Since 1994, the United Nations has made an annual appeal to the donor community via OCHA, in an attempt to collect the funds required to deal with certain humanitarian emergency contexts. The fact that a country or region is included in this appeal means that there is a serious humanitarian crisis situation acknowledged by the international community. Meanwhile, extraordinary flash appeals are intended to provide a response to disaster situations for a period of six months, which can be submitted during the whole year.

- Country included in the United Nations CAP 2008.
- Country which has submitted a flash appeal during 2008.
- ▲ Country included in the CAP 2008 and which has made a flash appeal during the year.

DISARMAMENT

9. Countries whose military expenditure exceeds 4% of GDP

SOURCES: SIPRI, *SIPRI Yearbook 2008*, Oxford University Press, 2008, and World Bank, *World Development Indicators 2008*, at <<http://econ.worldbank.org>> (consulted 31 December 2008). Reference is made to 2007 figures or, when this is not possible, to an average of the figures available for the period from 2002 to 2006.

Military expenditure is understood to include the Ministry of Defence budget, along with all military items from other ministries.

- Military expenditure higher than 6% of GDP.
- Military expenditure between 4% and 6% of GDP.

10. Countries with military expenditure greater than public spending on health and/or education

SOURCES: SIPRI, *SIPRI Yearbook 2008*, Oxford University Press, 2008; World Bank, *World Development Indicators 2008*, at <<http://econ.worldbank.org>> and UNESCO Institute for Statistics, at <<http://www.uis.unesco.org>> [consulted 31 December 2008]. To this purpose the average of military and education expenditure between 2003 and 2007 is used. The health figures are those for 2005.

Very serious situation: military expenditure exceeds public spending on both health and education.

- Very serious situation: military expenditure exceeds public spending on both health and education.
- Serious situation: military expenditure exceeds public spending on either health or education.

11. Countries with a percentage of soldiers greater than 1.5% of the population

SOURCES: IISS, *The Military Balance 2008*, Oxford University Press, 2008, and World Bank, *World Development Indicators 2008*, at <<http://econ.worldbank.org>> [consulted 31 December 2008].

This definition only includes those forming part of the Armed Forces. Members of armed opposition groups and paramilitary forces have been excluded because of the difficulty involved in estimating their numbers in many countries. The figure reflects the number of soldiers as a percentage of the country's total population.

- Percentage of soldiers exceeds 2% of the population.
- Percentage of soldiers amounts to between 1.5 and 2% of the population.

12. Countries with arms embargoes decreed by the United Nations, the EU and/or the OSCE

SOURCE: SIPRI, *International arms embargoes*, at <<http://www.sipri.org/contents/armstrad/embargoes.html>> [consulted 31 December 2008].

An arms embargo is understood as being a ban on arms trade imposed to a country or armed opposition group as a sign of disapproval of its behaviour, to attempt to maintain neutral status in an armed conflict and/or to restrict the resources of an armed party to avoid violence. The imposition of an embargo by the UN Security Council, the EU or the OSCE represents an acknowledgment of a state of emergency in the affected country. No distinction is therefore made between binding and voluntary embargoes. Nevertheless, this indicator does establish a difference between sanctions imposed on countries and those applied to armed opposition groups.

- Arms embargo imposed by at least two of the three organisations mentioned.
- Arms embargo imposed by one of the three organisations mentioned.

13. Countries with DDR programmes during 2008

SOURCE: School's follow up of the international situation based on information drawn up by the United Nations, international organisations, NGOs, research centres and regional and international communications media.

The United Nations considers a programme of Disarmament, Demobilisation and Reintegration (DDR) for ex-combatants as a “process contributing to security and stability in contexts of post-war recovery through the elimination of weapons in the hands of the combatants, removing the combatants from military structures and providing them with a degree of aid for social and economic reintegration into society”.

- DD DDR process where the disarmament and demobilisation phases are taking place.
- R DDR process where the reintegration phase is taking place.

HUMAN RIGHTS AND TRANSITIONAL JUSTICE

14. Countries that have not ratified some of the main international legal instruments in human rights and international humanitarian law

SOURCES: OHCHR, at <<http://www.ohchr.org>> and ICRC, at <<http://www.icrc.org>> [consulted 31.12.08].

- Country that has not ratified one (or more) of the six basic human rights instruments:
 - International Covenant on Civil and Political Rights (1966).
 - International Covenant on Economic, Social and Cultural Rights (1966).
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).
 - International Convention on the Elimination of All Forms of Racial Discrimination (1966).
 - Convention on the Elimination of All Forms of Discrimination against Women (1979).
 - Convention on the Rights of the Child (1989).
- Country that has not ratified Protocol II on inter-State armed conflicts relating to the Four Geneva Conventions of 1949 (1977).

15. Countries with human rights violations according to non-governmental sources

SOURCES: Amnesty International, *Informe 2008 Amnistía Internacional. El estado de los derechos humanos en el mundo*, AI, 2008, at <<http://thereport.amnesty.org/document/40>>, Human Rights Watch, *World Report 2008*, HRW, 2008, at <<http://www.hrw.org/en/reports/2008/01/30/world-report-2008>> and School's follow up of the international situation based on daily news bulletins from various local and international human rights NGOs. Both reports refer to figures from 2007. The classification of countries is the responsibility of the authors of this study, and not of Amnesty International or HRW, which do not make classifications in this respect.

Very serious human rights violations are considered as abuses relating to the right to life and personal security when these occur on a systematic way and widespread due to the State's own actions or omissions, particularly in the case of extra-judicial executions, enforced disappearances, deaths in custody, torture, arbitrary arrest and widespread impunity. Serious human rights violations are considered to be the abuses mentioned above when these occur relatively frequently, rather than systematically, as well as abuses against civil and political rights, particularly trials without minimum procedural guarantees and the existence of political prisoners or prisoners of conscience.

- Country with very serious human rights violations (systematic).
- Country with serious human rights violations (non-systematic).

16. Countries giving cause for concern over human rights to the Council of the European Union and to the Council of Europe Commissioner for Human Rights.

SOURCE: Council of the European Union, *Informe anual de la UE sobre los derechos humanos 2008*, Brussels, 27 November 2008, at <<http://www.consilium.europa.eu/uedocs/cmsUpload/st14146-re02.es08.pdf>>.

The indicator refers to countries which give the Council of the European Union cause for concern because of their human rights situation (the classification of countries is the responsibility of the authors of this study, not the Council of the EU, which does not carry out classifications in this respect).

- Country giving cause for concern because of very serious human rights violations.
- Country giving cause for concern because of serious human rights violations.

17. Countries giving cause for concern over human rights to the Human Rights Council and/or its special mechanisms, the UNHCHR or the Third Committee of the UN General Assembly.

SOURCES: HRC, at <<http://www2.ohchr.org/spanish/bodies/hrcouncil/>> and School's follow up of the work of the Third Committee of the UN General Assembly. <<http://www2.ohchr.org/spanish/bodies/hrcouncil/>>.

The indicator relates to the countries that have given cause for concern in the reports on the special geographical procedures or from the UNHCHR presented to the HRC (7th, 8th and 9th sessions), as well as resolutions of the HRC and the Third Committee of the United Nations General Assembly (63rd period of sessions).

- Country subject to a report on special geographical procedures expressing concern.
- Country subject to a report from the UNHCHR expressing concern.

- ▲ Country subject to a resolution or declaration by the chairman of the HRC condemning or expressing concern.
- ◆ Country subject to a resolution by the Third Committee of the UN General Assembly condemning or expressing concern.

18. Countries that maintain and/or apply the death penalty.

SOURCE: Amnesty International. *Figures on the Death Penalty*, at <<http://www.amnesty.org/en/death-penalty/numbers>>.

The indicator includes countries which still retain the death penalty (where this penalty is retained for common offences), countries which has abolished the death penalty only in the case of common offences (that is, the death penalty is retained for exceptional offences, under martial law or in the context of armed conflict) and de facto abolitionist countries (which retain the death penalty for common offences, but where there has been no execution in the past 10 years, and countries that have pledged not to apply such a punishment). The indicator refers to 2007.

- Countries that maintain the death penalty.
- ▲ Countries that have abolished the death penalty for common offences.
- De facto abolitionist countries.

19. Countries with ongoing transitional justice processes

SOURCES: School's follow up of the international situation based on information drawn up by the United Nations, international organisations, NGOs, research centres and regional and international communications media.

The indicator includes some of the judiciary and extra-judiciary instruments forming part of transitional justice such as judicial procedures (international, mixed, hybrid or internationalised courts) or instruments for seeking truth and historical clearance (official, unofficial, local or international commissions) which are set up in societies in transition in order to deal with a past of human rights violations and systematic abuse.

- TC** Country that has established a Truth Commission at least in formal terms.
- TRI** Country that has established a specific judicial procedure, whether this is an international or hybrid one.
- ICC** Country with ongoing judicial procedures under the International Criminal Court.

GENDER AND PEACE-BUILDING

20. Countries with serious gender inequalities according to the Gender Equity Index (GEI)

SOURCE: Control Ciudadano, Índice de Equidad de Género 2008, at <http://www.socialwatch.org/es/avancesyRetrocesos/IEG_2008/tablas/valoresdelIEG2008.htm> [consulted 31.12.08].

The GEI measures gender equality based on three dimensions: education (literacy and registration for all educational levels), economic activity (incomes and activity rates) and empowerment (participation in elected and officer positions). The GEI establishes a maximum value of 100, which would indicate a position of full equality in the three dimensions. The GEI does not measure the welfare of men and women, but rather the inequalities between them in a particular country. The number 60 has been taken as a reference because it is the world average.² This classification is made under the authors' responsibility, and not of Social Watch.

- Countries with a GEI of less than 50.
- Countries with a GEI of between 50 and 60.
- ▲ Countries whose GEI has fallen compared to 2004.

2. The exact average world GEI for 2008 is 61.1.

Country	Conflicts and peace-building				Humanitarian crises				Disarmament				Human rights and transitional justice				Gender			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Afghanistan	●		PN	●	●	○	200,000	●	3,057,661				DD	■	●	○	■	●		-
Albania						○	15,340												○	○
Algeria	●					▲	-	○	10,615						●	●			○	○
Andorra								-		-				●	●					-
Angola		●				○	19,566		●	○		R	●	○				○	○	
Antigua and Barbuda								-		-				●	-			●		-
Argentina																		▲		
Armenia		●	PN			○	8,400	○	15,436	○					○	○		○		-
Australia																				
Austria																				
Azerbaijan		●	PN			●	572,531	○	15,913	○			■	○	●			○		
Bahamas														●	○			●		
Bahrain								○		-								●	●	▲
Bangladesh		●				○	500,000	○	10,243	○				●	●	○		●	○	○
Barbados										○				●	-			●		
Belarus		●														○		●		
Belgium																		○		
Belize								-						●	-			●		
Benin			EX															○	●	▲
Bhutan								-						●	-			○		-
Bolivia					●				●	108,098				■				▲		
Bosnia and Herzegovina		●				●	124,958		●	78,278					○		▲	▲	TRI	TC
Botswana														●	-			●		▲
Brazil																		▲		
Brunei Darussalam								-		○				●	-			○		
Bulgaria																		○		
Burkina Faso			EX												-			○		○
Burundi		●	EX			●	100,000	○	●	375,727		R		●	●	●	●	●	TC	TC
Cambodia		●				○	17,697							○	○	○	▲	○	TRI	TRI
Cameroon		●				○	11,508							○	○			●	●	●
Canada																		○		
Cape Verde								○							-			○	○	○

Country	Conflicts and peace-building				Humanitarian crises				Disarmament				Human rights and transitional justice				Gender			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Central African Republic	●		PN	●	●	●	●	●						●	●			○	ICC TC	●▲
Chad	●	●	PN		●	●	○	●		○			DD		○			●		●▲
Chile																		▲		
China		●	PN		●	○	○	○			○			●	●	●		●		
Colombia	●		EX			●	●	●				R		●	●	○	■	○		
Comoros		●												●	-			●		-
Congo		●			●	○	○	○	○	○		DD		○	○			○		●▲
Congo, DR	●	●	PN	●	●	●	●	●			●	DD		●	●	●	●▲	●	ICC	-
Costa Rica															-			○		
Côte d'Ivoire		●		●	●	●	○	○	○		○	DD		●	●	○		○		●▲
Croatia								●										○	TRI TC	
Cuba					●									●	○	○		●		
Cyprus		●	PN		▲	-				○					○			○		
Czech Republic																		○		▲
Denmark															○			○		
Djibouti		●							○						-			○		●
Dominica														●	-					-
Dominican Republic					●									●				○		
Ecuador		●			●										○			○		
Egypt		●								○	○				●	●		●		●▲
El Salvador										○	○				●			▲		
Equatorial Guinea															●			●		●
Eritrea		●	PN		●	○	○	●	●	●	●	R		●	●	○		○		●▲
Estonia																		○		
Ethiopia	●	●	PN		●	○	○	○							●	○		●		○
Fiji		●								○				●	●	○		▲		-
Finland																		○		
France																		○		
Gabon																		○		○▲
Gambia														●	●			○		●▲
Georgia	●	●	EX			●	○	○	○	○				●	●	●		○		▲
Germany																		○		

Country	Conflicts and peace-building				Humanitarian crises				Disarmament				Human rights and transitional justice				Gender		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Ghana					●	○	5,060	●										○	○▲
Greece															○			○	
Grenada									-								○		-
Guatemala						▲	6,161								●	■	●	●	●
Guinea		●			●	○	19,000	●		○					●		●	○	○
Guinea-Bissau		●			●			●		-					●		○	○	●
Guyana									-	-					-		●		
Haiti		●		○	●		22,280	■		-		R			●	▲	○		-
Holy See									-	-					-		○		-
Honduras								■		-					●		○		
Hungary																	○		
Iceland															-		○		
India	●	●				○	600,000			○				■	●	○	●	TC	●
Indonesia		●			●	○	200,000			○		R		■	●	○	●	○	○▲
Iran, Islamic Rep.		●			●	○	68,397				●			●	●	◆	●	○	○
Iraq	●	●		○	●	●	2,778,000			-	○			●	●	○	●	○	-
Ireland															○		○		
Israel	●	●			●	●	300,000		●	○	●		■	●	●	■▲	▲		
Italy														●			○		
Jamaica														●	●		●		▲
Japan		●												●	○		●		
Jordan									●	-	○				●		●		●
Kazakhstan															○		●		
Kenya		●			●	○	190,546	■							●		○	TC	○▲
Kiribati									-	-			●	●	-		○		-
Korea, DPR		●			●				-	-	●			●	●	▲	●		-
Korea, Rep.		●															○	○	○▲
Kuwait									○	○							●		-
Kyrgyzstan		●						■		○					●	○	▲		
Laos, PDR		●				○	10,103		-	-				●	●	○	○		-
Latvia																	▲		
Lebanon		●				●	240,000		○	○	○				●	○	●	TRI	●▲

Country	Conflicts and peace-building				Humanitarian crises			Disarmament						Human rights and transitional justice				Gender			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17		18	19	20
Lesotho					●																
Liberia		●		○	●	▲	●	●	91,537												TC
Libyan, Arab Jamahiriya																					
Liechtenstein																					
Lithuania																					
Luxemburg																					
Macedonia, FYR		●					○	8,077													
Madagascar								■													▲
Malawi								■													●▲
Malaysia									○												○▲
Maldives																					▲
Mali		●						●													○▲
Malta									○												○
Marshall, I.																					
Mauritania		●			●			●	33,108												●
Mauritius																					
Mexico		●				○	5,500	○	5,572												
Micronesia, Fed. State																					
Moldova, Rep.		●			●				○	4,918											
Monaco																					
Mongolia																					
Montenegro																					
Morocco		●																			●▲
Mozambique																					
Myanmar	●	●			●	●	503,000	○	191,256												
Namibia																					
Nauru																					
Nepal		●		○	●	○	60,000														●
Netherlands																					
New Zealand																					
Nicaragua		●			●																○▲
Niger		●						●													●

Country	Conflicts and peace-building			Humanitarian crises				Disarmament					Human rights and transitional justice					Gender		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Nigeria	●	●	PN			▲	○	13,902	●						●			●		●
Norway															-			●		
Oman									●	○					-			●		●
Pakistan	●	●	PN		●	▲	○	31,857	■					●	●	■		●		●▲
Palau									-	-				●	-			○		-
Palestine	●	●	PN			●	●	335,219	●	-					●	●	■▲◆	●		●
Panama									-	-					-			○		
Papua New Guinea										-				●	●			○		-
Paraguay														●	○			○		
Peru		●				○	○	150,000							●	○		▲		
Philippines	●	●	PN		●	○	○	327,000							●			○		
Poland																		○		▲
Portugal																		○		
Oatar									-	-				●				●		○
Romania							○	5,306										○		
Russian Fed.	●	●	EX		●	○	○	92,856		○					●	●		○		
Rwanda		●	PN			▲	-	○	80,955				R	●	●			○		TRI
Saint Kitts and Nevis									-	-				●	-			●		-
Saint Lucia									-	-				●	-			○		
Saint Vicent and the Grenadines									-	-					-			●		
Samoa									-	-				●	-			○		○
San Marino									-	-					-			○		
São Tomé and Príncipe									-	-				●	-			●		●
Saudi Arabia		●							●	○				●	●	●		●		●
Senegal		●	PN			○	○	40,000							●			○		○▲
Serbia		●	EX			●	●	247,500							●			○		TRI TC
Seychelles										○					-			○		-
Sierra Leone		●			●		○	32,127	●	○					-		■	●		TRI▲
Singapore									○	-	○							●		
Slovakia														●				○		▲
Slovenia																		○		
Solomon Islands									-	-				●	-			○		TC

Country	Conflicts and peace-building				Humanitarian crises			Disarmament					Human rights and transitional justice					Gender		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17		18	19
Somalia	●	●	PN		●	● 1,100,000	● 455,357	●	-	-		●	R	●	●	●	●	●		-
South Africa		●												●	●			○		
Spain																		○		
Sri Lanka	●				●	● 500,000	○ 134,948			-				■	●	●		○		○
Sudan	●	●	PN	●	●	● 6,000,000	● 523,032	●		-		●	R	●	●	●	●	●	ICC	●
Suriname									-	-				●	-			○		○
Swaziland					●										○			○		○
Sweden																		○		
Switzerland																		○		▲
Syria, Arab Rep.		●	PN			● 433,000	○ 13,668		●	-				■	●	●		●		○
Taiwan									-	-								●		-
Tajikistan		●			●			■		○					●	○		●		○
Tanzania										-				●				○		○
Thailand	●	●	PN											■	●	●		●		
Timor-Leste		●			●	● 30,000			-	-					○			○		○
Togo							○ 22,501	●		-						●		○	TC	●
Tonga									○	-						-		○		-
Trinidad and Tobago									-	-					●			●		
Tunisia																○		○		●
Turkey	●					● 1,077,000	○ 221,939							■	●	○		○		●
Turkmenistan		●				▲			-	-					●			○		-
Tuvalu									-	-				●	-			○		-
Uganda	●	●	PN		●	● 921,000	○ 21,341	●		○			R		●			●	ICC TC	
Ukraine							○ 25,985								●	○		○		
United Arab Emirates										○				●	●			●		○
United Kingdom																		○		
Uruguay																		○		
USA		●							○					●	●			●		▲
Uzbekistan		●					○ 5,663			-	○			●	●	○		●		○
Vanuatu									-	-				●	-			○		○
Venezuela		●					○ 5,094							●	●			○		
Vietnam					●		○ 327,776		-	-				●	●	○		●		

Country	Conflicts and peace-building			Humanitarian crises			Disarmament			Human rights and transitional justice					Gender					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14		15	16	17	18	19
Yemen	●		PN			○ 30,000		■	○	-					●			●		●
Zambia								■										○		○▲
Zimbabwe		●			●	● 920,000	○ 14,374	▲		-		○		●	●	●				○▲
TOTAL ●	24	73		5	44	23	17	23	7	4	4	7		59	75	21	10	63		34
TOTAL ○				4		18	50		8	32	5	7			24	31		120		33
TOTAL ▲						8		1									6	11		47
TOTAL ■								14						30			7			
TOTAL ◆																	4			
TOTAL PN/DD/ICC			29										6							4
TOTAL EX/R/T/RI			9										11							7
TOTAL TC																				13

Annex II. Multilateral peace missions

UN peace missions (16 PKO, 2 PO/PKO¹, 9 PO and PBO)

Country (start-end of armed conflict)	Mission and type ² (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
AFRICA				
African continent	(Office in Geneva)			Special Adviser for Africa, Mohamed Sahnoun (Algeria) (1997)
	(Office in New York)			Special Adviser for Africa and High Representative for Least Developed Countries, Landlocked Developing Countries and Small Islands Developing States, Cheikh Sidi Diarra (Mali) (2008)
West Africa Region	UNOWA, SR's Office (PO)	March 2002		SR Said Djinnit (Algeria) (2008) replacing Ahmedou Ould-Abdallah (Mauritania) (2002)
<i>Great Lakes Region</i>	<i>SR's Office (PO)</i>	<i>December 1997</i>		<i>RE Ibrahima Fall (Senegal) (2002)</i>
Burundi (1993-2006)	BINUB ³ (PBO) S/RES/1719	January 2007	-/8/9	Executive Representative, Youssef Mahmoud (Tunisia) (2007)
Congo, DR (1998-)	MONUC (PKO) S/RES/1279	Nov. 1999	16,667/702/1,065	SR Alan Doss (United Kingdom) (October 2007), SE for eastern DR Congo, Olusegun Obasanjo (Nigeria) (2008)
Côte d'Ivoire (2002-2007)	ONUCI ⁴ (PKO) S/RES/1528	April 2004	7,827/190/1,136	SR Choi Young-Jin (Republic of Korea) (October 2007)
<i>Eritrea-Ethiopia (1998-2000)</i>	<i>UNMEE (PKO) S/RES/1312</i>	<i>July 2000- July 2008</i>	<i>1,464/212/-</i>	<i>Acting SR, Azouz Ennifar (Tunisia)</i>
Guinea-Bissau (1998-1999)	UNOGBIS (PBO) S/RES/1216	March 1999	-/2/1	SR Shola Omoregie (Nigeria) (2006)
Liberia (1989-2005)	UNMIL (PKO) S/RES/1509	Sept. 2003	11,465/206/1,037	SR Ellen Margrethe Løj (Denmark) (October 2007)
Morocco-Western Sahara* (1975-)	MINURSO (PKO) S/RES/690	Sept. 1991	20/199/6	SR Julian Harston (United Kingdom, February 2007); and PE Peter van Walsum (Netherlands) (2005)
Central African Republic (1996-2000) (2002-2003)	BONUCA ⁵ (PBO) S/RES/1271	Febr. 2000	-/5/6	François Lonseny Fall (Guinea) (2007) replacing Lamine Sissé (Senegal) (2001)
Central African Republic (1996-2000) (2002-2003) and Chad (2006)	MINURCAT (PKO) S/RES/1778, under preparation	Sept. 2007	-/45/226	SR Victor da Silva Angelo (Portugal) (2008)
Sierra Leone (1991-2001)	UNIPSIL ⁶ (PBO) S/RES/1829	Oct. 2008	-/5/2	Executive Representative Michel von der Schulenburg (Germany) (2008) replacing Victor da Silva Angelo (Portugal) (2006)

1. The BINUB (Burundi) and UNAMA (Afghanistan) political missions are directed and supported by the UN Department of Peace-Keeping Operations.
2. Peace-Keeping Operation (PKO), Political Office or Mission (PO) and Peace-Building Operation (PBO).
3. It replaces the ONUB peace-keeping mission. This was preceded by the AU mission (AMIB) which was integrated into ONUB in June 2004.
4. There was previously a UN political mission (MINUCI, S/RES/1479) from May 2003, which included the 1,300 soldiers from ECOWAS (ECOMICI, ECOWAS Mission in Côte d'Ivoire) to April 2004, supported by 4,000 French soldiers (Operation Licorne).
5. MINURCA (1998-2000) (PKO).
6. UNOMSIL (1998-1999) (PKO), UNAMSIL (1999-2005) (PKO), UNIOSIL (2006-2008) (PBO).

UN peace missions (16 PKO, 2 PO/PKO, 9 PO and PBO) (continuation)

Country (start-end of armed conflict)	Mission and type (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
AFRICA				
Somalia (1988-)	UNPOS ⁷ (PO) S/RES/954	April 1995		Ahmedou Ould-Abdallah (Mauritania) (2008) replacing François Lonseny Fall (Guinea) (2005)
Sudan (1983-2004)	UNMIS ⁸ (PKO) S/RES/1590	March 2005	8,724/609/600	SR Ashraf Jehangir Qazi (Pakistan) (September 2007)
Sudan (Darfur) (2003-)	UNAMID ⁹ (PKO) S/RES/1769, joint AU-UN mission	July 2007	8,287/135/2,039	Joint AU and United Nations SR, Rodolphe Adada (Congo) (2007), Chief African Union and United Nations Mediator for Darfur, Djibril Yipènè Bassolé (Burkina Faso) (2008) and SE Jan Eliasson (Sweden) (2006)
Uganda (1986-), DR Congo and Southern Sudan				SR for the areas affected by the LRA armed opposition group, Joaquim Chissano (Mozambique) (2006)
AMERICA				
<i>Latin American Region**</i>				SA Diego Cordovez (Ecuador) (1999)
<i>Guyana-Venezuela**</i>				SR on the border controversy between Guyana and Venezuela, Oliver Jackman (Barbados) (1999)
Guatemala (1960-1996)				Head of the International Commission against Impunity in Guatemala, Carlos Castresana Fernández (Spain) (2007)
Haiti (2004-2005)	MINUSTAH (PKO) S/RES/1542	June 2004	7,012/-/1,868	Hédi Annabi (Tunisia) (2007)
ASIA				
Afghanistan ¹⁰ (2002-)	UNAMA (PO) S/RES/1401 (2002) S/RES/1662 (2006) S/RES/1746 (2007)	March 2002	-/16/5	SR Kai Eide (Norway) (2008), replacing Tom Koenigs (Germany) (2006)
Cambodia (1975-1979)		Nov. 2005		SR on the human rights situation, Yash Gay (Kenya) (2005)
India-Pakistan* (1946-)	UNMOGIP ¹¹ (PKO) S/RES/91 (1951)	January 1949	-/44/-	Chief Military Observer Major-General Kim Moon Hwa (Republic of Korea) (2008) replacing Colonel Jarmo Helenius (Finland)
Myanmar				SA Ibrahim Gambari (Nigeria) (2007), appointed to replace SE Razzali Ismail (Malaysia) (2000)
Nepal (1996-2006)	UNMIN (PBO) S/RES/1740	January 2007	-/68/-	SR Ian Martin (United Kingdom) (2007)
Timor-Leste (1975-1999)	UNMIT (PKO) S/RES/1704	August 2006	-/33/1,542	SR Atul Khare (India) (2006)
Central Asia (DPA)	UNRCCA, United Nations Regional Centre for Preventive Diplomacy in Central Asia	May 2008		SR and Head of the UN Regional Centre for Preventive Diplomacy in Central Asia, Miroslav Jenca (Slovakia) (2008)

7. UNOSOM I (1992-1993) UNITAF (1992-1993, USA with mandate from the UN Security Council) UNOSOM II (1993-1995) (PKO). S/RES/954 established the closure of UNOSOM II and established that the UN would continue observing events in Somalia via a Political Office based in Kenya.

8. The functions of the political mission UNAMIS (set up in 2004) were transferred to UNMIS under S/RES/1590 of March 2005.

9. The AU mission, AMIS, set up in 2004, has been integrated in the new joint mission.

10. The current phase of the armed conflict suffered by the country began with the attacks by the USA and United Kingdom in October 2001, although the country has been in armed conflict since 1979.

11. UNIPOM (1965-1966) (PKO).

UN peace missions (16 PKO, 2 PO/PKO, 9 PO and PBO) (continuation)

Country (start-end of armed conflict)	Mission and type (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
EUROPE				
European continent	No special adviser ¹²			
Cyprus*(1974-)	UNFICYP (PKO) S/RES/186	March 1964	846/-/69	SR Taye-Brook Zerihoun (Egypt) (2008) replacing Michael Moller (Denmark) (2006)
FYR Macedonia-Greece				Personal Envoy for the Greece-FYR Macedonia talks, Matthew Nimetz (USA) (1999)
Georgia (Abkhazia)* (1992-1993)	UNOMIG (PKO) S/RES/849 S/RES/858	August 1993	-/132/17	SR Johan Verbeke (Belgium) (2008) replacing Jean Arnault (France) (2006)
Serbia (Kosovo) (1998-1999)	UNMIK (PKO) S/RES/1244	June 1999	-/22/841	SR Lamberto Zannier (Italy)(2008) replacing Joachim Rucker (Germany) (2006) <i>SE for the future status of Kosovo, Martti Ahtisaari (Finland) (2005)</i>
MIDDLE EAST				
Iraq (2003-)	UNAMI (PO) S/RES/1546 (2004)	August 2003	222/7/-	SR Staffan de Mistura (Sweden) (2007) replacing Ashraf Jehangir Qazi (Pakistan) (2004)
Iraq (2003-)				Special Advisor to the Secretary General on the International Compact with Iraq and other issues, Ibrahim Gambari (Nigeria) (2007)
Iraq-Kuwait (1990 - 1991)				High-level Coordinator for Compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third country nationals, Gennady P. Tarasov (Russian Fed.) (2008)
Israel-Palestine ¹³ (1948-)	UNSCO ¹⁴ (OP)	June 1994		Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary General to the PLO and the PNA and Secretary General's Envoy to the Quartet, Robert H. Serry (Netherlands) (2007)
Israel-Syria (Golan Heights) (1967, 1973)	UNDOF (PKO) S/RES/350	June 1974	1,043/57/-	Military head of mission, Major-General Wolfgang Jilke (Austria) (2007)
Israel-Lebanon (1967, 1982-2000, 2006)	UNIFIL (PKO) S/RES/425 - S/RES/426 (1978) S/RES/1701 (2006)	March 1978	12,543/-/-	Military head of mission, Major General Claudio Graziano (Italy) (2007)
Lebanon	UNSCOL (PO) S/2008/236 and S/2008/237 (2008)	Feb. 2007		Special Coordinator, Johan Verbeke (Belgium) (2008)
Middle East (1948-)	UNTSO (PKO) S/RES/50	June 1948	-/142/-	Military head, General Ian Campbell Gordon (Australia) (2006)
Middle East (1948-)				SE for the Implementation of Security Council Resolution 1559, Terje Roed-Larsen (Norway) (2005)

12. The previous Special Adviser to the UN Secretary-General on European Affairs, Jean-Bernard Merimée (France), officially left the post in 2002 and has appeared before the courts for his participation in the United Nations "Oil for Food" Programme corruption scandal in Iraq. However, Jean-Bernard Merimée appeared as Special Adviser on the United Nations organisational chart until October 2005, which has aroused considerable controversy.

13. Although the armed conflict began in 1948, this report analyses only the last phase of the conflict, corresponding to the 2nd Intifada, beginning in September 2000.

14. UNEF I (1956-1967) (PKO) UNEF II (1973-1979) (PKO).

OSCE Operations (19 missions)

Country (start-end of armed conflict)	Mission and type (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
CENTRAL ASIA				
Kazakhstan	OSCE centre in Almaty (PC/DEC 243, 23/07/98), turned into the OSCE centre in Astana (PC/DEC 797, 21/06/07)	January 1999		Ambassador Alexandre Keltchewsky (France) in June 2008, replacing Ivar Kristian Vikki (Norway) (2004)
Kyrgyzstan	OSCE centre in Bishek, PC/DEC 245, 23/07/98	January 1999		Ambassador Andrew Tesoriere (United Kingdom) in May 2008, replacing Markus Mueller (Switzerland) (2003)
Tajikistan	OSCE centre in Dushanbe, Council Dec I.4, 01/12/93	Febr. 1994		Vladimir Pryakhin (Russian Fed.) (2007)
Turkmenistan	OSCE Centre in Ashgabat (PC/DEC 244, 23/07/98)	January 1999		Ambassador Ibrahim Djikic (Bosnia and Herzegovina) (2005)
Uzbekistan	OSCE Project Coordinator in Tashkent (PC/DEC 734, 30/06/06)	July 2006		Ambassador Istvan Venczel (Hungary) (2007)
CAUCASUS				
Armenia	OSCE Office in Yerevan, PC/DEC 314, 22/07/99	Febr. 2000		Ambassador Sergei Kapinos (Russian Fed.) (2007)
Azerbaijan	OSCE Office in Baku, PC/DEC 318, 16/11/99	July 2000		Jose Luis Herrero Ansola (Spain) (2007)
Azerbaijan (Nagorno-Karabakh) (1991-1994)	Personal Representative of Chairman-in-office on the Conflict dealt with by the OSCE Minsk Conference	August 1995		Ambassador Andrzej Kasprzyk (Poland)
Georgia (1992-1993)	OSCE Mission to Georgia CSO 06/11/92	December 1992		SR Ambassador Terhi Hakala (Finland) in October 2007, replacing SR Ambassador Roy Stephen Reeve (United Kingdom)
EASTERN EUROPE				
Belarus	OSCE Office in Minsk, PC/DEC 526, 30/12/02	January 2003		Ambassador Ake Peterson (Sweden) (2005)
Moldova, Republic of	OSCE Mission to Moldova CSO 04/02/93	Febr. 1993		SR Ambassador Philip N. Remler (USA) in December 2007 replacing RE Ambassador Louis F. O'Neill (USA) (2006)
Ukraine	OSCE Project Co-ordinator in Ukraine, ¹⁵ PC/DEC 295 01/06/99	June 1999		Project Co-ordinator Ambassador James F. Schumaker (USA) (2005)
SOUTH-EASTERN EUROPE				
Albania	OSCE Presence in Albania, PC/DEC 160, 27/03/97; updated by PC/DEC 588, /12/03	April 1997		Ambassador Robert Bosch (Netherlands) in October 2007 replacing Ambassador Pavel Vacek (Czech Rep.)
Bosnia and Herzegovina (1992-1995)	OSCE Mission to Bosnia and Herzegovina, MC/5/DEC 18/12/95	Dec. 1995		SR Ambassador Douglas Davidson (USA) (2004)

15. Replaced the OSCE Mission in Ukraine (1994-1999) devoted to managing the crisis in Crimea.

OSCE Operations (19 missions) (continuation)

Country (start-end of armed conflict)	Mission and type (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
SOUTH-EASTERN EUROPE				
Croatia (1991-1995)	<i>OSCE Mission to Croatia</i> PC/DEC 112, 18/04/96; extended in PC/DEC 176, 26/06/97; PC/DEC 748, 23/11/06 OSCE Office in Zagreb PC/DEC 12/12/07	July 1996- Dec. 2007 Jan. 2008		Ambassador Jorge Fuentes Monzonis-Villalonga (Spain) (2005)
Macedonia, FYR (2001)	OSCE Spillover Monitoring Mission to Skopje CSO 18/09/92	September 1992		SR Ambassador Giorgio Radicati (Italy) (2006)
Montenegro	OSCE Mission To Montenegro PC/DEC 732	June 2006		SR Ambassador Paraschiva Badescu (Romania) (2006)
Serbia	OSCE Mission to Serbia, PC/DEC 733, 29/06/06 ¹⁶	June 2006		SR Ambassador Hans Ola Urstad (Norway) (2006)
Serbia (Kosovo) (1998-1999)	UNMIK (OSCE Mission in Kosovo) PC/DEC 305, 01/07/99	July 1999		Werner Almhöfer (Austria) in October 2008 replacing Tim Guldemann (Switzerland) (2007)

NATO Missions (4 missions)

Afghanistan (2002-)	ISAF S/RES/1386	Dec. 2001	50,700/-	Ambassador Fernando Gentilini (Italy), appointed as NATO Senior Civilian Representative in May 2008
Europe-Mediterranean Sea	Operation Active Endeavour	11/09/01		
Iraq (2003-)	NTIM-I, NATO Training Implementation Mission in Iraq, S/RES/1546	August 2004	200/-	
Serbia (Kosovo) (1998-1999)	KFOR S/RES/1244	June 1999	15,900/-	

EU Operations (15 missions and 11 SR)

EUROPE AND ASIA				
Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan and Turkmenistan)	EU SR for Central Asia, Council Joint Action 2005/588/CFSP, Council Decision 2006/670/CFSP	July 2005		SR Pierre Morel (France) replacing Heikki Talvitie (Finland) (2006)
Southern Caucasus	EU SR for the South Caucasus, Joint Action 2005/496/PESC	July 2003		SR Peter Semneby (Sweden) replacing Heikki Talvitie (Finland) (2006)
Afghanistan ¹⁷ (2002-)	EU SR for Afghanistan, Council Joint Action 2001/875/CFSP, subsequently amended	July 2002		SR Ettore Francesco Sequi (Italy), replacing Francesc Vendrell (Spain)
Afghanistan (2002-)	EUPOL AFGHANISTAN, EU Police Mission in Afghanistan, Council Joint Action 2007/369/CFSP, subsequently amended	June 2007	-/-/116	Head of Mission Kai Vittrup (Denmark) replacing Jürgen Scholz (Germany) (October 2008)

16. The OSCE mission in the Federal Republic of Yugoslavia, PC/DEC 401, 11/01/01, became OmiSaM (OSCE Mission in Serbia and Montenegro), PC/DEC 533, 13/02/03, and, finally, became the OSCE Mission in Serbia, PC/DEC 733, 29/06/06.

17. The current phase of the armed conflict suffered by the country began with the attacks by the USA and United Kingdom in October 2001, although the country has been involved in armed conflict since 1979.

EU Operations (15 missions and 11 SR) (continuation)

Country (start-end of armed conflict)	Mission and type (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
EUROPE AND ASIA				
Bosnia and Herzegovina (1992-1995)	EU SR in Bosnia and Herzegovina Council Joint Action 2006/49/CFSP Council Decision 2007/427/CFSP and Council Joint Action 2007/478/CFSP	2006		SR Miroslav Lajčák (Slovakia) replacing Christian Schwarz-Schilling (2007)
Bosnia and Herzegovina (1992-1995)	EUPM, EU Police Mission in Bosnia and Herzegovina Joint Action 2002/210/PESC, subsequently amended	Jan. 2003	-/-/166	Head of Mission Vincenzo Coppola (Italy) (November 2005)
Bosnia and Herzegovina (1992-1995)	EUFOR ALTHEA ¹⁸ , EU Military Operation in Bosnia and Herzegovina Council Joint Action 2004/570/CFSP	Dec. 2004	2,200/-/-	Military head Stefano Castagnotto (Italy) replacing Ignacio Martin Villalain (Spain) (December 2008)
Georgia	SR for the Crisis in Georgia, Council Joint Action 2008/760/ESDP	Sept. 2008		Pierre Morel (France) (September 2008)
Georgia – Russia (2008)	EUMM, EU Monitoring Mission, Council Joint Action 2008/736/CFSP and 2008/759/CFSP	Oct. 2008		Head of Mission Hansjörg Haber (Germany) (2008)
Kosovo (1998-1999)	EULEX Kosovo, EU Mission for the Rule of Law in Kosovo, Council Joint Action 2008/124/CFSP	2008		Head of Mission Yves de Kermabon (France) (February 2008)
Kosovo (1998-1999)	SR for Kosovo, Council Joint Action 2008/123/CFSP	February de 2008		Pieter Feith (Denmark)
Macedonia, FYR	EU mission in Macedonia, FYR (Special Representative's Office and European Commission Delegation), SR: Council Joint Action 2005/724/CFSP, subsequently amended	December 2005		Head of Mission and SR Erwan Fouéré (Ireland) (2005)
Moldova	EU SR for Moldova, Joint Action 2007/107/CFSP	March 2005		SR Kálmán Mizsei (Hungary) (2007)
Myanmar	EU SR for Burma/Myanmar, Appointed by High Representative for the CFSP, November 2007	Nov. 2007		SE Piero Fassino (Italy) (2007)
Moldova–Ukraine	EU Border Assistance Mission to Moldova and Ukraine (EUBAM)	Nov. 2005		
AFRICA				
Great Lakes	EU SR for the Great Lakes Region, Council Joint Action 2007/112/CFSP and 2008/108/CFSP	March 1997		SR Roeland van de Geer (Netherlands) (March 2007)
Congo, DR (1998-)	EUPOL DR CONGO, EU Police Mission in DR Congo Council Joint Action 2007/405/PESC, subsequently amended	July 2007		Head of Mission Adílio Custodio (Portugal)
Congo, DR (1998-)	EUSEC DR Congo, Security Sector Aid and Reform Mission in DR Congo Joint Action 2005/355/PESC	June 2005	8/-/-	Head of Mission Jean-Paul Michel (France) replacing Michel Sido (France) in July 2008
Guinea-Bissau	EU SRR Guinea-Bissau, EU mission in support of Security Sector Reform in Guinea-Bissau	June 2008		Esteban Verástegui (Spain), March 2008

18. The UN Security Council drew up resolution s/res/1551 of 09/07/04 to provide a mandate to the mission, under the supervision of the Council. This mission is the continuation of the NATO SFOR mission, and its mandate is to implement the Dayton Accord of 1995.

EU Operations (15 missions and 11 SR) (continuation)

Country (start-end of armed conflict)	Mission and type (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
AFRICA				
Somalia (1988-)	EU NAVFOR Somalia, S/RES/1816 (2008), S/RES/1838 (2008), Council Joint Action 2008/749/CFSP	Dec. 2008		Head of the coordination cell Andrés A. Breyjo Cláir (Spain) (2008)
Sudan (1983-2004)	EU SR for Sudan, Council Decision 2007/238/CFSP and Joint Action 2007/108/CFSP	April 2007		SR Torben Brylle (Denmark) (2007)
Central African Republic (2006-), Chad (2006-)	EUFOR TCHAD/RCA (PKO) S/RES/1778, Council Joint Action 2007/677/CFSP and 2008/110/CFSP	January 2008	3,700 +/-	Operation commander General Patrick Nash (Ireland) (2007)
MIDDLE EAST				
Middle East (1948-)	EU SR for the Middle East Peace Process	Nov. 1996		SR Marc Otte (Belgium) (2003)
Iraq (2003-)	EUJUST LEX, Integrated EU Mission for the Rule Law in Iraq, Council Joint Action 2005/190/PESC	July 2005		Head of Mission Stephen White (United Kingdom), March 2005
Israel-Palestine (1948-)	EU BAM Rafah, Border Assistance Mission at Rafah Crossing Point in the Palestinian Territories, Council Joint Action 2005/889/CFSP, subsequently amended	Nov. 2005	-/127	Head of Mission Pietro Pistolesse (Italy) (November 2008) replacing Alain Faugeras (France)
Israel-Palestine (1948-)	EU Police Mission for the Palestinian Territories (EUPOL COPPS) was set up within the Office of the EU SR for the Middle East, ¹⁹ Council Joint Action 2005/797/CFSP and 2008/133/CFSP	January 2006		

OAS (2 missions)

Colombia (1964-)	OAS Mission to support the peace process in Colombia, CP/RES/859	Feb. 2004		
Haiti (2004-2005)	OAS Special Mission to Strengthen Democracy in Haiti, CP/RES/806	June 2004	-/16	

Operations by Russia and the Community of Independent States (CIS)²⁰ (3 missions)

Georgia (South Ossetia)	Joint Force in South Ossetia (Bilateral, 24/06/92)	July 1992	1,500/-	
Georgia (Abkhazia)	CIS Peacekeeping Force in Georgia	June 1994	1,600/-	
Moldova Republic (Transdnierster)	Joint Control Commission Peacekeeping Force (Bilateral, 21/07/92)	July 1992	1,174/-	

19. A mission arising from the preliminary work carried out by the EU Coordinating Office for Palestinian Police Support (EU COPPS), established in April 2005.

20. The details of the CIS peace-keeping missions are extracted from *SIPRI 2008*, op. cit.

ECCASC (1 mission)

Country (start-end of armed conflict)	Mission and type (initial mandate resolution)	Beginning – end of mission	Soldiers/ Military Observ./ police	Special Representative/head of mission (SR) Special Envoy(SE) Personal Envoy (PE) and Special Adviser (SA) (year of appointment)
Central African Republic (oct. 2002-march 2003)	MICOPAX ²¹ (Mission de Consolidation de la paix en République Centrafricaine)	July 2008	500/-/-	

AU (2 missions)

Comoros	MAES, AU Electoral and Security Assistance Mission to the Comoros, AU PSC/MIN/Comm.1, 09/05/2007	May 2007	200/-/-	
Somalia (1988-)	AMISOM, S/RES/1744 (AU Mission in Somalia)	Febr. 2007	3,400/-/-	

Other operations (7 missions)

Korea, RPD – Korea, Rep. of	NSC (Neutral Nations Supervisory Commission) Armistice Agreement	July 1953	-/10/-	
Solomon Islands	RAMSI Regional Assistance Mission Solomon Islands (Biketawa Declaration) S/RES/1690	July 2003	214/-/306	RAMSI Special coordinator, Tim George
Israel-Palestine (1948-)	TPIH 2 (Temporary International Presence in Hebron)	January 1997	-/3/21	
Egypt (Sinai)	Multinational Force and Observers (Protocol to the Peace Treaty between Egypt and Israel 26/03/1979)	April 1982	-/1,691/-	
Iraq (2003-)	Multinational Force in Iraq (USA-United Kingdom) S/RES/1511	Oct. 2003	153,350 ²² /-/-	
Côte d'Ivoire (2002-)	Operation Licorne (France) S/RES/1464	Feb. 2003	2,400/-/-	
Timor-Leste (1975-1999)	ISF (PKO) (Australia) S/RES/1690	May 2006	950/-/-	

* Unresolved conflicts in 2008 (see the chapter on peace processes). The case of India-Pakistan is analysed from the point of view of the peace process.

** In italics, the missions closed or duties completed in 2008.

Sources: Prepared by the authors and updated in December 2008, and *SIPRI 2008*.

21. In July, a new regional force from ECCAS, MICOPAX, took over from the Multinational Force (FOMUC) in of the regional organisation EMCCA. This mission should be 700-strong by the end of the first quarter of 2009.

22. Of this figure, 146,000 correspond to the USA, and the remaining 6,350 correspond to the other countries making up the Multinational Force in Iraq. See O'Hanlon, Michael E., Campbell, J. H. *Iraq Index*, Brookings Institution, 4 December 2008, <<http://www.brookings.edu/iraqindex/>>.

Annex III. Donors' response and CAP 2008 review

Donors' response in 2008

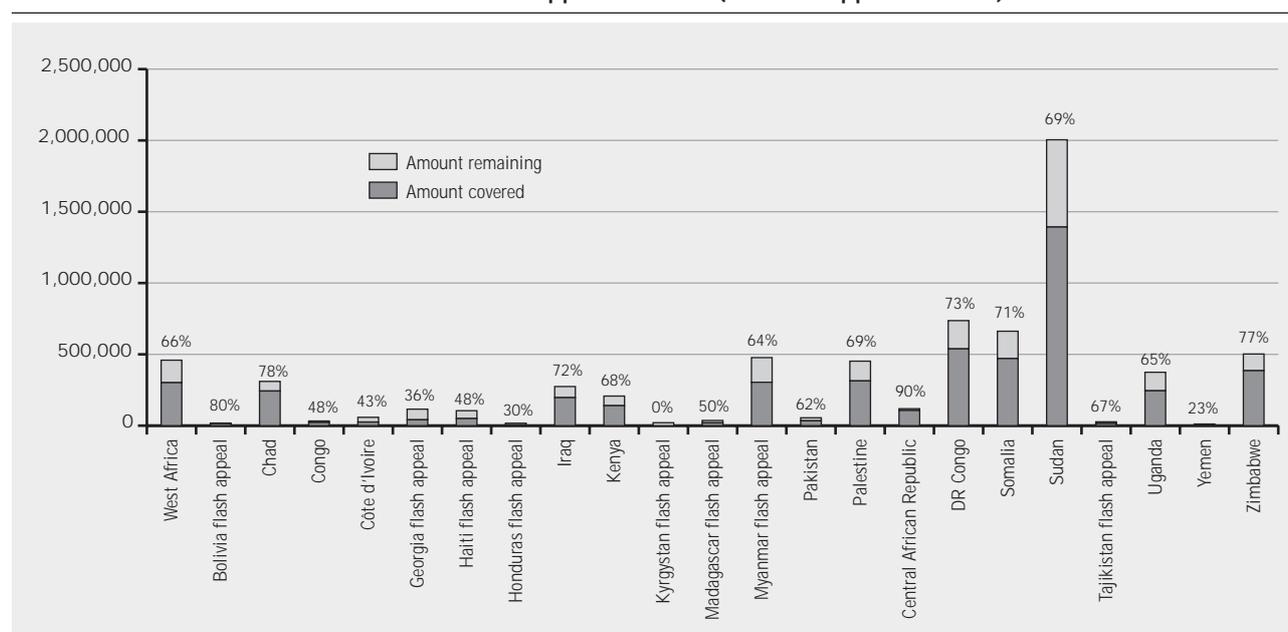
Main humanitarian appeals ¹	Main recipients by organization	Main recipients by sector	Main donor countries ²	TOTAL
Aid provided through the United Nations				
1. Central African Rep. (90%)	1. WFP	1. Food	1. USA (29%)	4,867 millions of dollars
2. Chad (78%)	2. UNICEF	2. Multi-sector	2. Carry-over (12.8%)	
3. Zimbabwe (77%)	3. UNHCR	3. Coordination and support services	3. ECHO (9.2%)	
4. DR Congo (73%)	4. UNWRA	4. Protection and human rights	4. United Kingdom (7.1%)	
5. Iraq (72%)	5. FAO	5. Water and sanitation	5. Unearmarked funds (6.6%)	
Global Humanitarian Funding				
	1. WFP	1. Food	1. USA (26.9%)	10,615 millions of dollars
	2. UNHCR	2. Multi-sector	2. ECHO (10.5%)	
	3. UNICEF	3. Health	3. Saudi Arabia (6.8%)	
	4. WFP and NGO	4. Non-specified	4. Carry-over (6.2%)	
	5. Bilateral	5. Coordination and support services	5. United Kingdom (5.2%)	

1. Appeals issued through the United Nations. The percentage reflects the quantity of funds raised per appeal in relation to the solicited amount and, indeed, the degree of commitment of the international community.

2. The percentage underlines the contribution per donor in relation to the global funding, regardless of the donor's GDP.

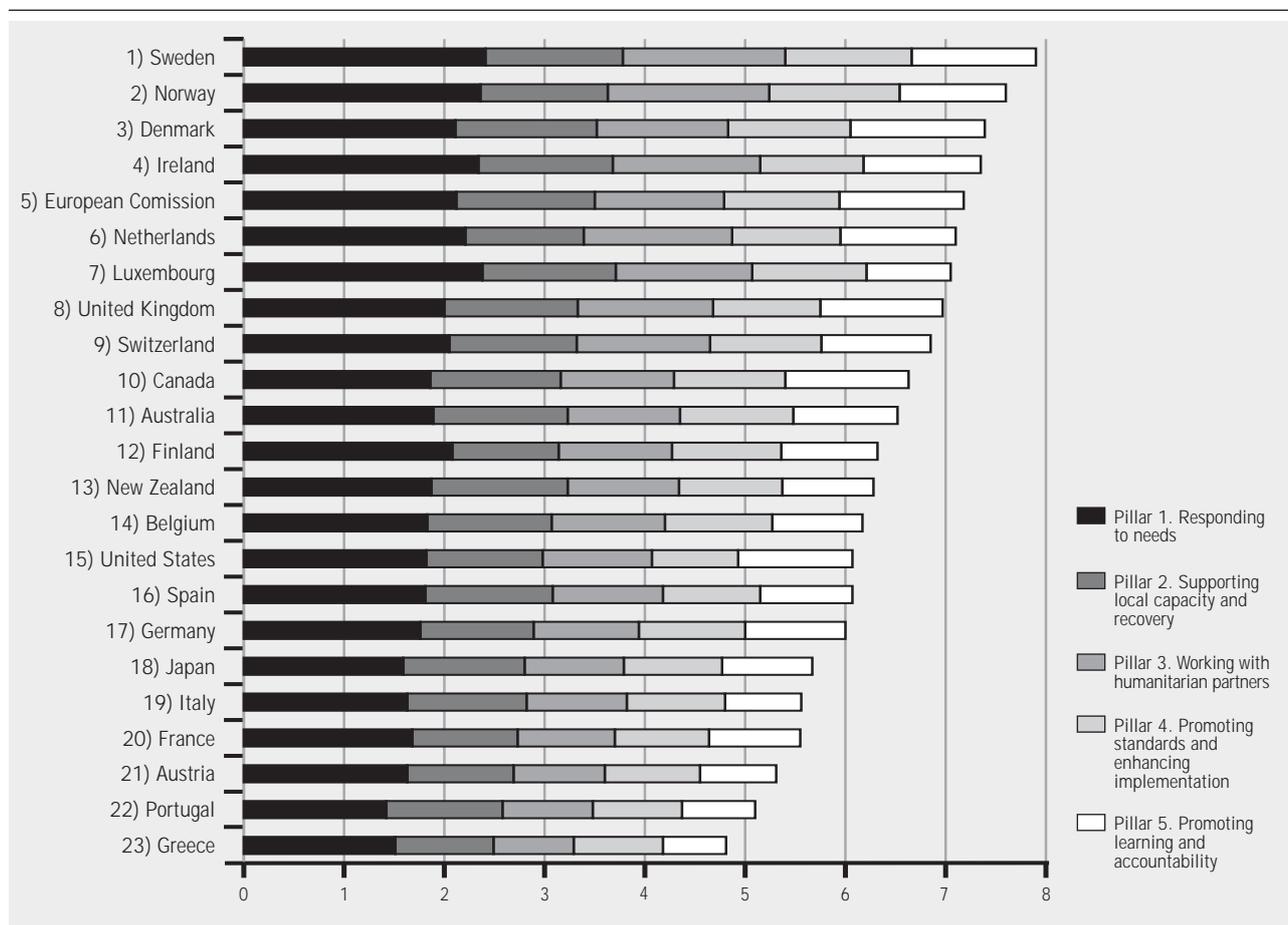
Data source: Financial Track Service, OCHA <<http://www.reliefweb.int/fts>> (consulted in 11/12/2008)

Total amounts allocated to each humanitarian appeal in 2008 (% of the appeal covered)



Data source: Financial Track Service, OCHA <<http://www.reliefweb.int/fts>>

Annex IV. Humanitarian Response Index 2008¹



Source: DARA – Humanitarian Response Index 2008. November 2008. <<http://www.hri.daraint.org/>>

1. The HRI is a tool elaborated to assess the quality of humanitarian response offered by the member states of the OCDE in relation to the Principles of Good Humanitarian Donor-ship passed in 2003. In a range from 1 to 10, this last figure reflects the complete fulfilment of these principles and therefore the most efficient and effective humanitarian donor-ship. For further information read the box 5.4 in chapter 5 (Humanitarian crises).

Annex V. Countries with flash appeal submitted through United Nations system in 2008

Country (publishing data) ¹	Issue	Funds required (dollars)	% obtenido
Southern Africa (12/02/08)	Floods	89,178,415	32%
Bolivia (20/02/08)	Floods	18,215,196	80%
<i>Georgia (18/08/08)</i>	<i>Armed conflict</i>	<i>115,718,864</i>	<i>36%</i>
Haiti (09/09/08)	Cyclone	104,858,572	48%
Honduras (29/10/08)	Floods	17,086,986	30%
<i>Kenya (16/01/08)</i>	<i>Post-electoral violence</i>	<i>207,568,401</i>	<i>68%</i>
Kyrgyzstan (28/11/08)	Cold wave	20,635,263	0%
Madagascar (01/03/08)	Cyclone	36,476,586	54%
Myanmar (09/05/08)	Cyclone	477,077,946	64%
<i>Pakistan (07/09/08)</i>	<i>Floods and armed conflict</i>	<i>55,102,503</i>	<i>62%</i>
Tajikistan (15/02/08)	Energetic crisis	26,914,132	57%
Yemen (10/11/08)	Floods	11,483,150	23%
TOTAL		1,180,316,014	46.16%

Data source: Financial Track Service, OCHA. <<http://www.reliefweb.int/fts>>

1. In italics the countries whose appeal is linked, entirely or partially, to scenarios of violence or armed conflict.

Annex VI. EU's Common Position on Equipment and Military Technology Exports

The EU Code of Conduct was the first international code adopted in relation to arms exports and it is one of the most extensive of its kind. However, its established criteria are not thorough enough, and lack a clear assignment of responsibilities to States with reference to international legislation. Since December 2008, the Code became a Common Position on Equipment and Military Technology Exports and it is legally binding. The Common Position adopts almost the same criteria as the Code of Conduct, but adds that the exporting country be responsible for the verification of the final destination of the armament and obliges the recipient country to respect International Humanitarian Law. The criteria used in the Code's original text are detailed together with its operative provisions as follows:

CRITERION ONE

Respect for the international commitments of EU member states, in particular the sanctions decreed by the UN Security Council and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations.

An export licence should be refused if approval was inconsistent with, inter alia: the international obligations of member states and their commitments to enforce UN, OSCE and EU arms embargoes; the international obligations of member states under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention; their commitment in the framework of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement; their commitment not to export any form of anti-personnel landmine.

CRITERION TWO

The respect for human rights in the country of final destination.

Having assessed the recipient country's attitude towards relevant principles established by international human rights instruments, Member States will: not issue an export licence if there is a clear risk that the proposed export might be used for internal repression; exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account the nature of the equipment to countries where serious violations of human rights have been established by the competent bodies of the UN, the Council of Europe or the EU.

For these purposes, equipment which might be used for internal repression will include, inter alia, equipment

where there is evidence of the use of this or similar equipment for internal repression by the proposed end-user, or where there is reason to believe that the equipment will be diverted from its stated end-use or end-user and used for internal repression. In line with operative paragraph 1 of this Code, the nature of the equipment will be considered carefully, particularly if it is intended for internal security purposes.

Internal repression includes, inter alia, torture and other cruel, inhuman and degrading treatment or punishment, summary or arbitrary executions, disappearances, arbitrary detentions and other major violations of human rights and fundamental freedoms as set out in relevant international human rights instruments, including the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

CRITERION THREE

The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.

Member States will not allow exports which might provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

CRITERION FOUR

Preservation of regional peace, security and stability.

Member States will not issue an export licence if there is a clear risk that the intended recipient might use the proposed export aggressively against another country or to assert by force a territorial claim.

When considering these risks, EU Member States will take into account inter alia: the existence or likelihood of armed conflict between the recipient and another country; a claim against the territory of a neighbouring country which the recipient has in the past tried or threatened to pursue by means of force; whether the equipment is likely to be used other than for the legitimate national security and defence of the recipient; the need not to affect adversely regional stability in any significant way.

CRITERION FIVE

The national security of the member states and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

Member States will take into account: the potential

effect of the proposed export on their defence and security interests and those of friends, allies and other member states, while recognising that this factor cannot affect consideration of the criteria on respect of human rights and on regional peace, security and stability; the risk of use of the goods concerned against their forces or those of friends, allies or other member states; the risk of reverse engineering or unintended technology transfer.

CRITERION SIX

The behaviour of the buyer country with regard to the international community, as regards in particular to its attitude to terrorism, the nature of its alliances and respect for international law.

Member States will take into account inter alia the record of the buyer country with regard to: its support or encouragement of terrorism and international organised crime; its compliance with its international commitments, in particular on the non-use of force, including under international humanitarian law applicable to international and non-international conflicts; its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control and disarmament conventions referred to in sub-para b) of Criterion One.

CRITERION SEVEN

The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In assessing the impact of the proposed export on the importing country and the risk that exported goods might be diverted to an undesirable end-user, the following will be considered: the legitimate defence and domestic security interests of the recipient country, including any involvement in UN or other peace-keeping activity; the technical capability of the recipient country to use the equipment; the capability of the recipient country to exert effective export controls; the risk of the arms being re-exported or diverted to terrorist organisations (anti-terrorist equipment would need particularly careful consideration in this context).

CRITERION EIGHT

The compatibility of the arms exports with the technical and economic capacity of the recipient country, taking into account the desirability that states should achieve their legitimate needs of security and defence with the least diversion for armaments of human and economic resources.

Member States will take into account, in the light of information from relevant sources such as UNDP, World Bank, IMF and OECD reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They will consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

OPERATIVE PROVISIONS

Each EU Member State will assess export licence applications for military equipment made to it **on a case-by-case basis** against the provisions of the Code of Conduct.

This Code will not infringe on the right of Member States to **operate more restrictive national policies**.

EU Member States **will circulate through diplomatic channels details of licences refused** in accordance with the Code of Conduct for military equipment together with an explanation of why the licence has been refused. The details to be notified are set out in the form of a draft pro-forma at Annex A. Before any Member State grants a licence which has been denied by another Member State or States for an essentially identical transaction within the last three years, it will first consult the Member State or States which issued the denial(s). If following consultations, the Member State nevertheless decides to grant a licence, it will notify the Member State or States issuing the denial(s), giving a detailed explanation of its reasoning.

The decision to transfer or deny the transfer of any item of military equipment will remain **at the national discretion of each Member State**. A denial of a licence is understood to take place when the member state has refused to authorise the actual sale or physical export of the item of military equipment concerned, where a sale would otherwise have come about, or the conclusion of the relevant contract. For these purposes, a notifiable denial may, in accordance with national procedures, include denial of permission to start negotiations or a negative response to a formal initial enquiry about a specific order.

EU Member States will **keep such denials and consultations confidential** and not use them for commercial advantage.

EU Member States will work for the **early adoption of a common list** of military equipment covered by the Code, based on similar national and international lists. Until then, the Code will operate on the basis of national control lists incorporating where appropriate elements from relevant international lists.

The criteria in this Code and the consultation procedure provided for by paragraph 3 of the operative provisions **will also apply to dual-use** goods as specified in Annex 1 of Council Decision 94/942/CFSP as amended, where there are grounds for believing that the end-user of such goods will be the armed forces or internal security forces or similar entities in the recipient country.

In order to maximise the efficiency of this Code, EU Member States will work within the framework of the CFSP to **reinforce their cooperation and to promote their convergence** in the field of conventional arms exports.

Each EU Member State will circulate to other EU Partners in confidence an **annual report** on its defence exports and on its implementation of the Code. These

reports will be discussed at an annual meeting held within the framework of the CFSP. The meeting will also review the operation of the Code, identify any improvements which need to be made and submit to the Council a consolidated report, based on contributions from Member States.

EU Member States will, as appropriate, **assess** jointly through the CFSP framework **the situation of potential or actual recipients** of arms exports from EU Member States, in the light of the principles and criteria of the Code of Conduct.

It is recognised that Member States, where appropriate, may also **take into account the effect of proposed exports** on their economic, social, commercial and industrial interests, but that these factors will not affect the application of the above criteria.

EU Member States will use their best endeavours to **encourage other arms exporting states to subscribe to the principles of this Code of Conduct.**

This Code of Conduct and the operative provisions will replace any previous elaboration of the 1991 and 1992 Common Criteria.

Annex VII. Current arms embargoes imposed by the United Nations, EU and OSCE

An arms embargo is understood to be a ban on arms commercialisation imposed to a country or to an opposition armed group as a sign of disapproval, trying to keep a neutrality status on an armed conflict, and/or to restrict the resources of an actor so that to avoid armed violence. The imposition or recommendation of an embargo by the United Nations Security Council, the EU or OSCE is understood to represent an acknowledgement that the situation in the country affected is exceptional. As a result, and for the purposes of this study, no distinction is made between binding and voluntary embargoes. Nevertheless, a distinction is made between sanctions which are imposed on individual countries and those which are applied to armed opposition groups. As it is showed on the tables below, **24 arms embargoes on 14 countries** remained in force at the end of 2008, against Governments and armed opposition groups.

United Nations embargoes

Country	In force since	Modified in*
Taliban and al-Qaeda**	16/01/02 (S/RES/1390)	
Côte d'Ivoire	15/11/04 (S/RES/1572)	
DR Congo (except Government)	28/11/03 (S/RES/1493)	31/03/08 (S/RES/1807)
Iran (nuclear technology)	23/12/06 (S/RES/1737)	24/03/08 (S/RES/1747)
Liberia (except Government)	19/11/92 (S/RES/788)	13/06/06 (S/RES/1683)
DPR Korea (heavy weapons)	14/10/06 (S/RES/1718)	
Sierra Leone (RUF)	08/10/97 (S/RES/1132)	05/06/98 (S/RES/1171)
Somalia (except Government)	21/01/92 (S/RES/733)	06/12/06 (S/RES/1725)
Sudan (Darfur)	30/07/04 (S/RES/1556)	29/03/05 (S/RES/1591)

* Extensions are not included but the latest substantial modification on the terms of the embargo.

**Not linked to a specific country or territory.

EU embargoes

Country	In force since	Modified in*
Taliban and al-Qaeda**	27/05/02 (2002/402/CFSP)	
China	27/06/89 (EC declaration)	
Côte d'Ivoire	15/11/04 (2004/852/CFSP)	23/01/06 (2006/30/CFSP)
DPR Korea	22/11/06 (2006/795/CFSP)	
DR Congo (except Government)	07/04/93 (EC declaration)	13/06/05 (2005/440/CFSP)
Iran	27/02/07 (2007/140/CFSP)	23/04/07 (2007/246/CFSP)
Lebanon	15/09/06 (2006/625/CFSP)	
Liberia (except Government)	07/05/01 (2001/357/CFSP)	24/07/06 (2006/31/CFSP)
Myanmar	29/07/91 (EC declaration)	29/10/01 (2001/757/CFSP)
Sierra Leone (RUF)	05/06/98 (98/409/CFSP)	
Somalia (except Government)	10/12/02 (2002/960/CFSP)	27/01/03 (EC 147/2003)
Sudan	15/03/94 (94/165/CFSP)	30/05/05 (EC 838/2005)
Uzbekistan	14/11/05 (2005/792/CFSP)	
Zimbabwe	18/02/02 (2002/145/CFSP)	19/02/04 (EC 314/2004)

* Latest substantial modification on the terms of the embargo.

**Not linked to a specific country or territory.

OSCE embargoes

Country	In force since	Modified in*
Azerbaijan (Nagorno-Karabakh)	28/02/92	CSO no. 2, Annex 1

* Latest substantial modification on the terms of the embargo.

Annex VIII. Resolutions and decisions issued by the United Nations Human Rights Council

Resolutions and decisions issued by the United Nations Human Rights Council 7th Session (03/03/08 – 28/03/08)

RESOLUTIONS

7/1 Human rights violations resulting from Israeli attacks and military incursions into occupied Palestinian territory, particularly those occurring recently in the occupied Gaza Strip

Urges all interested parties to respect international human rights rules and international humanitarian law and to refrain from exercising violence against civilian population.

7/2 Composition of the office staff of the United Nations High Commissioner for Human Rights

Asks the High Commissioner to present a far-reaching, updated report to the Council in 2009, in accordance with her annual work schedule, keeping to the structure and scope indicated for the report and paying particular attention to new measures adopted to correct the imbalance in the geographical composition of Office staff.

7/3 Strengthening international cooperation in the sphere of human rights

Urges member States, specialised bodies and inter-governmental organisations to keep maintaining a constructive dialogue, holding consultations to improve the understanding, promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organisations to contribute actively to this work.

7/4 Mandate for the independent expert on the consequences of foreign debt and international financial obligations associated with States for the full enjoyment of all human rights, particularly economic, social and cultural rights

Asks the independent expert to present the Council with an analytical report in 2009 on the application of this resolution, in accordance with his annual work schedule, and to present an advance report on the subject to the General Assembly during its sixty-third period of sessions.

7/5 Mandate for the independent expert on human rights and international solidarity

Asks the independent expert to continue working to prepare a draft declaration on the rights of peoples and individuals to international solidarity and to present the Council with a report on the application of the current resolution, in accordance with his work schedule.

7/6 Mandate for the independent expert on minority issues

Decides to extend the mandate of the independent on minority issues for a period of three years.

7/7 The protection of human rights and fundamental freedoms in the fight against the terrorism

Encourages States to take into consideration the relevant United Nations resolutions and decisions in the fight against terrorism, and to take proper account of the recommendations of the proceedings and special mechanisms of the council and the relevant observations and opinions of the bodies established under human rights treaties.

7/8 Mandate for the special rapporteur on the position of human rights defenders

Urges States to seriously consider the possibility of agreeing to the special rapporteur's requests to visit their countries and urges them to establish a constructive dialogue with the special rapporteur concerning monitoring and complying with his recommendations so that he can fulfil his mandate even more effectively.

7/9 The human rights of disabled people

Decides to hold an interactive annual debate during one of its ordinary periods of sessions on the rights of disabled people, and to hold the first of these debates during its tenth period of sessions in order to deal with the essential legal measures for the ratification and effective application of the Convention, also in relation to equality and non-discrimination.

7/10 Human rights and the arbitrary withdrawal of nationality

Asks the Secretary General to gather information on this issue from all relevant sources and to make it available to the Council during its tenth period of sessions.

7/11 The function of good governance in promoting human rights

Invites States to consider the possibility of ratifying the United Nations Convention against Corruption or to adhere to it and promote openness, accountability, prevention and application of the law as fundamental principles of the fight against corruption.

7/12 Enforced or involuntary disappearances

Decides to extend the mandate of the Working Group for a further three-year period, urging States to make an effort to put an end to the climate of impunity enjoyed by those responsible for enforced disappearances, and to clear up cases of enforced disappearances as a crucial measure for effectively preventing them.

7/13 Mandate for the special rapporteur on the sale of children, child prostitution and the use of children in pornography

Encourages all governments to respond favourably to the special rapporteur's requests to visit their countries in order to fulfil his mandate effectively.

7/14 The right to food

Decides to hold a round table discussion on the right to food during its main period of sessions in 2009.

7/15 Human rights situation in DPR Korea

Decides to extend the mandate of the special rapporteur for a period of a year in accordance with Human Rights Council resolutions 2004/13 and 2005/11.

7/16 Human rights situation in Sudan

Expresses deep concern over the seriousness of the violations of human rights and international humanitarian law being committed in some parts of Darfur and repeats its appeal to all parties to put an end to acts of violence against the civilian population.

7/17 Right of the Palestinian people to free determination

Urges all member States and relevant bodies of the United Nations system to support and assist the Palestinian people to put their right to free determination into effect. *Decides* to continue examining this issue during its period of sessions in March 2009.

7/18 Israeli settlements in occupied Palestinian territory, including east Jerusalem, and in the occupied Syrian Golan Heights

Deplores the recent announcements made by Israel concerning the building of new homes for Israeli settlers in and around occupied eastern Jerusalem, which threatens the peace process and the creation of an adjoining, sovereign and independent Palestinian State and infringe international law and the promises made by Israel at the Annapolis peace conference held on 27 November 2007.

7/19 The fight against the defamation of religions

Strongly deplores attacks and physical aggression against any enterprises, cultural centres and places of worship and the fact that religious symbols may be used as targets.

7/20 Technical cooperation and advice services in DR Congo

Asks the Office of the United Nations High Commissioner for Human Rights, through his presence in DR Congo, to increase and intensify his activities and technical aid programmes in consultation with the authorities of that country, and to report to the Council during its period of sessions in March 2009.

7/21 Mandate for the Working Group on the use of mercenaries as a means of violating human rights and obstructing the exercise of the right of peoples to free determination

Asks the Working Group to hold consultations with States, inter-governmental and non-governmental organisations and other relevant agents from civil society concerning the application of this resolution and to

submit its conclusions on the use of mercenaries as a means of violating human rights and obstructing the exercise of the right of peoples to free determination to the General Assembly during its sixty-third period of sessions and to the Council in 2009.

7/22 Human rights and access to drinking water and sewerage

Exhorts all governments to cooperate with the independent expert and invites them to inform him of good practices and to provide him with all necessary information related to his functions so that he can fulfil his mandate. *Decides* to continue examining this issue in relation to the same agenda item at its tenth period of sessions.

7/23 Human rights and climate change

Decides to consider the issue during its tenth period of sessions in relation to item 2 on the agenda and subsequently to make the study, together with a summary of the debates from its tenth period of sessions, available to the Conference of Parties on the United Nations Framework Convention on Climate Change for its examination.

7/24 Elimination of violence against women

Urges all governments to provide special cooperation and assistance to the special rapporteur in carrying out the tasks and functions she is responsible for, providing her with all information requested, particularly that related to the application of her recommendations, and to seriously consider a favourable response to any requests she may make in relation to visits and communications.

7/25 Prevention of genocide

Invites the High Commissioner, as a high priority and in consultation with States, to prepare and to put into practice, according to the available resources, appropriate commemorative events to celebrate the 60th anniversary of the Convention for the Prevention and Punishment of Genocide, also considering the commemoration of the 60th anniversary of the Universal Declaration of Human Rights.

7/26 International Convention for the protection of all people against enforced disappearances

Encourages all States that have not done so to study the possibility of signing, ratifying or adhering to the International Convention for the protection of all people against enforced disappearances.

7/27 Human rights and extreme poverty

Invites the High Commissioner's Office to present a report to the Human Rights Council, for the last period of sessions of 2009 at the latest, so that it can adopt a decision on ways to move forward, with a view to the possible approval of the principles governing the rights of people who live in a situation of extreme poverty.

7/28 Disappeared persons

Decides to organise a round table discussion during its ninth period of sessions on the issue of disappeared persons and to invite experts from the International Committee of the Red Cross, delegates from governments, non-governmental organisations, national

human rights institutions and international organisations.

7/29 Children's rights

Decides to ask the Secretary General to provide the staff and necessary resources for the Children's Rights Committee, special rapporteurs and special representatives of the United Nations system to be able to perform their duties in an efficient and timely manner, with a charge to the ordinary United Nations budget, and to invite States to continue making voluntary contributions, when appropriate.

7/30 Human rights in the occupied Syrian Golan Heights

Decides to proceed to examine the issue of human rights violations in the occupied Syrian Golan Heights during its tenth period of sessions.

7/31 Human rights situation in Myanmar

Strongly urges the Government of Myanmar to invite the Special Rapporteur on the human rights situation in Myanmar as soon as possible for a follow-up mission to be undertaken in accordance with the Council's request in its resolution 6/33; to fully cooperate with the mission and to implement the recommendations included in the Special Rapporteur's report on the human rights situation in Myanmar (A/HRC/6/14).

7/32 Mandate for the special rapporteur on the human rights situation in Myanmar

Asks the special rapporteur to present a progress report to the General Assembly's sixty-third period of sessions and to the Council, in accordance with his annual work schedule.

7/33 From rhetoric to reality: a world appeal to adopt specific measures against racism, racial discrimination, xenophobia and associated forms of intolerance

Decides to invite the group of five eminent independent experts to speak to the Council during its tenth period of sessions.

7/34 Mandate for the special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and associated forms of intolerance

Asks all governments to cooperate fully with the special rapporteur in carrying out his mandate by answering his communications and urgent appeals promptly and providing the information requested.

7/35 Human rights aid to Somalia

Decides to renew the mandate of the independent expert for a year in order to strengthen as much as possible the provision and flow of technical aid concerning human rights to Sudan. *Asks* him to present a report to the Council in its periods of sessions in September 2008 and March 2009.

7/36 Mandate for the special rapporteur on the promotion and protection of the right to freedom of opinion and expression

Decides to extend the mandate of the special rapporteur for three more years. *Asks* him to integrate the human rights of women and a gender perspective into all work related to his mandate.

Resolutions and decisions issued by the United Nations Human Rights Council 8th session (02/06/08 to 18/06/08)

RESOLUTIONS

8/1 Facilities and financial support for the Human Rights Council

Reaffirms the need to guarantee the financial resources necessary for the proper operation of the Council and its working groups and *expresses concern for the delays occurring in the presentation of documents.*

8/2 Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

Adopts and opens signing, ratification and access for the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

8/3 Mandate for the special rapporteur on extra-judicial, summary or arbitrary executions.

Decides to extend the special rapporteur's mandate for a period of three years.

8/4 The right to education

Decides to extend the special rapporteur's mandate for a period of three years.

8/5 Promotion of an equitable, democratic international order.

Rejects unilateralism and underlines commitment to multilaterally agreed solutions, as indicated by the United Nations' Charter and international law, as the only reasonable way of dealing with international problems.

8/6 Mandate for the special rapporteur on the independence of judges and lawyers

Urges all governments to cooperate with the special rapporteur in carrying out his activities.

8/7 Mandate for the UN secretary general's special representative on human and transnational rights

Decides to extend the special rapporteur's mandate for a period of three years.

8/8 Torture and other cruel, inhuman or degrading treatment.

Particularly condemns any action or attempt by any State or civil servant to legalise, authorise or permit torture, whatever the circumstances including national security reasons.

8/9 Promotion of the right of peoples to peace

Points out that peace is an essential requirement for the promotion and protection of all human rights.

8/10 The human rights of migrants: Mandate for the special rapporteur on the human rights of migrants.

Decides to extend the special rapporteur's mandate for a period of three years.

8/11 Human rights and extreme poverty.

Decides to extend the special rapporteur's mandate for a period of three years.

8/12 Special rapporteur on people trafficking, particularly involving women and children

Decides to extend the special rapporteur's mandate for a period of three years.

8/13 Elimination of discrimination against people affected by leprosy and their families.

States that people affected by leprosy and their families must be treated individually and with dignity and that they have the right to all basic human rights and fundamental freedoms, in accordance with international rules.

8/14 Human rights situation in Myanmar

Condemns the constant violations of human rights and fundamental freedoms of the population of Myanmar.

DECISIONS (8/101 to 8/132)

Results of the Periodic Universal Examination of: Bahrain, Ecuador, Tunisia, Morocco, Finland, Indonesia, United Kingdom and Northern Ireland, India, Brazil, Philippines, Algeria, Poland, Holland, South Africa, Czech Republic, Argentina, Gabon, Ghana, Guatemala, Peru, Benin, Switzerland, Korea, Pakistan, Zambia, Japan, Ukraine, Sri Lanka, France, Tonga, Romania, Mali.

STATEMENTS BY THE PRESIDENT OF THE HUMAN RIGHTS COUNCIL

PRST/8/1 Methods and practices for the Periodic Universal Examination

PRST/8/2 Mandate for the rapporteurs of special procedures

Resolutions and decisions issued by the United Nations Human Rights Council 9th session (starting 8 September 2008)

RESOLUTIONS

9/1 Mandate for the special rapporteur on the damaging effects of the illicit transport and dumping of toxic and hazardous products and waste on the enjoyment of human rights.

Decides to extend the special rapporteur's mandate for a period of three years.

9/2 Human rights and international solidarity

Asks the special rapporteur to present a report to the twelfth session of the Human Rights Council.

9/3 Right to development

Highlights the urgency of making this right a reality for all people.

9/4 Human rights and unilateral coercive measures

Rejects all attempts to introduce coercive measures, including those involving the promulgation of laws applying extra-territorially, which do not meet international regulations.

9/5 The human rights of migrants

Strongly condemns all manifestations of racism and xenophobia against immigrants and urges States to apply the law to eradicate impunity for those who commit xenophobic or racist acts.

9/6 Follow-up to the seventh session of the Human Rights Council concerning the negative impact of the worsening of the world food crisis on the achievement of the right of everyone to food.

Points out the obligation of all States to meet the food needs of the population, particularly with regards to vulnerable groups.

9/7 Human rights and indigenous peoples

Suggests that the General Assembly should adjust the mandate of the United Nations Voluntary Fund for Indigenous Peoples to include the establishment of a mechanism for the rights of this group.

9/8 Effective application of international human rights instruments

Points out the need to guarantee the finance and allocation of staff and adequate resources to carry out the activities involved in human rights treaties.

9/9 Protection of the human rights of civilians in armed conflicts

Underlines the importance of combating impunity to prevent violations of international humanitarian law and human rights perpetrated against civilians in armed conflict situations

9/10 Human rights and transitional justice

Underlines that justice, peace, democracy and development are imperatives that mutually reinforce one another.

9/11 Right to truth

Encourages all States to sign, ratify or accede to the International Convention for the Protection by All Persons from Enforced Disappearance.

9/12 Voluntary human rights targets

Invites States to set voluntary human rights targets on the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights.

9/13 Draft United Nations directives for appropriate child care practices and conditions

Reaffirms the importance of protecting the rights and welfare of children requiring alternative care, as established by General Assembly resolution 62/141.

9/14 Mandate for the Expert Working Group on People of African Descent

Decides to extend the mandate of the Working Group on People of African Descent for a period of three years.

9/15 Technical aid and advice for Cambodia

Decides to extend the mandate of the special procedure on the human rights situation in Cambodia for a year, by appointing a special rapporteur to perform the duties carried out by the secretary general's special representative.

9/16 Technical aid and advice for Liberia

Urges the international community to provide finance and adequate aid to the Government of Liberia so that it can consolidate human rights, peace and security on its national territory.

9/17 Human rights situation in Sudan

Expresses deep concern about the human rights situation in Sudan, including arbitrary arrests, restrictions on freedom of expression, association and movement throughout the country and the lack of justice and accountability for the serious crimes that are being committed.

9/18 Follow-up to resolution S-3/1: human rights violations resulting from Israeli incursions into occupied Palestinian territory and bombing of Beit Hanoun

Urges Israel, the occupying power, to comply with its obligations in terms of international law and international humanitarian law.

9/19 Technical aid and advice for Burundi

Decides to extend the mandate of the independent expert until a national human rights commission is established.

DECISIONS

9/101 Disappearances

Asks the Advisory Committee to prepare a study of good practices concerning disappearances and to present it at the twelfth session of the Council.

9/102 Commemorative session on the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights

Decides to call a special session to commemorate the sixtieth anniversary of the Universal Declaration of Human Rights.

9/103 Strengthening of the Human Rights Council

Requests the Secretary General to present a report to the 63rd session of the General Assembly specifying the resources that are needed to guarantee the services indicated in the report presented by the High Commissioner's Office (A/HRC/9/18).

STATEMENTS BY THE PRESIDENT OF THE HUMAN RIGHTS COUNCIL

PRST/9/1 Human rights situation in Haiti.

PRST/9/2 Follow-up to president's statement 8/1.

RESOLUTIONS ISSUED BY THE UNITED NATIONS HUMAN RIGHTS COUNCIL

6th extraordinary session (23-24 January 2008)

S- 6/1 Human rights violations resulting from the Israeli attacks and incursions into occupied Palestinian territory, particularly in the occupied Gaza Strip.

Requires the occupying power, Israel, to immediately lift the siege imposed on the occupied Gaza Strip, re-establish the continuous supply of fuel, food and medicines and reopen the border crossings and *urges* all interested parties to respect human rights rules and international humanitarian law and to refrain from exercising violence against the civilian population.

7th extraordinary session (22 May 2008)

S- 7/1 The negative effect of the worsening of the world food crisis on the achievement of the right of all people to food.

Expresses great concern over the worsening of the world food crisis, which seriously undermined the achievement of the right of all people to food and because this crisis threatens to further undermine the achievement of the Millennium Development Goals, particularly goal 1 which aims to reduce the percentage of people suffering from hunger by half by 2015.

8th extraordinary session (28 November 2008)

S- 8/1 Human rights situation in eastern DR Congo.

Condemns acts of violence, human rights violations and abuses committed in Kivu, particularly sexual violence and the recruitment of child soldiers and highlights the need to bring those responsible to justice.

Annex IX. Post-War Peace-Building indicator

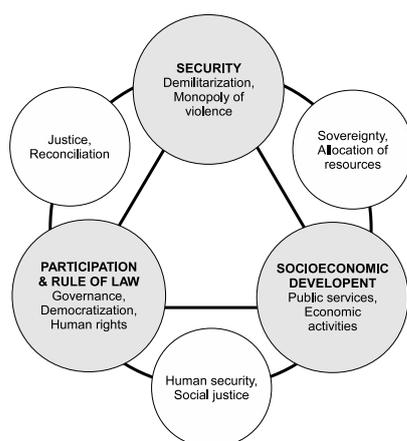
Indicator no. 4 explores the involvement of the international community in various post-conflict contexts with the formal aim of peace-building. It focuses on the initial response phase, in which the international community attempts to play a decisive role and considers that its intervention is vital. The indicator consists of a small number of variables denoting the **scope** of the intervention (the different areas it covers) and its **progress** (the development of the activities undertaken). In this way it reflects the level of involvement in the intervention and its potential for transformation.

This indicator does not assess the peace-building success of the intervention. By contrast, it shows whether certain necessary criteria have been fulfilled, from the viewpoint of the international community itself, in order to begin the transfer of responsibilities to local agents (the transition from initial response to the transformation phase explained below).

a) Pillars, areas and scope

Simplifying considerably, three broad **pillars** can be established, designated by the United Nations and other peace-building organisations from the international community. Depending on the aims to be achieved, these are commonly called: **security**, **socio-economic development**, and **participation and the Rule of Law**. A very lengthy catalogue of objectives, strategies and social processes is included under these headings. Here these are generically called "action areas".

PWPB pillars and main action areas



The relationship between pillars and action areas sparks a continuous debate which requires the constant reformulation of PWPB policies. It is accepted that, in an optimum situation, they all complement and feed one another, so it is not normal to adopt a strictly linear interpretation of the classical *physical security-economic development-democratisation* sequence.

Instead, rehabilitation is achieved from all pillars simultaneously.

To construct indicator no. 4, six areas have been chosen, two from each pillar. The scope of the intervention is estimated based on the number of these areas the international community is involved in. Each area is given the same value and it is assumed that, in principle, they can start, develop and end simultaneously. The maximum value for the scope would therefore be 6 and the minimum 1.

Pillars and areas for indicator no. 4

Pillar	Area
Security	<ul style="list-style-type: none"> • Military missions • Management of weapons and ex-combatants
Socio-economic development	<ul style="list-style-type: none"> • Donors Conferences and development plans • Aid to refugees and displaced persons
Participation and the Rule of Law	<ul style="list-style-type: none"> • Electoral processes • Constitutional reforms

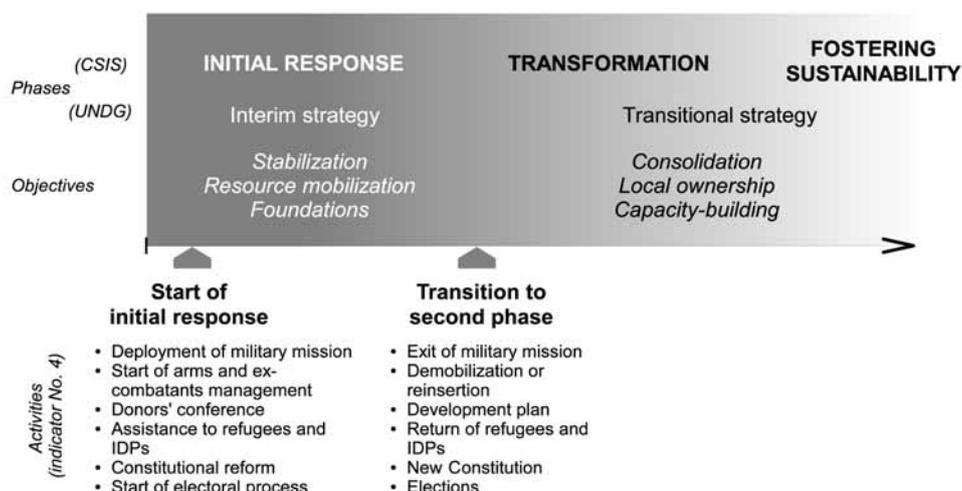
If the indicator shows the intervention has greater scope, this does not necessarily reflect progress in the process or that it is taking longer. What it does show, however, is that there is greater involvement by the international community and that, if the intervention achieves its objectives, the transformation of that society is likely to be more far-reaching and along the lines of the plans made. But this involvement must be considered relatively, as its absence may be due to various reasons. For example, certain areas can be covered endogenously or the role played in them by the international community may not involve leadership. It may also be that there is no need to carry out certain initiatives, or that they have been skipped because of lack of foresight, interest, resources or other reasons.

b) Indication of progress

As stated in the chapter on PWPB, armed conflict tends to be considered as a period of crisis. This means international community involvement is carried out based on models of action in emergencies. The greatest effort will, therefore, be made when the conflict begins to ease and it will be abandoned when there is a "return to normality". This being so, the degree of involvement in the initial response will indicate the international community's long-term relative interest in one context or another.

During initial response, activities move from being replacement, preparatory or emergency ones to establishing a context that allows the transfer of responsibil-

Chronogram of PWPB: Initial response activities



Based on Center for Strategic and International Studies, *Post-conflict Reconstruction Task Framework*, CSIS/AUSA, May 2002, and UNDG/ECHA Working Group on Transitions, *UN Transitional Strategy Guidance Note [draft]*, UNDG, October 2005.

ities to local institutions, as happens in the second, transformation phase. This progress is taken into account and some activities are considered as indicators of the beginning of international intervention or of transition to the transformation phase (see chronogram).

There is an implicit “zero hour” of intervention distinguishable from non-intervention. This would be when the international community clearly expresses its intention to participate in certain aspects of PWPB but has not yet got the operation under way or, for example, during the period between the end of armed confrontations and the transformation of an operation that was already being carried out (military peace-keeping mission, aid to refugees) to one that assumes long-term peace-building objectives as priorities. To reflect this period, the date of the peace agreement has been taken to mark the start of the post-war situation.

c) Criteria for determining scope and progress

In general, two conditions common to all areas denoting the presence of the international community in a peace-building intervention are: a) that the role played by the international community should clearly be one of leadership, preferably expressed by a Security Council resolution, and b) that the objectives considered by the UN as forming part of PWPB should appear among the specified aims of the intervention.

Military missions

International military operations deployed under Chapter VII of the United Nations' Charter under a Security Council resolution that also include a civil component responsible for beginning peace-building activities linked to legal, political, humanitarian and human rights aspects are considered. As these are security

interventions, only missions with troops deployed under a United Nations mandate are considered, not political missions without a military component. Nor have military missions deployed under the mandate of regional organisations been taken into account, even if they are authorised by the Security Council.

It is considered that a mission of this kind begins with the approval of the resolution and that the moment of transition occurs when the mandate of the military component of the mission is completed.

Data source: United Nations Department of Peace-Keeping Operations (DPKO), Security Council resolutions.

Management of weapons and ex-combatants

This includes processes aimed at ex-combatants. These can either be disarmament, demobilisation and reintegration (DDR) or those intended to reform the security sector (SSR). In the first case, the beginning is marked either by the moving of the armed groups to cantonments or by the disarming of individual combatants. The transition is considered as being the time of formal demobilisation (licensing) opening the way to civil reintegration. In the second case, the beginning is marked by the move of troops to barracks or the beginning of the identification of ex-members of non-State armed groups so that they can subsequently be incorporated into the State security sector. The transition is marked by the effective beginning of the SSR process and/or the foundation of new armed forces.

Sources: DPKO, United Nations Department of Political Affairs (DPA), UNDP, World Bank Multi-Country Demobilisation and Reintegration Program (MDRP).

d) Socio-economic development

Donors Conferences and development plans

The first initial response activity in this area is considered to be the holding of an international donors conference organised by the United Nations in cooperation with the World Bank, where the first assessments of PWPB needs are presented. Transition is determined by the Government, with United Nations support, drawing up a Common Country Assessment (CCA), a Poverty Reduction Strategic Plan (PRSP) and another document determining the transition strategy and serving to coordinate the collection and allocation of international finance.

Source: World Bank, IMF, United Nations Development Group.

Refugees and displaced persons

To determine the beginning of the initial phase, the crisis involving refugees and displaced persons under the protection of the UNHCR and with a country of origin in a post-conflict situation is taken into account. When there is a mass return of population (the returned population figures are greater than the figures for refugee or internally displaced population), the beginning of the transition phase is established.

Source: UNHCR.

Post-conflict peace-building indicator

		Pillar	Security	
		Area	Military mission	Managing arms and combatants
		Activity	Mission → Start of mandate ✓ End of mandate	Programme → Start ✓ End
	Peace agreement			
Afghanistan	Bonn Agreement 05/12/2001		ISAF → S/RES/1386, 20/12/2001 ✓ S/RES/1833, 13/10/2009	DDR/DIAG → 10/2003
Congo DR	Final Act, Sun City 02/04/2003		MONUC → S/RES/1291, 24/02/2000 ✓ S/RES/1856, 31/12/2009	PNDDR → 07/2004
Côte d'Ivoire	Linas-Marcoussis Agreement 24/01/2003		ONUCI → S/RES/1479, 13/05/2003 ✓ S/RES/1826, 31/01/2009	PNDDR → 12/2007
Haiti	Security Council resolution 1542 ¹ 30/04/2004		MINUSTAH → S/RES/1542, 30/04/2004 ✓ S/RES/1840, 05/10/2009	Start of RSS ✓ 06/2004
Iraq	Security Council resolution 1483 ² 22/03/2003		MNF-I → S/RES/1551, 16/10/2003 ✓ S/RES/1790, 31/12/2008	Dissolution of Army ✓ 23/03/2004
Liberia	Comprehensive Peace Agreement, Accra 18/08/2003		UNMIL → S/RES/1509, 19/09/2003 ✓ S/RES/1836, 30/09/2009	DDRR → 12/2003 ✓ 11/2004
Nepal	Comprehensive Peace Agreement, Kathmandu 21/11/2006			AMMAA → 01/2007
Central African Rep.	All-Inclusive Political Dialogue, Bangui 21/06/2008			Pending
Sudan (South)	Comprehensive Peace Agreement, Nairobi 09/01/2005		UNMIS → S/RES/1590, 24/03/2005 ✓ S/RES/1812, 30/04/2009	DDR → 09/2005

1. Establishment of MINUSTAH (S/RES/1542, 30 April 2004).

2. Recognition of the authority of the USA and United Kingdom in their capacity as occupying powers (S/RES/1483, 22 May 2003).

3. Number of initial response activities with international intervention (activities begun, activities in transition to transformation phase).

4. Of the initial response, from the start of the PWPB intervention until all activities begun are in transition to the transformation phase.

e) Participation and the Rule of Law

Electoral processes

It is considered that the international community is intervening in, even if it is not leading, an electoral process when, as well as facilitation, advice and supervision, it has a duty to validate the process and the electoral results. Both legislative and presidential elections are included.

The start of the process is taken as one of the various preparatory actions for elections, such as the official setting of a date for holding elections, the drawing up of a population census or the establishment of an electoral commission. The holding of the elections marks the transitional point.

Sources: International IDEA, reports from the UN Secretary General, International Foundation for Electoral Systems.

Constitutional reform

Constitutional reform processes in which the international community intervenes directly and actively to ensure openness, plural participation and respect for human rights are taken into account. The beginning of the initial phase is established with the setting up of a commission or constituent assembly and the transition is marked by the approval of a new Constitution.

Sources: ILO, reports from the UN Secretary General. .

Socio-economic development		Participation and the Rule of law		Scope ³	Duration ⁴ (years)
Donors Conference and development plan	Refugees and internally displaced persons	Electoral process	Constitutional reform		
→ Conference ✓ Plan	Start of return	Type of elections → Start of process ✓ Elections	→ Start ✓ Ratification		
→ Tokyo, 01/01/2002 ✓ CCA, 10/2004	2002	Legislative → 15/02/2003 ✓ 18/09/2005	→ 03/11/2002 ✓ 03/01/2004	6 (2/4)	7.2
→ Kinshasa, 11/11/2004 ✓ PRSP, 09/2007	2006	Legislative → 20/06/2005 ✓ 30/07/2006	→ 24/01/2005 ✓ 18/02/2006	6 (2/4)	5.8
→ Postponed, no date ✓ PRSP, 01/2009	Pending	Presidential → 15/08/2003 Postponed, no date		5 (4/1)	6.0
→ Washington, 20/07/2004 ✓ PRSP, 12/2006		Presidential → 30/08/2004 ✓ 07/02/2006		4 (1/3)	4.8
→ Madrid, 24/10/2003 ✓ Assistance Strategy, 08/2005	Pending	Legislative → 08/06/2004 ✓ 30/01/2005	→ 30/01/2005 ✓ 15/10/2005	6 (1/5)	5.9
→ New York, 06/02/2004 ✓ CCA, 06/2006	2007	Legislative and Presidential → 31/05/2004 ✓ 11/10/2005		5 (1/4)	5.5
→ Kathmandu, 07/03/2007 ✓ CCA, 12/2007	2007	Legislative → 15/06/2007 ✓ 10/04/2008		4 (1/3)	2.2
	Pending	Legislative and Presidential Planned for 2010		3 (0/0)	0.5
→ Oslo, 12/04/2005 ✓ Transitional Strategy, 03/2005	2007	Legislative and Presidential → 24/03/2005 Planned for 2009		5 (2/3)	4.1

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