

UFER

International Movement for Fraternal Union among
Races and Peoples



An Idea in Action

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The International Movement for Fraternal Union among Races and Peoples (UFER) is a federation of organisations and persons involved in the promotion of understanding, dialogue and cooperation between races, peoples, ethnic and cultural groups, in the spirit of the Universal Declaration of Human Rights

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EDITORIAL

"Human rights -- indivisible and interdependent -- must hold the whole world in solidarity. The struggle for human rights would not be possible without human rights defenders who risk their lives to ensure that others are protected ... And we should work with urgency. There is no time to rest."

Ban Ki-Moon, Secretary General of the UN, in his message for the 60th anniversary of the Universal Declaration of Human Rights.

The Universal Declaration of Human Rights, which was adopted 60 years ago, is at the root of the creation of UFER. The 17 organizations which got together in 1951 to fund this Movement, with a view to represent them in the newly created international organizations, decided to take this brand new Declaration as their source of inspiration.

Since then, with the means at its disposal and joining efforts with other NGOs, UFER has been an advocate for human rights on various international forums. In conformity with its aim to promote understanding, dialogue and cooperation between races, peoples, ethnic and cultural groups, the Movement has of course given its support to all those who were struggling for the independence of their countries, in the 1960s and 70s, especially in Southern Africa, or against Apartheid in the same region. UFER has, among others, actively participated in the organization, in 1974, of an international NGO conference, on the subject. Using its consultative status with ECOSOC, granted in 1953, it also enabled victims of Apartheid to take the floor in the UN Commission on Human Rights.

UFER also drew attention, within this instance, to numerous other violations of human rights on various continents, providing a platform to militants and victims. We gave our support, just to mention a few, to victims of violations of human rights in Equatorial Guinea, Ethiopia, Kashmir and Iran as well as to the Grand-mothers of the "Plaza de Mayo" in Argentina, who were struggling to find their grand-children abducted by the military Junta.

In his remarks to the Human Rights Council, on 12 December 2008, the Secretary General of the UN expressed his admiration for Mrs. Estela Barnes de Carlotto, President of the Grand-Mothers of the "Plaza de Mayo", who "became a force for international action ... and pushed for the treaty against enforced disappearances". It is as a representative of UFER that she was able to pursue this action in the Commission on Human Rights.

In addition, UFER has always worked for the promotion of women's rights and its participation in development and decision-making at all levels. It also joined efforts for the adoption by the UN of concrete measures to combat violence against women, including traditional practices affecting the health of women and children. The Movement also works for the promotion of children's rights.

UFER is also an advocate of the rights of indigenous peoples, participating in two large international NGO conferences on discrimination against indigenous peoples, in 1977 and 1981, which contributed to the creation, by the United Nations of the Working Group on Indigenous Peoples, in 1982. UFER has since then participated in the deliberations of this Group, which has just been replaced by a new expert mechanism.

In the next issues of the Newsletter, we will present testimonies of militants who have received the support of UFER in their struggles for the respect of human rights. We will pursue this commitment and we call on you to help us ensure that the principles enshrined in the Universal Declaration of Human Rights and the other conventions, which have followed, be respected.

I take this opportunity to present to you our best wishes for 2009, may this coming year bring peace and happiness to you and your family and may your efforts to bring more justice and harmony in your environment be successful.

*In the name of the Governing Body
and the Editorial Team*

*Raymonde Martineau, Secretary
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HUMAN RIGHTS

➤ THE 60TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

On 10 December 1948, at Palais Chaillot in Paris, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. In order to commemorate this important event, the Department of Public Information of the United Nations, in collaboration with the Office of the High Commissioner for Human Rights, UNESCO and the French government, decided to hold its 61st NGO conference in Paris, at UNESCO Headquarters, from 3 to 5 September, 2008.

UFER was represented at the Conference by Fina Bijmens, Monique Costermans, Elly Koenig, Colette Mitre and Berhane Raswork. You will find below a summary and some extracts of the reports which they have sent us. Those who would like to receive the full reports can send a request to the editors. You can also consult the website of the conference:

<http://www.un.org/dpi/ngosection/conference/home.shtml>

On 3 September, a large crowd composed of women and men from various origins, colors and ages was moving towards the headquarters of UNESCO. It was impressive and, at the same time, a beautiful scene. While waiting to go through the security we could read on large posters outside such sentences as: *“If you are different from me, my brother, far from damaging me, you enrich me.”* (Antoine de Saint-Exupéry, Citadelle) or *“What better gift can we receive from the “other” than to reinforce our uniqueness, our originality, by being different from us?”* (Albert Jacquard, Éloge de la différence).

The theme of the Conference was *“reaffirming human rights for all”*. Its main objective was to recognize and reinforce the role of NGOs in the promotion and the protection of human rights. More than 1500 representatives of NGOs from different countries were present. The President of the conference, **Shamina de Gonzaga**, a 26 year-old human rights activist, declared straightaway that silence does not serve anyone and that we should not be afraid to say the truth and things as they are. She also underlined that the United Nations must be the forum where the truth can be said without any fear with a view of finding common solutions.

During the opening ceremony, the participants heard messages from the Secretary-General of the United Nations, **Ban Ki-moon**, and the President of the General Assembly, **Miguel d’Escoto Brockman**. Mme **Rama Yade**, Secretary of State in

charge of Foreign Affairs and Human Rights in the Ministry of Foreign and European Affairs, who represented the French government, recalled to role of the United Nations in the defense of human rights. She also introduced two texts aiming at countering violence against women, on the one hand, and homophobia, on the other hand. These texts will soon be submitted by France to the members of the European Union.

Mrs. **Simone Veil**, former Minister, deported to Auschwitz at 16 years-old, recalled the two deadly wars of the XXth century and mentioned her experience in the concentration camp wondering how “democratic countries could come to that”? “We still need, today, human beings who are ready to stand up against the unacceptable, she said”. In her view, NGOs must be the spurs which remind States of their responsibilities.

WORKSHOPS

Roundtables and workshops were also held during these three days to facilitate discussions between representatives of the United Nations, governments, civil society and the private sector. They dealt with issues such as “*the history of the Universal Declaration of Human Rights*”, “*women’s rights and cultural heritage*”, “*human rights and the UN partnership with the civil society*”, “*defending human rights for all*”, “*discrimination and poverty*”, “*human rights and human security*”.

Moving testimonies were made during the workshops, either by families of disappeared persons, former political prisoners or on behalf of disabled persons, who are marginalized, especially those with a mental handicap. A lot of emphasis was placed on the necessity of listening and recognizing the poorest.

CONCLUSION

During the conference, basic principles such as the universality and indivisibility of human rights were reaffirmed. The importance of the role of NGO was recognized. “We all know that governments have their own interests, which do not always correspond with those of their populations, said Stéphane Hessel, former Ambassador of France and High-Level civil servant of the United Nations, but fortunately there are everywhere human rights defenders as well as national and local organizations who see to it that the fundamental texts which are guiding us are implemented.” “The struggle is hard, said a participant, because it is a challenge to promote human rights for all.”

➤ TWO YEARS HUMAN RIGHTS COUNCIL

*By Paul Beersmans, Member of UFER Board of Directors and
President of Belgian Association for Solidarity with Jammu and Kashmir*

I. Setting-up procedures and methods of work

In previous publications of UFER Newsletter, we already gave an overview of the new structure of the Human Rights Council, which replaced the Human Rights Commission in June 2006. Since then, the Council meets as a quasi-permanent body. Its agenda and programme of work provide the opportunity to discuss all thematic human rights issues and situations that require the Council's attention throughout the year. New procedures and methods of work were implemented in order to ensure transparency, predictability, impartiality:

1. **The Universal Periodic Review** is a new mechanism through which the Council reviews on a periodic basis the fulfilment of the human rights obligations of all countries. It ensures that all states, including the members of the Council, are treated equally and are subject to a review of their human rights record. All UN Members States are being reviewed within a period of four years: 48 states every year in three sessions of two weeks each, 16 countries per session.
2. **Mechanisms of special procedures**, such as Special Rapporteurs and Working Groups have been implemented. They are considered to be the most effective, flexible and responsive mechanisms within the UN human rights system. The Council's review of these procedures aims to strengthen the system and to ensure greater cooperation with other human rights mechanisms within the UN organisation. Presently there are 29 thematic and 9 country mandates.
3. **An Advisory Committee**, replacing the former Sub-Commission on the Promotion and Protection of Human Rights, has been established to support the Council's work. The Committee functions as a think tank and provides expertise and advice and conducts substantive research and studies on thematic issues of interest to the Council, at its request. The Advisory Committee is made up of 18 experts and convenes up to two sessions for a maximum of ten days per year with the possibility of additional sessions as approved by the Council.
4. **The Complaint Procedure**, which is confidential and based on the previous 1503 procedure, allows individuals and organisations to bring complaints about gross and reliably attested violations of human rights to the attention of the Council.

Up to the seventh session a lot of time was spent on these aspects, but it appears that more attention will now be paid to the fundamental human rights.

II. The ninth session

This session was held in Geneva from 8-26 September 2008. The general atmosphere was relaxed and the programme of work could be followed without any problems: no noon or evening sessions even if the Council started very often 10 to 15 minutes late. Important aspects of human rights were considered:

- **Special Rapporteurs and Working Groups** presented reports on specific issues such as: 'Children and Armed Conflict', 'Rights of Indigenous People', 'Toxic Waste', 'Contemporary Forms of Slavery', 'Sale of Children', 'Global Food Crisis', 'Right to Development' and 'Missing Persons'.
- The situation in **Sudan (Darfur)** was debated in an interactive dialogue.
- The human rights situation in **Palestine** and other occupied Arab territories was again discussed at length.
- Under the item of **Racism**, Racial Discrimination, Xenophobia and Related Forms of Intolerance a report on 'Defamation of religions' was considered and oral presentations were made on the 'Regional Preparatory Meetings for the Durban Review Conference'.

III. Participation of NGOs

- NGO's were allowed to participate in the interactive dialogue and to make oral statements. Unfortunately, the allotted time was limited to only two minutes. During the noon break, NGO's organised briefings in order to attract attention to human rights situations in different parts of the world like Tibet, Sri Lanka, Jammu and Kashmir, Iraq, Iran, Afghanistan, Myanmar, Congo, etc.
- Due to the disturbed situation in **Jammu and Kashmir** (see page ... in this Newsletter), this issue was brought up too many times by NGO's. This prompted reactions by the delegations of India and Pakistan which used their right of reply again and again. At the end, nobody paid attention anymore.

IV. Comments

- Looking back on these two and a half years of Human Rights Council, we can conclude that, after the initial difficult phase of transition, the Council is now on track. NGO's have found their new place and are using the possibilities they have to raise their voice as much as they can.
- Nevertheless, for NGO's not having a permanent office or representation in Geneva, it has become difficult and expensive to have the same impact as

before. The Council convenes three times a year, to which we have to add three additional sessions for the Universal Periodic Review. If an NGO like ours wants to be present and to raise its voice, like we were used during the time of the Commission and Sub-Commission, it means twice as much expense. Before, we only had to go to Geneva twice a year, now it is four times.

- Notwithstanding this handicap, we are trying to adapt to this new situation and to combine our participation with other activities. Until now we have been able to make UFER visible and heard during the sessions of the Council by having a representative in Geneva and by sending additional representatives for a limited time during the sessions. UFER also presented a written statement and supported joint statements proposed by other NGO's. We will continue our efforts to get the maximum out of our participation in the Human Rights Council.

➤ IN BRIEF

1. **Ms Navanethem Pillay**, a South African national, has been appointed by the Secretary-General of the United Nations as **High-Commissioner for Human Rights**, succeeding Ms. Louise Arbour. She took up her function on 1 September 2008. Ms. Pillay, a lawyer, was a militant under the regime of Apartheid in her country. After the democratic election she was appointed judge on the South African High Court. She also served eighth years as a judge on the International Criminal Tribunal for Rwanda. She was finally appointed on the International Criminal Court in The Hague in 2003, where she remained till her nomination as High Commissioner.¹
2. A High-Level **Fact-Finding Mission sent to Beit-Hanoun**, in the North of the Gaza Strip, after the shelling of houses and civilians in November 2006 by the Israeli army, presented its final report to the ninth session of the Human Rights Council. The mission was composed of Archbishop Desmond Tutu of South Africa and Professor Christine Chinkin of Great Britain. Israel refused to cooperate with the mission. In their report, the two envoys concluded that "the firing of artillery towards Beit Hanoun on the morning of 8 November 2006 was a deliberate act ... (and) that there is evidence of a disproportionate and reckless disregard for Palestinian civilian life, contrary

¹ High Commissioner for Human Rights, Navanethem Pillay, Biography on website:
<http://www.ohchr.org/FR/AboutUs/Pages/HighCommissioner.aspx>

to the requirements of international humanitarian law and raising legitimate concerns about the possibility of a war crime having been committed.”².

3. Upon his return from a mission to **Equatorial Guinea**, the UN Special Rapporteur on Torture, Mr. Manfred Nowak, issued a statement on 18 November 2008, in which he deplored that he was denied access to all places of detention under the authority of the military and to other facilities. In spite of this, he found that torture was systematically used in various police stations, that conditions of detention were appalling and that there was an absence of the rule of law. He recommended that the government undertakes a complete overhaul of its law enforcement bodies and advised the international community to be careful in its cooperation with the government in order not to be complicit in violations of human rights by state authorities. The Special Rapporteur will present a written report to the Human Rights Council.³

UFER drew attention to violations of Human Rights in Equatorial Guinea as early as 1976. Our organization made many interventions before the UN Human Rights Commission and was instrumental in the adoption of the first resolution on the subject in 1979, following which a Special Rapporteur was appointed to investigate the situation. The case of Equatorial Guinea has been on the agenda of the Commission on Human Rights for years. Despite its withdrawal from the agenda in 2002, after a firm commitment by the government to abide in the future by international human rights norms, violations of human rights continue.

4. A second preparatory meeting for the **Durban Review Conference on Racism**, due to take place in Geneva from 20 to 24 April 2009, took place in Geneva, in October. There is considerable divergence of views as to the issues that the Conference should deal with. While some countries would like to deal with a large variety of discriminations, others consider that issues such as cast-based discrimination or homophobia should not be dealt with in such a conference. In that context, there was a long debate at the Preparatory Committee over the accreditation to the Conference of NGOs promoting the rights of Dalits and Homosexuals.

² Report of the high-level fact-finding mission to Beit Hanoun established under Council resolution S-3/1, A/HCR/9/26, 1/9/2008, par. 49,
<http://domino.un.org/unispal.nsf/fd807e46661e3689852570d00069e918/eaeeae82c6c256519852574c5005427ce!OpenDocument>

³ UN Special Rapporteur concludes mission to Equatorial Guinea, UN Press release of 18/11/2008, on website:
<http://www.unhchr.ch/hurricane/hurricane.nsf/view01/51613719D48B2DA8C12575070051FE0D?opendocument>

Some Member-States insist on the importance of freedom of speech, but others would like to place the question of defamation of religion high on the agenda. Countries from the South would like to link racism and poverty and to emphasise issues such as migration. The government of the United States and other Western countries fear that the Conference will turn into an event pervaded by anti-Semitism, as was the case in the 2001 conference, according to them.

The Conference will most probably reflect the tensions which exist between North and South. Some Western Countries, such as Canada, have already decided not to participate and others, like France, are threatening to do so. This is too bad as racism and other forms of discrimination are still pervasive in many countries. **UFER** intends to participate in the Conference.

WOMEN'S ISSUES

➤ Commission on the Status of Women (CSW)

By Sharon Joslyn, UFER representative in New York

1. Participation of girls

The theme for the 53rd session of the CSW to take place at the United Nations in New York, from 2 to 13 March 2009, will be: *The equal sharing of responsibilities between women and men, including care giving in the context of HIV/AIDS.*

<http://www.un.org/womenwatch/daw/53sess.htm>

I am a member of the Working Group on Girls (WGG), of the NGO UNICEF Committee, which is working hard to make sure that girls are included. Girls are defined as between the ages of 14 to 18. During CSW 51 we spoke of “making girls visible”. Now we are working at the “institutionalization of girls rights” in UN documents, which are now referring only to women.

CSW 51 brought 200 girls to the United Nations from all over the world, since the focus was on the “girl-child”. The girls themselves said they want to be heard at these meetings and not just be a presence. Our goal this year is to bring 75 girls, both domestic and international. The cost of travel and the obtaining of visas are two major obstacles. Each girl under 18 years of age will also need to be accompanied by a chaperone.

Some of the possible events that we are working on in collaboration with others are:

- An Orientation Session for Girls
- Girls Oral Statement
- Caucus for Girls & Girls Parallel Event(s)
- Boy/Girl Panel on Shared Responsibility for Care Giving in HIV/AIDS

At a recent WGG monthly meeting we were all moved by a quote in a DVD presentation by the Nike Foundation which stated that: “The most powerful force for change on the planet is a girl.”

2. About the theme

There is a particular concern among many NGOs that traditional divisions of labor continue to give girls responsibilities for the care of younger children and other domestic tasks. In the case of HIV/AIDS, girls drop out of school to care for sick parents or for younger siblings. In some cases, they also suffer from HIV/AIDS. The practice of having sex with a virgin to “cure” HIV still exists and girl children are all too often unable to protect themselves from unwanted sexual activity. They are also vulnerable due to early marriage to much older men and the transmission of the disease from their mother.

That is why the Working Group on Girls has submitted a working-paper ⁴ to an Expert Group which will assist in the preparation of the Commission session. The paper expresses concern that “the girl child continues to experience many of the worst human rights abuses” and it recommends, among others, to “promote competence and resilience of the girl child through education and training” and to “strengthen the role of civil society and organizations for girls’ participation and empowerment”. **UFER** is one of the signatories of this document.

➤ Violence against women

Senior religious leaders from Asia, Africa and North America, representing such diverse faiths as Buddhism, Christianity, Hinduism, Judaism and Islam, committed themselves to help stop violence against women. They expressed support for the “say no to violence against women campaign” launched by

⁴ Expert Group Meeting on “The Equal Sharing of Responsibilities Between Women and Men, Including Care Giving in the Context of HIV/AIDS”, Geneva, 6-9 October, 2008, Discussion Paper submitted by the NGO Committee on UNICEF, Working Group on Girls, <http://www.un.org/womenwatch/daw/egm/equalsharing/EGM-ESOR-2008-OP1%20Working%20group%20on%20girls%20UNICEF.pdf>

UNIFEM⁵ and recognized this commitment as a moral imperative rooted in their respective religious traditions. ⁶

➤ Culture, Gender & Human Rights

The theme of the 2008 annual report of the United Nations Population Fund (UNFPA) is *Reaching Common Ground: Culture, Gender and Human Rights*. “The starting point of the report is the universal validity of the international human rights framework. The focus is therefore on discussing and showcasing how culturally sensitive approaches are critical for the realization of human rights in general and women’s rights in particular.” ⁷

INDIGENOUS PEOPLES

➤ Expert Mechanism on the Rights of Indigenous Peoples

This new expert body, composed of five independent personalities, has been created by the Human Rights Council (HRC) to replace the Working Group on Indigenous Populations. It will provide the Council with thematic expertise on the rights of indigenous peoples based on studies and research. The expert group met for the first time from 1 to 3 October, 2008, in Geneva. It gathered over 300 participants, mostly indigenous people. Among the issues raised by them were those pertaining to the situation of indigenous women, the effect of the global food crisis on indigenous communities and access to education in indigenous languages.

The Expert Mechanism adopted a number of proposals to be submitted to the HRC. It also recommended that the Durban declaration and the Programme of Action should acknowledge that the right of self-determination and the principle of free, prior and informed consent are now universally recognized through the adoption of the Declaration on the Rights of Indigenous Peoples. For more information see: <http://www2.ohchr.org/english/issues/indigenous/ExpertMechanism/index.htm>

⁵ Say no to Violence against Women, UNIFEM, <http://www.saynotoviolence.org/>

⁶ Religious leaders from different faiths “say no to violence against women”, World Conference of Religions for Peace, <http://www.wcrp.org/news/press/unifem-launch-09-25-08>

⁷ State of World Population Report 2008, *Reaching Common Ground: Culture, Gender and Human Rights*, UNFPA website: <http://www.unfpa.org/swp/>, Overview, par. 2.

➤ Twa Women, Twa Minority Rights in the Great Lakes Region of Africa

By Colette Pasquis

*I share some reflections on the report entitled *Twa Women, Twa Minority Rights in the Great Lakes Region of Africa*, written by Dorothy Jackson, and published by Minority Rights Groups International, London, 2003. Born in Haitian and living in Québec, Canada, I belong to what is called the visible minority. I attended the AFI training and I am a member of MISH. Gaëtane Gascon has interested me in taking part in the research necessary to understand and respond, the best way possible, to the requests of solidarity of the Twa organizations*

The report is available in French and English. It can be downloaded in French from the Minority Rights Group International website. Other reports on the Twas are available on their site. You may contact Gaëtane Gascon, Raymonde Martineau or Colette Pasquis who will be pleased to send it to you if you don't have access to internet. Dorothy Jackson has also signed an article with the same title in a book entitled: Paroles de femmes autochtones, Harmattan, Paris, 2006

The author of the report is the Africa coordinator for the *Forest People Programme* that supports forest peoples' rights. She works with the Twas since 1992. The Minority Rights Group International (MRG) is another NGO that promotes the rights of indigenous peoples as well as of ethnic, linguistic, religious minorities. Both NGOs are based in the UK.

The report speaks of the Twa, the *poorest of the poorest* of the Great Lakes region of Africa. The numbers, facts and statistics presented in the report are eloquent. But over and above these data, astonishing conclusions are imposed upon us. This poor and powerless people have so much to teach us.

From the historical point of view, the Twa would have been one of the most ancient people of the African continent, the birthplace of the human race. Dorothy Jackson depicts a social and political organization much more progressive and civilized than those that we know in the West. Their traditional system put into practice what the wise men and women of our culture promote. It goes against the financial capitalism that erodes presently the conditions of our collective life.

The Twa system is very supple. It demands from the forest only what is necessary to live and it refuses to exhaust the natural resources. The Twa live totally in the present. Compulsory sharing prevents scarcity and inequality. Humor exorcises weaknesses and incapacities. There is no institutional leader and decisions are taken by the group. One member of the group is chosen to solve punctual problems on the basis of his field of competence. There is no individual property. In such a context, the women situation is much more interesting than the one of their neighbors. 'Women's autonomy is ensured by the collective nature of rights and resources.'

Then what are the problems of the Twa? The basic problem is the destruction of their living conditions because of outside elements. One cannot but quote the French philosopher Rousseau:

*"The first person that after having built a fence around a piece of land, declared: this is mine, and found people simple-minded enough to believe him, was the real founder of society. How many crimes, wars, murders, misery and horrors would have been spared to the human race if someone would have pulled out the fence posts ...? You are lost if you forget that the fruits belong to everyone and that the land does not belong to anyone."*⁸

For Jean-Jacques Rousseau, the origin of the inequality among men is in the institution of the private property of resources which hitherto belonged to the community. The Twas did not know about private property. Peoples that came after them have instituted the division of collective patrimonies. This situation has rendered the Twas frustrated being unable to face their obligations; alcoholism and violence against women are frequent in their communities.

One understands why one of the report's recommendations is to promote researches to understand the Twa social system and customary rights that are more progressive than the neighbors' system. This would provide a yardstick to evaluate the political laws and the projects that are concerned with them.

In conclusion this report deserves our attention. It speaks about a people few in number and marginalized from all points of view. But it has a life experience that can provide rich lessons to the post-modern world that discovers alarmingly that institutions that seem so solid are weakened by greediness and power. In the economic field, we assist at the collapse of the financial capitalism, in the legal field, we have Guantanamo and its horrific consequences, in the social field, the gap between rich and poor is increasing, with respect to ecology, environment destruction is accelerating.

⁸ Rousseau, J.J. *Discours sur l'origine de l'inégalité parmi les hommes*, Flammarion, Paris, 1995, Partie II, p.222

CHILDREN'S RIGHTS

- The World Congress III against the Sexual Exploitation of Children took place in Rio de Janeiro, Brazil, from 25 to 28 November. Its aim was to explore new ways to protect children against various forms of sexual exploitation such as early marriage, the sex industry, child pornography and sexual exploitation of children on Internet. Contrary to previous congresses, young people participated in the elaboration of the Rio Plan of Action. For more information;
http://www.unicef.org/protection/index_46378.html

- *The State of the World's Children 2008* “examines the current state of child survival and primary health care for mothers, newborns and children – and outlines strategies for reducing under-five deaths and providing a continuum of care.” The report deplores that “every day, on average, more than 26,000 children under age five die around the world, mostly from preventable causes. Nearly all of them live in the developing regions or, more precisely, in 60 developing countries”. A pocket-sized executive summary provides an overview of the full report and includes regional summary indicators.⁹ It can be ordered free of charge.



⁹ *The State of the World's Children 2008*, Executive Summary, UNICEF website,
http://www.unicef.org/publications/index_42625.html

MIGRATIONS

Human rights organizations have raised their voice against “Return Directive” which was approved by the European Parliament on June 18, 2008. Their protests have found an echo in the European press. In that context, President Evo Morales’ open letter dated 10 June, 2008, criticizes the European Union immigration policy from a Latin American point of view. He reminds the industrialized countries that they owe their prosperity to the wealth of South America that they have plundered and that the continent has welcomed the European immigrants since centuries. You will find here a summary of the letter prepared by Colette Pasquis. President Morales’s letter is available on many internet sites, one of them is:

<http://www.gopetition.com/petitions/evo-morales-eu-immigration-policy.html>

Gaëtane Gascon

On January 2008, for the first time, an elected Aymara Indian was elected as President of Bolivia. Of course, this met some opposition and we witnessed the disputes between the new President and the Lords of petrol in the Eastern part of the country. In a letter dated 8 June, 2008, President Morales asked the European Union to review their “Return Directive” policy to solve the immigration problems in Europe. He recalls the “duty of remembrance”. In the past, Europeans were the first ones to immigrate to Latin America. They were forced to leave their land for sensibly the same reasons as those which today attract people from developing countries towards Europe, such as famines, wars and persecutions.

President Morales’ letter protests against the harshness of the “Return Directive” and reminds the Europeans that they are greatly responsible for the misery which is rampant in the countries of origin of the immigrants. For centuries, Europe has drained the wealth of these countries to its advantage. Moreover, today immigrants contribute to European Union’s prosperity and its demographic balance. Moreover, the money sent by the immigrants to their family compensate for the development assistance promised by the Western countries but that is still waited for.

The “Return Directive” foresees the possibility of jailing, without any recourse, undocumented immigrants, even children, up to 18 months before their expulsion. These prolonged detentions generate all kind of tragedies such as depressions, suicides, hunger strikes. President Morales demonstrates also that some of these measures go against the ***Universal Declaration of Human Rights*** of 1948, quoting the specific articles of the Declaration which are violated. And he raises the cutting question: “Today, on which side is the right of humanitarian interference?”

With an astonishing incoherence, the European Union demands, from the Latin American countries, the free circulation of goods and financial products while refusing the free circulation of human beings. The President warns that if the “Return Directive” is applied, Bolivia will not accept that European Union’s request.

He warns also Europe against the temptation to consider the immigrants responsible for the world problems. The Western countries should rather question their world vision and their development choices that destroy the environment and sets human beings against each other.

Finally, the President reiterates the “duty of remembrance” that should incite Europeans to withdraw this *Directive of Shame* and replace it by a policy more respectful for human rights.



Visit the new website of UFER which
will soon be on line:

www.ufer-international.org



RESTORATIVE JUSTICE IN CALI, COLOMBIA

By Monica Maher

Monica Maher, a member of the UFER Committee, is the Horace De Y. Lentz Memorial Lecturer at Harvard Divinity School for 2008-09. Among her courses is "Borders and Bodies: Trans/feminista Theologizing," which focuses on Latina/Latin American women's theological voices and ethical praxis in response to the transnational issues of gender violence, economic globalization and im/migration. Dr. Maher holds a Ph.D. in Social Ethics from Union Theological Seminary, New York City, and M.Div. from Harvard Divinity School. She has worked with women's groups in Latin America for over 20 years.

In June 2008, I had the wonderful opportunity to spend a week in Colombia at the invitation of the Pontificia Universidad Javeriana of Cali. In addition to academic exchanges with the theological faculty of this Jesuit University, I was very grateful to have a chance to get to know the work of the Fundación Paz y Bien, run by Franciscan Sister Alba Stella Barreto Caro. Located in the Aguablanca District, one of the poorest and most violent barrios of the city, the work of Foundation for Peace and Well-being is incredibly inspiring. I am indebted to Political Science Professor Diana Britto Ruiz of Bogotá for having introduced me to Alba Stella and the work of her foundation.

An innovative project

Sister Alba Stella, herself Colombian, has been living in Aguablanca for over 20 years, training many leaders in a variety of community development projects, economic and social. Most recently, she began a "**Restorative Justice**" project, after educating herself in this peacemaking model through first hand study in Northern Ireland. This is a model which works with victims, victimizers and the whole community. Rather than traditional justice models which seek solely to punish the victimizer, this approach focuses on restoration to the victim, rehabilitation of the victimizer and social repair of the community. The Foundation now runs a two-year program for young men who want to leave behind gangs and violence. The program is based on a process of local mentoring by "consejeras," women who are trained in direct non-violent interventions in violent situations. The program has created neighborhood centers every few blocks in the barrio where young and old can go to rest, receive instruction and interact in safe spaces off the streets.

Gang members who choose to go through the two-year training program often graduate into a new peaceful and productive way of life beyond violence. I was so moved by the young men who spoke about their experiences of their personal/social transformation during my visit. I was fortunate to coincide with the visit of funders from the regional office of the World Bank who were interested to learn about successful community models for peace and security in zones of conflict and post-conflict, like Colombia; they asked the young men what had made the most difference in their decisions to leave the gangs. Ex-gang members responded that the key factor catalyzing their change had been the presence in their lives of someone who believed in them when they did not believe in themselves. No matter how many times they fell, the mentor was there supporting them to move forward, encouraging them a better future was possible.

One young man after graduating from the two-year program was mistaken as someone still belonging to the gang and shot right outside one of the centers. He is now paralyzed. Sister Alba Stella has found him a wheel chair so can be mobile. How unfair it seems that he was the target of violence, mistaken as the person he once was, violent and aggressive, after he had embraced a life of peace and service. Despite this tragedy, he shows no signs of self-pity but displays a very positive and joyful spirit.

A success-story

Community trust in Alba Stella in the neighborhood is overwhelming. Once, when the police came to pick up some young men who were hanging out in the streets outside her house, Alba Stella protested on the grounds that they were not doing anything wrong. The police clarified that they themselves were only doing their job to round up those who posed danger to civil society and that she was thus interfering with public security. She insisted that the young men were not a danger to the community, that it was unfair to round them up and take them into jail. The police told her if she did not get out of the way, they would arrest her for obstructing justice. She held her ground. So, the police placed her in the truck with the young men being arrested. Word swept swiftly through the streets, "They have Sister in the truck. The police are taking Sister away..." Soon, folks from the neighborhood were surrounding the police truck refusing to let the vehicle leave until they set Sister free. The police, unable to budge, responded to the people's plea and released everyone. This is a wonderful example of spontaneous non-violent action for justice, a success story based on years of dedication by one woman who has trained many others, all of whom work day and night to keep their community safe.

The process of restoration

For me personally and professionally, it was incredibly inspiring to get to know Alba Stella, the consejeras, the ex-gang members and the community's vibrant commitment. After years of working on violence against women in Latin America, particularly femicide, it was deeply hopeful to listen to the process of human/social restoration through the voices of former perpetrators of violence. It was very clear how much they too are victims of a violent system, caught in a cycle of destruction

which harms all. My heart went out to the young men in the program struggling to overcome their conditioning to respond to everyday conflicts with violence. Reportedly, even 8 year olds might resort to using guns to settle even the most minor problem, like a dispute over a candy bar.

The women who work as consejeras (counselors/mentors) are incredible, filled with energy, strength and faith. Sister Alba Stella's other Franciscan sisters have left the barrio. Yet she has an amazing community of sister workers in the consejeras. I facilitated two workshops for these women before I left. They sang and danced freely in the church around the altar. They were so full of life and joy, happiness and hope. In one workshop, we discussed the nature of freedom and truth. Sister Alba Stella drew a picture of an open roof where butterflies emerge, a symbol of courage, change, transformation, indeed the official symbol of the foundation.

Where is freedom? How does it happen? It happens through and in ordinary folks with extraordinary courage and hope. In their process of restorative justice, the women are seeking the truth, creating the conditions to allow truth-telling to emerge from victims, victimizers and whole community toward personal and social healing. The spirit of life is blowing strongly through the community of Aguablanca, setting many free. This is a spirit of renewal and peace, of trust in humanity and in the present, a present where all can live together in harmony building a new future filled with justice and joy.

NEWS FROM MEMBERS

- **Paul Beersmans**, Member of UFER Board of Directors and President of the Belgian Association for Solidarity with Jammu and Kashmir, made another study tour to the Indian State of Jammu and Kashmir, from 2 to 30 August 2008, in order to assess the situation there.

This study tour has not been like the previous ones. His intention was to go to Jammu in order to have some meetings there and to address a seminar on "Global Peace and Security Perspectives and Human Rights: Canada and India" organised by the Law School University of Jammu and sponsored by the High Commission of Canada to India.

Due to the agitation in Jammu Province, following the decision of the Government of Jammu and Kashmir to revoke the transfer of forest land for the Hindu Amarnath pilgrimage, it was decided to organise the seminar in New Delhi. From Delhi Paul went by air to the Kashmir Valley where also agitation started, resulting in curfew, demonstrations, protests, strikes, etc. This made it impossible to execute the normal program in the Valley resulting in fewer meetings. From the Valley he went by road to Kargil and Leh, where the situation was normal and where there were no problems at all to interact with the authorities and the common man in the street.

The full text and the conclusions of this study tour can be found on <http://basjak.org>. There you find also the reports on previous study tours and other publications together with a photo-gallery with unique photographs of Jammu and Kashmir in all its aspects. Go and visit this website.

From 4 to 26 December, 2008, Paul will again be in Kashmir to monitor the election.

- **Claire Lin**, a longstanding member of UFER, died in Taiwan, on 17 June 2008, after a long illness. Claire was an educator, specialised in early childhood education. She was a member of AFI. After her retirement, she worked with indigenous people in Taiwan, giving courses in psychology and education. She also travelled on several occasions to China to provide training in psychology and personal growth to religious communities. Claire was very interested in intercultural relations and communications.

Membership fees:

25€ or 35US\$ to be sent to the following account in Belgium:

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