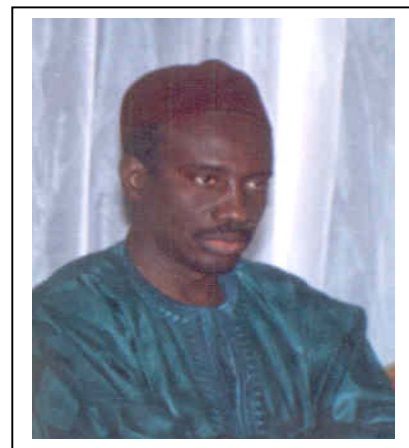


Justice Jallow is Rwanda's New Prosecutor

The United Nations Security Council has appointed the former Attorney General and Minister of Justice of the Republic of The Gambia, Honourable Hassan B. Jallow as the new Prosecutor for the Rwanda tribunals. Until recently, Mr. Jallow had been in Sierra Leone as an appeal Judge for the UN special court in Sierra Leone.

Justice Hassan Jallow will assume duty as lead attorney of the International Tribunal for Rwanda, which is based in Arusha, Tanzania. He will serve for a term of four years.

It could be recalled that Justice Hassan Jallow served the African Centre for Democracy and Human Rights Studies as Chairman for a period of 4 years (1990-1994) and had been a key figure (as resource person) in numerous training courses organised by the Centre, the most recent one being the 11th Training Course on the Use of International Human Rights Procedures in Niger, in May 2003. ACDHRS would therefore like to seize this opportunity to congratulate Honourable Jallow on his new appointment and to wish him every success in his endeavours in Arusha.



Hon. Justice Hassan B. Jallow

In This Issue...

Justice Jallow, Rwanda's New Prosecutor.....	1
Editorial.....	2
America's Renewed Interest in Africa.....	3
Focus on African Human Rights NGOs.....	4
UN Press Release.....	5
Documentation Page.....	7

The Migrant Worker and the "Foreigner" Phenomenon in Africa

“The central notion of human rights is the implicit assertion that certain principles are true and valid for all peoples, in all societies, under all conditions of economic, political, ethnic, and cultural life. Human rights are universal- they apply everywhere; indivisible- in the sense that political and civil rights cannot be separated from social and cultural rights; inalienable –they cannot be denied to any human being. This is the basis of the concept of human rights for all as articulated in the Universal Declaration.”

This assertion is indeed a far cry from the incidents that are so much prevalent in Africa today, where in most occasions the migrant worker is labeled as a “foreigner” who has no right whatsoever and so often subjected to certain human rights abuses by government security personnel as well as individual citizens.

The World Migration Report 2003 estimates that 2.9% of the world's population (175 million people or one person in 35) are migrants and these include migrant workers, refugees, asylum seekers, permanent immigrants and others, who live and work in a country other than that of their birth or citizenship. These migrant workers especially in Africa have recently been at the centre of hatred and xenophobia by certain nationals who believed that their economic woes are as a result of the “influx” of migrant workers into their countries.

It could be recalled that the Ivory Coast crises created an avenue whereby West African migrants especially those from Sahelian Countries - Burkina Faso, Mali, Senegal, Nigeria and Liberia were attacked by Ivorian nationals and accused of being on the side of the rebels. Most of these migrant workers were forcefully ejected by state authorities and the citizenry, as their homes and shanty dwellings in Abidjan were destroyed. Incidentally, most of these migrant who had laboured in that country judiciously for many

years, eventually lost all their personal belongings as they flee for their lives. Families were separated, lives lost, possessions looted, confiscated and seized all in the name of “national security”.

However it should be emphasized that it is not only Ivory Coast that is guilty of this serious human rights violation. Some of us can still remember very vividly the ugly incidents that happened in Nigeria in the mid eighties, (*the Ghana must go incident*) when Nigerian nationals unceremoniously chased Ghanaians out of country, which resulted in the lost of human lives and valuable property destroyed. Likewise, the incident between Mauritanian and Senegal was also linked to the issue of xenophobia and hatred leveled on the so-called “foreigners” or migrants workers. This had happened in other part of Africa and even beyond the continent.

Women migrant workers on the other hand are the most vulnerable and suffer from various forms of exploitation and abuses. Women, like men are force out of their countries because of the precarious civil wars and rebellions that so often take place in the fragile democracies of African countries. Away from home they are compel to work in order to earn a living, as well as to cater for the ones back home. In this process, some of these women are sexually harassed and exploited. One incident that often comes to mind is the “ food for sex scandal” in the Guinea refugee camps, where Sierra Leonean women and girls in refugee camps in Guinea were sexually exploited by UN refugee officers in exchange for food rations, which were due them.

The coming of age of the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families is therefore a wonderful event. It is therefore important for civil society organizations and Human Rights NGO's to campaign, lobby, and to pressure their Governments to sign and ratify this convention, in order to make it a more cohesive and constructive tool for protecting migrant's rights.

America's Renewed Interest in Africa: New Hope for Good Governance or Econocentrism in a New Mask?

By Ross Van Horn

American President George W. Bush's upbeat, seamless speeches on the Island of Goree, and in other venues on his quick tour of Africa appeared for a brief moment to offer new hope for real international partnership. Yet, as is always the case, speeches that are not accompanied by simultaneous and congruent action are merely fragile words in the wind. The American President asserted that he was only visiting, and engaging with, countries that exhibited good governance. Is this really true, or do the underlying economic interests cloud the picture?

It is natural for all nations to have concerns about economic security. As decades and centuries pass, these concerns change form and often come full circle back to their origins. Except for the relatively brief hiatus known as the Cold War, during which ideologies backed by military might faced off over a nuclear abyss, nations have primarily acted simply out of economic interests. This is fundamental econocentrism.

Yet the world is uncomfortable with direct language on this matter. We like to hear about good governance, human rights and moral responsibility. Currently, the plain fact of the matter is that almost one third of all raw materials used by humanity are consumed by the United States. The Americans have recently initiated large projects in Angola, Nigeria and other African nations with questionable policies for democracy and human rights. And of course the amnesty granted to indicted war criminal Charles Taylor by Nigeria serves to directly undermine accountability for atrocities committed

against one's own citizenry. But the speeches expertly crafted by Bush's

team float right over the ugly maelstrom and paint an ideal picture of the present and future. All this while American economic security is being strengthened piece by piece with various conventions, contracts and treaties.

The dark side of this pattern is that countries with very obvious governance problems in the present or recent past are ignored.



Ross Van Horn

Disengagement has never proven to be an effective way to change a country's policies or to gain manageable access to a nation's resources. It certainly has not worked for the United States in Iran. Moreover, it has been proven that in nations where foreign aid is responsibly managed, conflict is reduced, economic diversification is achieved and poverty is alleviated. The American "Millennium Challenge Account" (MCA), which is an aid package designed for only those countries of the world that meet stringent governance criteria, will

ignore the nations that need the aid most.

Very few African states qualify for MCA. How, then, does the Bush administration rationalize its visits to those African countries that do not meet the standards? Plain language about the economic aspects of Bush's visit would have been more appropriate. Why should a nation be shy about proclaiming its interest in its own national security in all its aspects. Economic stability is essential to any forward thinking nation. States participating in open markets operating in a well-regulated global economy will prosper, and their people will prosper as well. With this in mind, nations with poor marks in governance and human rights should not be ignored. The World Bank has found that countries with natural resources that are easily stolen, such as diamonds and timber, are much more likely to experience conflict than those without such resources. If this is the case, then it is nations like the Democratic Republic of Congo and Sierra Leone that need to receive even-handed economic attention. Without such attention the words in Bush's speeches become empty rhetoric.

This is really the crux of the matter. Rather than obfuscating economic interests with talk of good governance, the strong link between the two should be openly discussed and used. Nations in Africa with ongoing civil wars usually have unresolved issues regarding the control of a few major natural resources. Their governments deteriorate and they fall into fragile dictatorships.

(contd. on page 6)

FOCUS ON AFRICAN HUMAN RIGHTS NGOs



The West African Network for Peacebuilding

The West Africa Network for Peace Building (WANEP) brings a wealth of experience and knowledge on conflict prevention, peace building, development and good governance. WANEP has six years experience of active engagement within the West Africa sub region. WANEP currently has the largest peace building coalition in the sub region with over 300 member organizations in 13 West African countries and 2 Central African countries. These members operate in national networks.

The spirit of collaboration and accompaniment that WANEP promotes is transforming the adversarial and fragmented nature of the activities of Civil Society Organizations (CSOS) in West Africa. Its objectives are to facilitate and coordinate responses of Civil Society actors as well as responses from formal Sectors in the transformation of violent Conflicts. It also plays a lead facilitating role in

complimenting the efforts of governments in responding to conflicts.

WANEP'S Program activities include the following:

- ❖ Peace and Non-violence Education Program
- ❖ Women in Peace building Network (WIPNET)
- ❖ West Africa Peacebuilding Institute (WAPI)
- ❖ West Africa Regional Early Warning Network (WARN)
- ❖ Networking and Coordination
- ❖ Justice Lens Project
- ❖ Capacity Building in Conflict Prevention and Good Governance for ECOWAS and Civil Society organizations.

Capacity Building Program (CBP)

The main aim of the Capacity-Building in Conflict Prevention and Good Governance for ECOWAS and Civil Society organizations in West Africa

program is to create and improve the early detection and response mechanisms and to enhanced the capacities of ECOWAS and Civil society organisations (CSOs) to undertake conflict prevention activities, detect and respond to conflict. The three strategic objectives that focus on capacity-building and relation-building are:

- Increased conflict prevention capacity and effectiveness of ECOWAS;

Increased participation of, and collaboration between civil society organizations in conflict prevention, peace building and good governance;

- Increased collaboration between ECOWAS and civil society organizations in the areas of conflict prevention, peace

(contd. on page 6)

UN Press Release

On the International Convention on the Protection of the Rights of All Migrant Workers and their Families

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families will enter into force on 1 July 2003, following Guatemala's ratification of the treaty last Friday.

The Convention seeks to play a role in preventing and eliminating the exploitation of migrant workers throughout the entire migration process. In particular, it seeks to put an end to the illegal or clandestine recruitment and trafficking of migrant workers and to discourage the employment of migrant workers in an irregular or undocumented situation. It provides a set of binding international standards to address the treatment, welfare and human rights of both documented and undocumented migrants, as well as the obligations and responsibilities on the part of sending and receiving States.

More than 150 million migrants, including migrant workers, refugees, asylum seekers, permanent immigrants and others, live and work in a country other than that of their

birth or citizenship. They represent 2 percent of the world's population. Persons who qualify as migrant workers under the provisions of the Convention are entitled to enjoy their human rights regardless of their legal status. The Convention reflects an up-to-date understanding of migratory trends as seen from the point of view of both States of origin and host States of migrant workers and their family.

The Convention breaks new ground in defining those rights which apply to certain categories of migrant workers and their families, including: 'frontier workers', who reside in a neighbouring State to which they return daily or at least once a week; seasonal workers; seafarers employed on vessels registered in a State other than their own; workers on offshore installations which are under the jurisdiction of a State other than their own; itinerant workers; migrants employed for a specific project; self-employed workers.

The Convention also imposes a series of obligations on States parties in the interest of

promoting "sound, equitable, humane and lawful conditions" for the international migration of workers and members of their families. These requirements include the establishment of policies on migration; the exchange of information with other States parties; the provision of information to employers, workers and their organizations on policies, laws and regulations; and assistance to migrant workers and their families.

The Convention was adopted and opened for signature, ratification and accession by the General Assembly in December 1990. To date, it has been ratified or acceded to by the following twenty-one States: Azerbaijan, Belize, Bolivia, Bosnia and Herzegovina, Cape Verde, Colombia, Ecuador, Egypt, El Salvador, Ghana, Guatemala, Guinea, Mexico, Morocco, Philippines, Senegal, Seychelles, Sri Lanka, Tajikistan, Uganda and Uruguay.

(contd. on page 7)

America's Renewed Interest in Africa: New Hope for Good Governance or Econocentrism in a New Mask?

(contd. from page 3)

In many cases the dictatorships and the so-called rebel groups benefit more from conflict than from peace, as the flow of resources and cash is difficult to monitor. Pejorative attitudes by major economic powers such as the US do nothing to establish proper governance procedures, as the key players in these nations don't see the economic benefits of democracy. Let's remember that pilfered resources moving in the global market without paperwork are untaxed and often untraceable.

Finally, education is a primary concern as well. The famous paradoxical statement applies to current US attitudes: "Uneducated people cannot participate in a democracy, but what sort of democracy does not educate its people?" It has been shown in recent research that nations with a high percentage of uneducated young men are far more likely to fall into conflict than those that do not. Once again, this is evidence that rather than ignoring troubled nations, these are precisely the ones that need managed attention in the education arena the most.

If the United States is truly interested in good governance, then it seems that although they read the book, they missed the

plot. On the surface, working only with functioning democracies seems the best approach. But for human security to be maintained throughout the continent and throughout the globe, it is the troubled ones that demand attention.

FOCUS ON AFRICAN HUMAN RIGHTS NGOs

(contd. from page 4)

building and good governance.

Under the program, core activities include the support and design of a conflict prevention system responsive to existing conflict systems in West Africa; establishment of a liaison office within the ECOWAS Secretariat, to provide increased collaboration between ECOWAS and CSOs; develop a training manual and conduct workshops to build the capacities of CSOs and ECOWAS in conflict, human security and policy analysis, monitoring and early warning, peace building, advocacy, and good governance; strengthen national networks of CSOs (including WANEP networks); establish a Civil Society Forum; provide for joint action between the Civil Society Forum and ECOWAS.

Support from this program will directly strengthen and further develop the capacities of WANEP national networks in ten countries, namely Burkina Faso, Côte d'Ivoire, Ghana,

Guinée, Liberia, Nigeria, Senegal, Sierra Leone, The Gambia, and Togo. The project will cover the cost of national network coordinators and some administrative support as well as developing the institutional capacity of each of these networks. Furthermore, the project would offer WANEP the opportunity to innovate new and creative approaches to peace building in West Africa. Staff and members of civil society organizations (including WANEP networks) will undergo training in conflict monitoring and analysis as well as in peace building. Staff of ECOWAS Observation and Monitoring Centers and other Government officials will undergo similar training.

WANEP



Contacts:

West African Network for Peacebuilding (WANEP)

Ampomah House, 37 Dzorwulu Highway

Box: CT 4434, Accra, Ghana

Tel: (223-21) 221318/221388

Email: wanep@wanep.org

Website: www.wanep.org

UN Press Release

(contd. from page 5)

Implementation of Convention

How States abide by their obligations under the Convention will be monitored by a panel, to be known as the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, consisting of 10 experts serving in their personal capacity. The election of Committee members by the States parties is set to take place before the end of the year. The membership of the Committee will rise from 10 to 14 experts when 41 ratifications have been registered.

States parties accept the obligation to report on the steps they have taken to implement the Convention within a year of its entry into force for the State concerned, and thereafter every five years. Under the treaty, a State party may recognize the competence of the Committee to receive and consider communications from or on behalf of individuals within that State's jurisdiction who claim that their rights under the Convention have been violated. If the Committee is satisfied that the matter has not been, and is not being, examined in another international context, and that all domestic remedies have been exhausted, it may call for explanations, and express its views.

Other international mechanisms for protection of migrants

The entry into force of the Convention will reinforce and complete a series of other measures already taken by the United Nations to ensure adequate protection of all migrant workers and their families. The International Labour Organization (ILO) has been in the forefront of efforts to secure and maintain a fair deal for migrant workers and their families since the 1920s. Also, a Special Rapporteur of the Commission on Human Rights has been looking since 1999 at ways and means to overcome obstacles to the full and effective protection of the human rights of migrants, including difficulties for the return of those who are "undocumented".

HUMAN RIGHTS DOCUMENTATION

The following titles are available in the ACDHRS Library

1080
FEILITZEH, Cecilia Von and CARLSSON, Ulla (Editors)

Children in the new media landscape: games pornography perceptions. Sweden: The UNESCO International Clearinghouse on Children and violence on the screen, 2000. 379p.

Child care/ Child welfare/ Child adoption/ Child pornography/ Children in prison

This yearbook treats two themes, both of which relate to newer features of the media landscape: violence in video and computer games, and pornography on television and on internet. Some of the articles also discuss findings on audience perceptions of violence and sex in the media.

1081
BENEDEK, Wolfgang, KISAAKYE, Esther M. and OBERLEITNER, Gerd (Editors)

The Human Rights of Women: international instruments and African experience. London, UK: Zed Books, 2002. 336p.

Women in development/ Women in Politics/ Women prisoners/ Women's education/ Women's employment

This monograph aims to better equip human rights workers, lawyers, civil servants, community leaders, students and academics, preparing them to address specific cases of gender inequality in their own countries, promote respect for the human rights of women locally and contribute to women's empowerment by making more effective use of existing international standards.

(contd. on page 8)

HUMAN RIGHTS DOCUMENTATION

(contd. from page 7)

1082 TILLMAN, Diane

Living values activities for children ages 8-14. Florida: Health Communications, 2000. 313p.

Child care/ Child welfare/ Child adoption/ Foster home care

This publication gives guidelines for educators and other adults working with children and are concerned about an increasingly violent world and lack of respect for others.

1083 ASKIN, Kelly Dawn

War crimes against women: prosecutions in international war crimes tribunals. The Hague, The Netherlands, 1997 455p.

Abused women/ Women offenders/ Women prisoners/ sex discrimination/ Violence against women

This book examines laws and customs of war prohibiting rape crimes dating back thousands of years, even though gender specific crimes, particularly sex crimes, have been prevalent in wartime for centuries. It surveys the historical treatment of women in wartime, and argues that all the various forms of gender specific crimes must be prosecuted and punished.

1084 SHETREET, Shimon

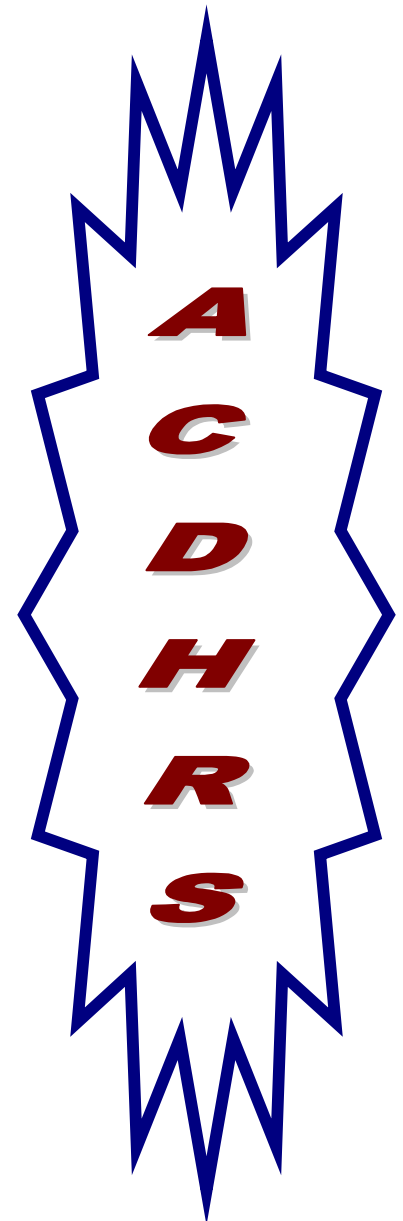
Women in law. The Hague, The Netherlands, 1998. 389p.

Women in development/
Women in politics/ Women's education/
Women's employment/ Women empowerment

This monograph contains the updated papers presented at the George A. Katz legal Conference on Women in Law held in Jerusalem, April 1997. It addresses the major social challenge of attaining equality for women in the legal profession, in academia and in the judiciary.



African Centre



For further information, contact:

Editor, ACDHRS Newsletter
P. O. Box 2728, Serrekunda,
The Gambia
Tel: (220) 462341/2
Fax: (220) 462338/9
Email: acdhrs@acdhrs.org

EDITORIAL BOARD

**Hannah Forster
Ross Van Horn
Stella Makanya
Louis Thomasi**