



the **ITPCM**  
International Training Programme for  
Conflict Management



# newsletter

in this issue:

5<sup>th</sup> year, n. 3

by Andrea de Guttry

## ITPCM 2007 Projects: a Brief Overview of the International Engagement

Dear Friends of the ITPCM,

I am very pleased to send to all of you our warmest Season's Greetings at the end of a year which has been extremely challenging for those working for the consolidation of peace and democracy and for an increased respect of human rights. We have behind us and - as well as ahead of us - challenging but at the same time promising months. There are a few good news, coming from different spots of the world, which contribute in reinforcing

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our commitment to work even (and perhaps especially) in difficult - and sometimes seemingly unmanageable - situations. Let me mention, on one hand, the desperate situation of Somalia and the terrible humanitarian crisis this country is, once more, facing: but in the meanwhile let us not forget the promising forecast on the economic development of the majority of African States which is contributing to the reduction of the poverty rate. As a matter of fact, according to a recent study of the IMF, real GDP growth in Africa is expected to rise from 6.1 this year to 6.8 next year: although such performance is partly driven by high commodity and oil prices, many experts and institutions agree that this increase "is also due to better economic management, more openness and more stable politics" (The Economist, November 17, 2007). Besides this it might be worth underlying that according to a recent report of the WTO released on December 4, 2007, exports of African goods have increased in the last three years by about 80%.

Here in Pisa, we at the ITPCM are trying to do our best to increase the quality of the services provided by the international community through the deployment of field operations, to countries emerging from internal or international conflict and crises. Only this year, we have organised more than 25 training courses, here in Pisa, in Africa and in the Middle East and we contributed to the professional preparation of about 700 persons. Most of them are now serving in various field operations. We feel pleased that we have contributed, as well, to create among the different relevant international organisations a more pro-learning attitude and in this frame we are further expanding our learning institutions attitude and approach.

Let me just remember that in the most recent months we have been involved in developing a few quite **innovative projects**: the **first one** is a complex project aimed at reinforcing the AU capacity to design, plan and implement integrated field operations, with a special focus on **Somalia**. At this regard we have delivered two different training workshop, one in Nairobi and one in Addis, through

which we have attempted to strengthen the planning capacity of the Strategic Planning and Management Unit the African Union. During the Nairobi event, we were extremely pleased and honoured of having the Special Representative of the Chairperson of the African Union Commission, Ambassador Muhammad Ali Fom as well as the UN Special Representative for Somalia, Mr Ahmedou Ould-Abdallah addressing the audience.

The **second one** which deserves to be mentioned is the "Baladiyahs Governance Monitoring Project" which we are presently carrying out with the University of Algiers. The aim of this innovative project is to develop a scientifically sound reporting and analysis mechanism for the 2007 local elections in **Algeria**. Our research team is conducting a survey on a sample of baladiyahs (municipalities) in 3 different phases: before, during and after the elections.

University lecturers and students are involved in the collection of data (e.g. through interviews with relevant actors), in their elaboration and in the drafting of a final report to be published in French and Arabic. In this manner, the two Universities involved, the Scuola Sant'Anna and the University of Algiers, are aiming at stimulating the commencement of an open discussion in the Algerian civil society about the meaning and importance of elections, democracy and human rights.



The **third one** is related to the set of courses implemented by the International Training Programme for Conflict Management of the Scuola Superiore Sant'Anna, Pisa, Italy in support of the Independent High Electoral Commission of **Iraq** (IHEC). In this framework we have just concluded the delivery of 4 Courses in Amman for the officers of the IHECI. To guarantee consistency with the overall international assistance strategy, contents of the training and implementation modalities have been designed in coordination with the United Nations Assistance Mission to Iraq - UNAMI and IECI itself. All these activities have been implemented thanks to the financial support of the Iraq Task Force, Directorate General for Mediterranean and Middle East countries, Italian Ministry of Foreign Affairs.

The **fourth** initiative I would like to mention refers to a major project which we have submitted, on behalf of a wide partnership of many distinguished European Universities and Research Centers, to the European Commission in the framework of the VII Research Framework Programme of the EU. The Project is entitled **Multi-stakeholder partnership in post-conflict reconstruction: the Role of the EU (MULTIPART)**. Its aim is to investigate whether, how, and under what conditions multi-stakeholder partnerships can positively impact on human security and thus, facilitate non-violence and long-term peace, and provide a productive framework for relations between local actors and external actors, including third party mediators and international organisations.

The project moves from the recognition that there is a widespread agreement among both academics and policy makers on the need to adopt more comprehensive, integrative, and participatory approaches in post-conflict interventions. Within this broader framework, multi-stakeholder partnerships are emerging as one of the preferred tools geared towards enhancing participation, legitimacy and effectiveness of post-conflict interventions. However, there is a clear lack of systematic analysis of the multi-stakeholder partnerships and of evaluation of their concrete impact on effectiveness and sustainability of post-conflict reconstruction initiatives.

This project has been chosen by the European Commission as one of the best in its category and received generous financial support.

Dear friends of the ITPCM,  
I hope you will find this issue of our Newsletter useful and interesting. As always, please consider that we would very much appreciate receiving comments and articles from you: the next issue of the ITPCM Newsletter is expected to be published on March 15, 2008.

I take the opportunity to send to all of you my warmest Season's Greetings and my best wishes for a Happy New Year,

Pisa, December 16, 2007

**Andrea de GUTTRY**

## education & training: on the 2008 agenda

### THE CIVILIAN PERSONNEL OF PEACEKEEPING & PEACEBUILDING OPERATIONS

This course is designed to train participants to work more effectively in field missions by enhancing their professional and personal capacities. Particular attention is devoted to introduce them to the specific context of peace support operations and to strengthen their ability to work in the field as human rights officers and electoral observers.



**Dates: 7-19 July 2008,**

**Application:** [www.sssup.it/pkcourse2008/domande](http://www.sssup.it/pkcourse2008/domande)

**More info:** [www.itpcm.sssup.it](http://www.itpcm.sssup.it);

**Contact:** Pasqualetta Campus, email: [itpcm@sssup.it](mailto:itpcm@sssup.it)

### LAVORARE in PAESI DIFFICILI: conoscenze e strumenti per chi opera all'estero

This course is mainly designed for all those professionals who regardless of their mandate operate in hostile environments: technicians, journalists, first aid staff, NGO personnel, volunteers. Aim of the course is to provide them with the basic training, legal framework, and preventive measures in order to be able to face and to respond to possible threats to their safety.



**Dates: 10-19 July 2008**

**Application** will be open soon

**More Info:** [www.itpcm.sssup.it](http://www.itpcm.sssup.it);

**Contact:** Federica Faldella, email: [profile@sssup.it](mailto:profile@sssup.it)

### STRATEGIE per COMUNICARE la COOPERAZIONE e la SOLIDARIETA' INTERNAZIONALE

how to promote, advertise and fund raise cooperation projects and initiatives, with a bottom-up approach.

**Dates: June 2008**, application will be open soon

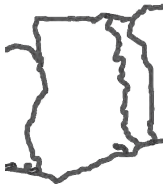
**More Info:** [www.itpcm.sssup.it/comunicarecooperazione](http://www.itpcm.sssup.it/comunicarecooperazione);

**Contact:** Ilaria Dal Canto, email: [i.dalcanto@sssup.it](mailto:i.dalcanto@sssup.it)



# education & training: 2008

**GHANA:** Kofi Annan International Peacekeeping Training Centre (**KA IPTC**) & International Training Programme on Peacebuilding and Good Governance for African Civilian Personnel (**ITPPGG**)



in collaboration with the University of Ghana (*Leghon Center for International Affairs in Accra*) and the Scuola Superiore Sant'Anna, under the financial support of the Italian Ministry of Foreign Affairs, in cooperation with UNDESA

## TRAINING ACTIVITIES FORT THE 4<sup>TH</sup> PHASE: 2008

### FOUNDATION COURSE:

This is designed to provide an in depth understanding of the conceptual framework. It is also an introduction to the main tasks usually performed by civilian personnel in these missions. Participants are expected to apply only for ONE SESSION (18 February - 7 March 2008; 30 June - 18 July 2008, 2 March - 20 March 2009)

### SPECIALISATION COURSES

These are designed to enhance the professional capacity to perform a specific task: Election Observation Course (5-16 May 2008), Election Management Course (5-16 May 2008), Human Rights Course (8-19 September 2008), Disarmament, Demobilization and Reintegration Course (10-21 November 2008), Negotiation Skills for African Diplomats (12-16 January 2009).

More Info about **deadlines** and **Partial Scholarships** availability please contact:

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**Website:** [www.ug.edu.gh/itppgg/index.html](http://www.ug.edu.gh/itppgg/index.html)



## ITALY:

### DEPARTMENT OF CIVIL PROTECTION, Italian Government



Technical training and skills to enhance the personal profile of the internal staff of the Department of Civil Protection, Presidency of the Italian Council of Ministers, to work in international field operations

**Roma, Montelibretti,  
Febraury-March 2008**

More info: [itpcm@sssup.it](mailto:itpcm@sssup.it)



by Claudia Croci\*

\*PhD Candidate at the  
Scuola Superiore Sant'Anna - Pisa

# African Union's engagement in the Horn of Africa and the ITPCM contribution

Somalia is among the more unstable countries of the African continent. Located at a strategic crossroad in the Horn of Africa, Somalia has been characterized by a history of internal struggles for power and control over territory and resources among different clans, militias and warlords. Having gained independence, the formerly British Somaliland and Italian Somalia united in 1960 to form the Republic of Somalia. However, this vibrant although corrupt and eventually dysfunctional multi-party democracy lasted only nine years, before the Siad Barre regime took power in a military coup.

During the 22 years of this regime there was a progressive worsening in the political, economic and social situation. Between 1977 and 1991, the country endured three major armed conflicts (the Ogaden War with Ethiopia; the war between the Somali military and the Somali National Movement for control over northwest Somalia; the conflict between the government forces against clan-based liberation movements), which inflicted atrocious sufferings and losses to the population and sowed the seeds of the contemporary internal crisis. During these years, the Somali leader consolidated an oppressive and exploitative regime – used to dominate the adversaries, monopolize State resources, appropriate valuable land and other assets – where clan identities were manipulated and politicized according to a divide-and-rule politics.

The progressive deterioration in governance, social services, infrastructure and economy mounted the domestic dissatisfaction and opposition, which led to the armed rebellion and the ouster of Siad Barre in 1991. The regime collapse was followed by a prolonged period of violent anarchy and warfare. Armed conflicts erupted across Southern Somalia, pitting clan-based militias against one another for control over valuable resources and land. The war, which began as a struggle for the control of the government, quickly degenerated into predatory looting, banditry and occupation of valuable positions by clan militias. Much of the public infrastructures were destroyed, social services collapsed, livelihoods were disrupted and large numbers of people were displaced. Finally, a

massive famine affected the Somali population in the late 1991 and 1992.

In an attempt to avert the growing humanitarian disaster in the southern region, in December 1992 a US led – UN sanctioned multilateral intervention was initiated. In May 1993 the United Nations officially took over the mission, with the broad mandate of assisting Somalis in promoting national reconciliation, rebuilding the central government and reviving the economy. The intervention initially succeeded in freezing the armed conflict in the country and the leaders of various Somali armed factions agreed upon the establishment



of a transitional national government based on 18 autonomous regions (Addis Abeba Declaration, 1993). However, the ambitious UNOSOM mandate of re-building a Somali government via locally-selected district councils directly threatened the interests of a number of militias leaders and their clans, making a confrontation inevitable. In June

continued

1993, the militias of General Aided attacked UN forces, killing 24 peacekeepers and precipitating a four-months battle between UN and Aidid's militias. The failure of the operations forced the UN to leave Somalia in March 1995, abandoning the country in a state of violence and anarchy.

From 1997 to 2000 a series of national reconciliation conferences were convened, of which only one – the 2000 Arta Peace Conference – was successful in bringing together different clan leaders, which agreed upon the formation of a Transitional National Government (TFG) and the establishment of Transitional National Institutions (TFIs). However, despite the positive inception, the TNG was unable to establish itself as an effective administration beyond a small area in and around Mogadishu and its official mandate expired in 2003. In August 2004, a Somali National Reconciliation Conference was called in Nairobi. The Conference led to the establishment of a 275-member Transitional Federal Parliament, which in October elected Abdullahi Yussuf Ahmed as Interim President of the TFG. However, it was not until February 2006 that the full Parliament was convened in Baidoa and parliamentary committees were formed.

Despite the considerable progresses, Somalia remains trapped in a critical situation. Divisions continue to afflict the country, determining a volatile and unpredictable environment. In this scenario opposition movements proliferate, playing on the weakness and lack of effectiveness of the government. The last attempt to re-establish the conditions for a sustainable and durable peace in Somalia is represented by the African Union Mission to Somalia (AMISOM), which operates in the country since March 2007 according to two successive resolutions of the African Union Peace and Security Council (AU PSC Resolution of 19 January 2007 on the establishment of an African Union Mission to Somalia for a period of six months - endorsed on February 19 by the United Nations Security Council; AU PSC communiqué of 18 July 2007 on the extension of the mission for an additional period of six months - ratified by UNSC Resolution 1772/2007 of 20 August 2007).

## The ITPCM contribution to AMISOM

The design of the strategic program for the implementation of AMISOM mandate has been assigned to a Strategic Planning & Management Unit (SPMU), which, considering the complexity of the mandate and the volatility of the Somali situation – characterized by an upsurge of violence among fighting sides and the worsening of the humanitarian crisis that affects the Somali

population – has decided to adopt an **integrated and multidimensional approach to planning**, capable to take into consideration the different elements and components that characterize the Somali context.

In order to facilitate the fulfilment of this task, the African Union, in collaboration with the International Training Programme for Conflict Management of the Scuola Superiore Sant'Anna (Pisa, Italy) and thanks to financial support of the Italian Ministry of Foreign Affairs, has decided to launch a two-stages training initiative for **improving the planning and implementation capabilities of the Strategic Planning and Management Unit of AMISOM**:

1) the *Information-Sharing and Training Initiative for AMISOM SPMU Personnel*, **held in Nairobi on November 12 – 15, 2007**.

### Objectives:

- To develop a clear understanding of the current situation in Somalia, by means of facilitating the collection and exchange of information among actors operating in the Somali context (AMISOM components, UN agencies and non-governmental organizations);
  - To facilitate the identification of a long-term objective (strategic direction) of the mission, of the factors that could potentially affect the intervention and of the key steps required to achieve the general objective;
  - To facilitate the identification of areas of synergy between different organizations working in Somalia and ways to foster the coordination;
  - To help the recognition of concrete areas of cooperation between different organizations, outlining in broad terms responsibilities, roles and type of resources required.
  - To support the planning capabilities of the AMISOM SPMU, in the view of the elaboration of an integrated framework of intervention, based on a common vision of the mission's objectives.
- Participants: 27 from African Union and UN agencies.

2) the *In-House Training on Integrated Mission Planning (IMPP)* for AMISOM SPMU Personnel, **held in Addis Ababa on December 11 – 14, 2007**.

### Objectives:

- To clarify the concept, objectives, principles and stages of the IMPP;
- To explain the specific process to be followed and tools to be applied during the IMPP;
- To assist in the development of a first draft of the Integrated Planning Matrix that will be later applied in the elaboration of the Integrated Plan of Action for Somalia.

by ITPCM Staff

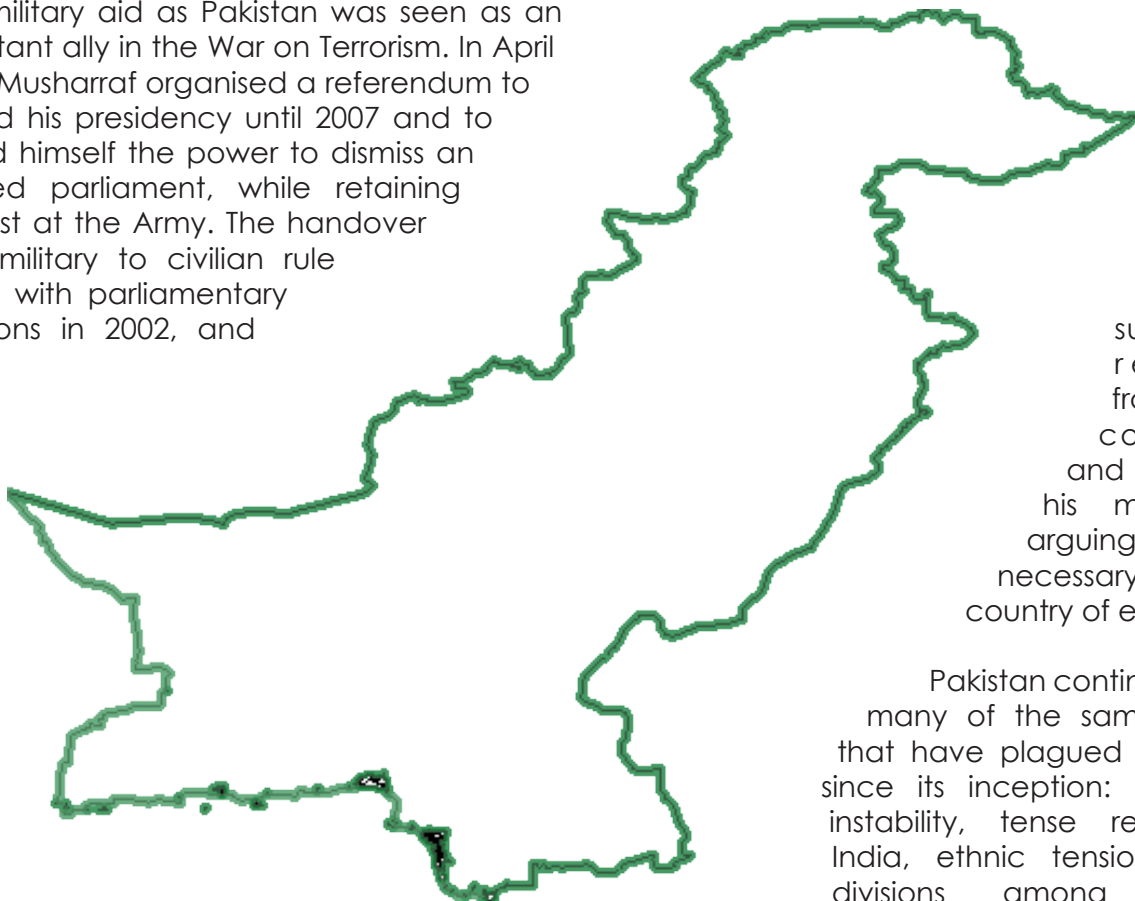
# Pakistan expected Parliamentary Elections & ITPCM training for the EU EOM

## Pakistan current situation picture

The Islamic Republic of Pakistan is a federal parliamentary democracy, even though army influence, remain strong. General Pervez Musharraf took power in a military coup in October 1999, becoming both president and Chief of Army Staff, and further consolidated his power through various legal measures.

After September 11, 2001, his government benefited from an infusion of economic and military aid as Pakistan was seen as an important ally in the War on Terrorism. In April 2002, Musharraf organised a referendum to extend his presidency until 2007 and to award himself the power to dismiss an elected parliament, while retaining his post at the Army. The handover from military to civilian rule came with parliamentary elections in 2002, and

After a long delay, the newly elected National Assembly passed constitutional amendments substantially strengthening the role of the President. The required two-thirds majority was achieved with support from religious parties. In return, President Musharraf pledged to give up his army command by the end of 2004. He



subsequently retreated from this commitment and retained his military role, arguing that it was necessary to rid the country of extremism.

the appointment of a civilian prime minister. The electoral process was described as "flawed" by an EU Election Observation Mission (EOM) as opposition parties headed by former Prime Minister Benazir Bhutto and Nawaz Sharif had been sidelined.

Pakistan continued to face many of the same problems that have plagued the country since its inception: government instability, tense relation with India, ethnic tensions, political divisions among provinces, economic dependence on international aid, and weak prospects for democracy. In October 2007, Musharraf won the support of most parliamentarians in controversial presidential elections. He was elected to a new term by both houses of Parliament and by the four provincial assemblies, even so the Supreme Court did not

validated the result.

On 3 November, Musharraf proclaimed the state of emergency. On the same day, the text of the Provisional Constitutional Order no. 1 was promulgated. The text underlined the suspension of art. 9-10-15-16-17-19-and 25 of the Constitution (security of person, safeguard as to arrest and detention, freedom of movement, freedom of assembly, freedom of association, freedom of speech, equality of citizens). Musharraf removed many judges from the Supreme Court and replaced them. Not surprisingly, the new Supreme Court ordered the Electoral Commission to formally recognize Musharraf as the winner. On 28 November 2007, a day before the new term was to start, Musharraf finally handed over the Commander of Army Staff.



A month later, the Alliance of Islamic political parties, the MMA, has been suspended because its two biggest parties, JUI and Jamaat-I-Islam, disagreed about whether to contest the forthcoming elections. The first wants to participate to the polls, while the second declared it might boycott elections. The Pakistan People's Party headed by Benazir Bhutto, remains the most popular opposition group in the country.

Pakistan's Chief Election Commissioner and Musharraf himself continue to confirm that general elections would be held in January 2008. The main question is whether it will be free and fair. Restrictions of independent media and censor coverage of live election broadcast have been ordered by the Pakistan Electronic Media Regulatory Authority (Pemra). TV networks are forbidden from covering live accidents of violence and anything that could damage the image of the president, armed forces and state organs, and journalists risk 3 year jail terms and heavy fines in case of disobedience.

## ITPCM assistance to the EU EOM in Pakistan: the training in Pisa, 5 - 10 November 2007

### Background of the training

On October 2007, the European Commission selected a group of 12 Core Team Members and 58 Long-term observers to be part of the EU EOM in Pakistan. The group, that was selected to observe the January 2008 Parliamentary elections, was initially supposed to be deployed in Pakistan the third week of November.

### Aim

The objective of the Pre-mission Training was to increase the EU capacity to observe the 2008 elections in Pakistan. Thus, the training focussed on enhancing the participants personal and professional capacity to respond to the challenge of working as observers in Pakistan.

### Organisation of the Training

The ITPCM organised the training on behalf of the European Commission and with the support of the IOM as implementing partner.



European Commission



IOM International Organisation for Migration



### Where

The Training was held from 5 to 10 November 2007 in Tirrenia, 15km from Pisa.



### Performance Appraisal

According to the feedback of the Overall Assessment Evaluation Forms the Training was highly appreciated both by participants and the European Commission. It proved to meet their expectations and to be relevant to the mission.



by Wilmoet Wels\*

\*WIO, Amsterdam, participant to the 2007 Peacekeeping Summer School in Pisa

# Balancing Law, Legitimacy and Life: Human Protection in Armed Conflict

## Introduction

Recent history has witnessed several military undertakings by unilateral, multilateral and UN bodies, that were initiated under the auspices of the claim to improve human security in armed conflict situations. These so-called humanitarian interventions aim to save lives by arms. It seems an impossible paradox. There are policy-problems and far-reaching moral or ethical implications. How to measure the value of human life? When has there been intervention, and when should there be intervention? What makes the difference between 'regular' human loss in conflict and humanitarian emergency?

## From rights to responsibility

The international debate on humanitarian intervention has come to revolve around a new keyword: responsibility. The 2001 report 'The Responsibility to Protect' of the International Commission on Intervention and State Sovereignty (ICISS) verbalises a new dimension of the notion of sovereignty and UN membership, arguing that with internationally reaching power and influence comes international responsibility. And one of the top priorities herein is the protection of civilians. This shift in focus from the rights that sovereignty brings, to the responsibility it encompasses, however, to a large extent still needs to be translated for decision-making practice. In this, there are two angles. First of all the politically influenced position that international and regional governmental bodies take. And secondly the main bringers of humanitarian aid, NGOs, look at the issue of armed intervention from a practical perspective.

Organisations for humanitarian assistance should in principle be neutral and impartial. Neutral for they should not take side in the conflict, nor engage in controversies of a political, racial, religious or ideological nature; impartial because they deliver aid indiscriminately to all who are in need. A humanitarian organisation that is not neutral to the conflict, runs a number of risks: on the one hand the belligerent party on whose territory it is carrying out its activities could withdraw its consent to the organisations very presence on the said territory (art. 10, Geneva Convention IV). Moreover such an organisation

would possibly lose the enhanced protective status granted by IHL. Thirdly, if its activities constitute "direct participation in hostilities" (e.g. if they deliver weapons to one of the parties to the conflict), its members would even forfeit their civilian status and become legitimate objects of attack (art. 51.3 of Additional Protocol 1 to the Geneva Conventions). Since IHL binds these organisations to neutrality and impartiality, they should theoretically be neither pro nor contra armed intervention.

That said, there have nevertheless in recent years been several instances of NGOs speaking out on the issue of armed intervention. Amnesty International (urging the Security Council to establish a mission to Darfur that is 'proactive, ready, and prepared to use all necessary means to protect civilians', 2006), Oxfam (supporting military intervention in Somalia in 1992), Médecins sans Frontières (demanding a peace enforcement mission 'with a robust mandate' for Zaire/Goma in 1996), and even the ICRC (calling for military intervention in Rwanda in 1994). A thin red line of action, for in many cases the intervention would be directed against the acts of one or more parties to the conflict, who might not perceive this as neutral or impartial at all.



## Who

But even if it's widely called for, someone still has to authorise humanitarian intervention. On paper, the UN takes the decisions in the Security Council or the General Assembly. In practice, humanitarian interventions take place that have not been authorised by the UN, such as in Kosovo in 1999 (NATO) and in Iraq in 2003 (US). Amnesty International gives preference to authorisation by the Security Council. If a mandate for the use of force cannot be issued by the Security

continued

Council, then there should be no force used. Christian Aid stated in 1999 in the face of the Kosovo-crisis: 'humanitarian intervention should be undertaken by UN mandate.' Dumait-Harper of Médecins sans Frontières stresses the obvious lack of political will to act, and sees the weak structure of the UN as a source for this; the current system is not equipped to deal with the paralyzing 'arbitrariness of great powers', he states. As it seems, NGOs generally support the UN as decision-maker on humanitarian intervention, yet also recognise the weaknesses in its current structure.

## When

International standards on when to intervene draw mostly from current practice. It is again the UN Charter that gives most guidelines for *ius ad bellum*. Furthermore, there are criteria for decision-making on armed humanitarian intervention that were initiated by the ICISS. They create perhaps not legality, but at least some legitimacy for non-UN intervention, thus making policy match practice, instead of the other way around. Of the five criteria, four are relevant to the 'when' of intervention, and they pinpoint exactly the main controversies.

### *Seriousness of threat.*

Large-scale killing, ethnic cleansing, serious violations of IHL are mentioned as demarcation lines. But how to measure the seriousness?

### *Proper purpose.*

Who will be the judge of this? Security Council members always have their own political agendas as well as international security to consider, and seem reluctant to support intervention unless there are national issues involved. Also geographical proximity and visibility in the media are a factor of influence, that can sometimes seem to outweigh the gravity of the crisis in decision-making.

### *Last-resort.*

This is a not well-defined criterion. Does it mean that all non-violent measures must have been tried, or merely considered?

### *Balance of consequences.*

Again: how to weigh these consequences? Amnesty International mentions: 'human rights are indivisible and cannot be traded off one against the other. Yet the argument for "humanitarian intervention" is precisely that it does more good than harm, i.e. that the deaths and destruction caused by the intervention are substantially outweighed by the lives it saves or improves.' A philosophical point that cannot be easily solved, and that the UN has not yet addressed.

## How

The fifth criterion relates to how to undertake intervention: by proportional means. The keyword therein is intrusiveness: to use the least intrusive, yet still effective measure possible, in order to only repair, and not damage. Problems related to this are discerned by NGOs rather than international policy makers. Some important ones are:

- Safety of women worsens when there are (largely male) military troops present, notwithstanding they are peace troops.
- Bringing violence to abolish violence is a controversy of sorts.
- Protecting people or protecting aid? Being protected by a peace force might have negative impact on the perceived neutrality of an aid organisation, thereby impairing its life-saving work.
- Armed protection by a peace force can result in endangering civilian lives, for they can be deemed party to the conflict as a result of the protection.
- Bad coordination when different parties with different mandates are involved in the peace force can be disastrous.

The ICRC actively takes part in the development of IHL to help forward it, yet while remaining a neutral party. The advocacy of IHL is regarded by most NGOs in this field as one of their tasks. It becomes increasingly more difficult for NGOs though to fulfil this task without speaking out on the just cause of the intervention, which would impair their neutrality.

## Conclusion

The international attitude towards the legality, legitimacy and moral norms on the issue of armed intervention for humanitarian purposes focuses nowadays on the notion of responsibility. The who, when and how of humanitarian intervention are to a certain extent covered by current legislation. On each of the three issues there are legal or customary rules, and those are close enough to reality to actually be useful. However, so far, most issues that are being addressed and discussed on policy-level are in the fields of who and when; as to how a humanitarian intervention should take shape, there is still a lot of new ground to cover. So far policy-makers have not given enough attention to this particular part of humanitarian intervention. And it is especially here that the long years of field-experience of NGOs will prove indispensable contributions. And so, hopefully, will the future show a move from policies on the thought of responsibility, to a culture of responsibility practice in humanitarian intervention.

by Chiara Ruffa\*

*Beirut, 1st December 2007*\*European University Institute, Florence, PhD  
Candidate

## A President for Lebanon?

The sixth postponement of the Presidential elections and the institutional vacuum

For the second time in its history, since its full independence from France in November 1943, Lebanon has no President and no candidate. The first time had been in 1989-90, after fourteen years of bloodshed civil war. Former filo-syrian President Lahoud's mandate expired last Friday, the 24th of November, at midnight. Five minutes later the Western press circulated news according to which

a consequence, he has also strengthened the military presence in the country (already rather robust).

Surprisingly to many observers, the week afterwards has run out quietly. Political consultations have been kept going between the pro-Western majority (the so-called "14<sup>th</sup> March Movement" composed by Sunni Saad Hariri's Future Movement, Druze



he had allegedly declared the state of emergency. This misunderstanding was due to the fact that, during the farewell press conference, Lahoud had mentioned the role of the army in keeping order in the country. Yet, the Constitution does not allow the President of the Republic to declare the state of emergency without the consent of the Prime Minister who can declare it and manage the vacuum. Therefore, no state of emergency has ever been really declared and, building upon the Constitution, Siniora has taken full powers. As

Joumblatt's Progress Socialist Party and Christian Geagea's Lebanese Forces) led by Saad Hariri, the son of the assassinated President, and the pro-Syrian opposition (the so-called "8<sup>th</sup> March Movement", composed by Nasrallah's Hezbollah and Amal, two Shia parties, and Christian Michel Aoun's Free Patriotic Movement). All the meetings have been highly supported by repeated and diverse visits from abroad (France, Italy and Spain representatives in particular).



### The several dilemmas of the current situation

First, since November 2007, six ministers of the opposition have left the government coalition and, since January 2007, they have organized a peaceful mobilization in one of the central square of Beirut, Place des Martyrs. The opposition accuses the government coalition's led by Fouad Siniora (a Sunni leader very close to the assassinated politicians Hariri) of being illegitimate and the need for new parliamentary elections. The majority refuses these accuses and keeps governing the country having appointed a series of interim ministries to replace the vacancies.

Second, in the Parliament, the majority has 70 seats and the opposition 58. In spite of this, the opposition has great popularity and it represents a part of the Lebanese population in constant demographic growth. Population distribution in the country is yet unclear but does not match any more the 50-50 representation between Muslims and Christians in the Parliament.

Third, in a tragic series of attacks, the members of Parliament have been targeted and since last November three MPs belonging to the majority have been assassinated. For this reason, all the majority's MPs are gathered at the Phoenicia Hotel and their movements are very restricted.

Fourth, traditionally, the President should be a Christian Maronite, whereas the Prime Minister is a Sunni (Siniora) and the speaker of the Parliament a Shia (Berry). But the Christians are split between majority and opposition, the one allied with the Sunnis and the others allied with the Shia. The danger is an escalation generating from a tension among Christians. This makes even more complicated to find a Christian Maronite President to elect.

Fifth, according to the Constitution, the President can be elected by the simple majority of the MPs. This gives a technical possibility to the majority to elect a new President. But the majority itself is aware of the fact that a step like this could be very tricky and it could definitely launch the country in a new civil war. As a consequence to this decision, the opposition could decide to elect a new President or to designate a new government. Therefore, the majority has acknowledged the need for a consensual President

One can add to this scenario several other factors of instability: the chronic fighting in the Palestinian refugees camps, whose situation depends upon the evolution of the situation in the Palestinian territory; the always tense situation near the Israeli border, south of the Litani river, where 14,000 United Nations peacekeepers are deployed but where there are frequent violations of the UNSC Resolution 1701 with frequent Israel over-flights;

and the unclear situation of the disarmament or rearmament of various factions. The international pressure is very high with the US having asked France to follow consultations, with Spain and Italy visiting Beirut twice in the last ten days. Syria and Iran are also very much involved in the situation: the first for its decennial interference in Lebanese politics; the second for the future role it will be playing in the region.

The vacuum in the Presidency makes every escalation possible. The possibility of a transition President is at stake as well, since the risks arising from a non-unanimously recognized and respected president are very high. Nonetheless, it does not seem the first option at the moment.

This is why it would be important to have a President elected soon. The Maronite Patriarch Nasrallah Sfeir who has a leading role in the consultations has kept confidentiality for much of the time and few names have been made in the last weeks, such as one of the opposition leaders Michel Aoun as well as the Maronite Patriarch itself. Nevertheless, in the last few days, a new name is circulating insistently: the current Chief of the Army General, Michel Suleiman. Suleiman is a military (like the former and very unpopular President Lahoud) but, at the same time, ***the army in this country is the only unanimously recognized institution***<sup>1</sup>. On the one hand, he is a Maronite, therefore eligible; on the other hand, the Constitution does not allow senior state employees, including army commanders, to run for the post while in office. Preliminary statements shows that he seems to be accepted by the majority as well as by the opposition. For example, it would represent a guarantee for Hezbollah not to have any problem in their leadership in the South, being the army made up mainly by Shia people, mostly from the South and close to the party. At present, consultations are going on but these are not focusing not only on the name of the candidate but also on the possibility of amending the present Constitution.

The country is without a President and, even if the situation is calm, the tension is growing, with a certain number of isolated accidents. I was having a cup of tea at my taxi driver's house last night, few kilometers from the Israeli border near the war torn village of Qana and the father kept repeating « *we will go on like this for months and no name will come out* ». At the same time, as the Maronite patriarch Sfeir keeps recalling Lebanon needs a presidential vote « *before it's too late* ». And as everybody knows, here the situation can change in three hours time.

<sup>1</sup> Italic-Bold added (editors note)



by Patrizia Aganci\*

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## Security Council Resolution 1325: Women, Peace and Security Implementation in West Africa

In October 2000 the United Nations Security Council unanimously adopted Resolution 1325 on Women, Peace and Security. SC resolution 1325 is not a legally binding instrument; its aim is to recommend and provide a framework for action to Member States on gender issues and women's participation in the context of conflict, peace and security.

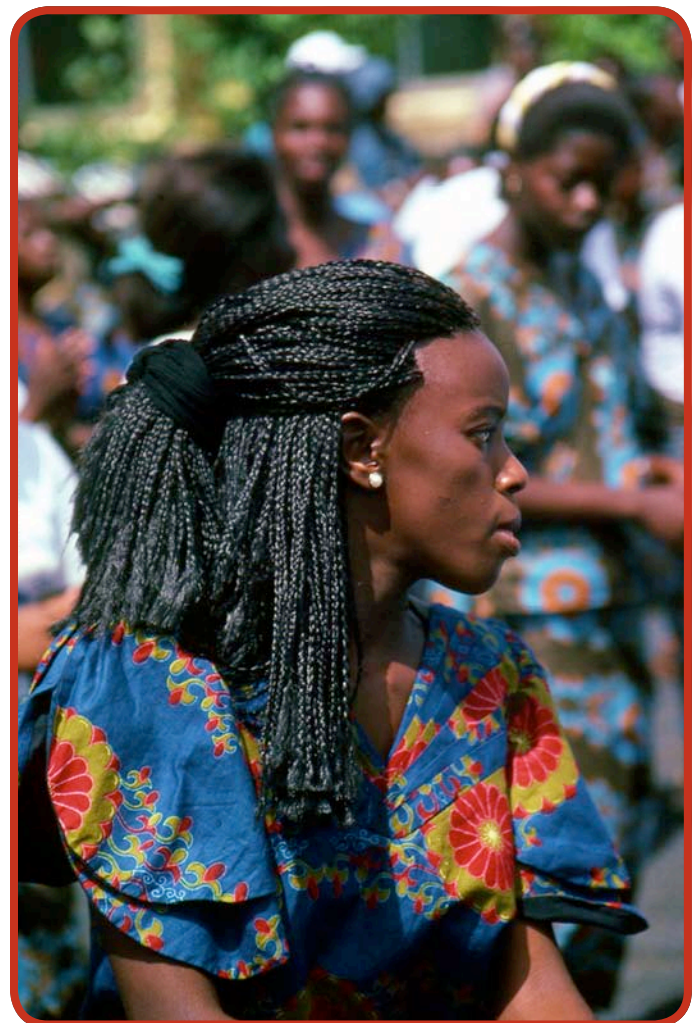
Most importantly, the adoption of SC res. 1325, and its constant affirmation by the United Nations and other international and national bodies, proves the increasingly acknowledgment given by the international community to the role played by women in conflict prevention, conflict resolution, peacebuilding and reconstruction efforts. Currently, six years after its adoption, SC res. 1325, is still debated at a policy-making level, especially within the UN system, where a number of new documents and actions have been developed and planned towards a better implementation of the resolution.

Despite the fact that there is no compliance or monitoring mechanism attached to it, and therefore it does not hold governments accountable for the implementation of the resolution, SC resolution 1325 recalls other existing international law, international humanitarian law and treaty law which have a compulsory character.

SC Resolution 1325 has been saluted by some as an 'historic landmark' for the advancement of women's rights, empowerment, participation and equality in the context of armed conflict, peace and security; other more skeptical comments stress the fact that the resolution is not worth more than 'the paper it is written on'. However, this major document, for the first time, sets priorities and calls for action a range of stakeholders: for this reason it can serve as the yardstick for research and analysis, as well as for advocacy and lobbying.

Sustainable peace and security in West Africa cannot be attained without addressing the issues of women's protection, participation, empowerment, and, ultimately, gender

equality. However, peace and security do not only relate to situations of conflict; in this part of Africa, they are correlated to a number of factors, such as poverty, economic and social development, rule of law, justice, democracy,



good/bad-governance, and respect of human rights. Gender mainstreaming in the context of peace and security is indeed a question of respect of human rights, and SC res. 1325 reinforces, reaffirms, and better defines what other documents have already clearly defined as women's rights (ie. CEDAW). In West Africa the impact of the historical marginalization of women must not be forgotten as it has developed into open discrimination, which, in the context of conflict, has produced an unprecedented

continued

rising in all forms of violence against women. In consideration of the past and current events that have affected and still trouble a vast part of West Africa, at stake is not only the ultimate goal of gender equality, but the very chance of a future of sustainable peace, security and freedom – that is to say the full respect of human rights – for all of its peoples.

Assessing the current status of implementation of res. 1325 in West Africa is difficult, for there is a lack of data specific to the region. In West Africa the understanding of the meaning of gender mainstreaming in the context of peace and security and, subsequently, the ability to plan and carry out action-oriented activities is limited, suffers of scarce support and coordination, both at the grassroots and decision-making level. The implementation of SC res. 1325 in the sub-region resembles a 'leopard-skin patchwork' of good practices, utter failures, or 'holding-on' situations. The core of the problem appears to be the lack of political will. However this is way too often presented as an excuse for the lack of initiative and commitment, and for not addressing the issue thoroughly. The point to examine, indeed, is what influences political will and which actions can change it. The analysis of the West African context reveals weak synergy between grassroots organizations, regional and international organizations, and governments. A better coordinated effort from the various stakeholders could have far reaching consequences for the enhancement of the rights of millions of women in West Africa.

Partnership is a key factor to enhance the implementation of SC res. 1325. A synergetic combination of the top-down and bottom-up approaches is what is currently most needed in the West African sub-region. Some NGOs, civil society and women's organizations have understood and accepted this; they form networks and try to establish and consolidate working relationships and constructive dialogue with regional and international organizations, as well as with field peace operations.

The peacekeeping missions in the sub-region, despite a slow start and a number of improvements that still need to be made, have carried out, over the last few years, commendable work. In the post conflict situations in the sub-region, in particular, it appears as if the peacekeeping missions are the gravitational center around which many national and international actors rotate; this should lead, therefore, to a much larger investment, in terms of financial and human

resources, not to miss the chance to transform gender mainstreaming into a regular practice and strengthen women's empowerment and equality. While commitment on the part of the UN is gradually finding its way into practice, other actors have not fully committed to the principles set forth by res. 1325.



ECOWAS, in particular, could exercise its leverage far better, leading and coordinating the sub-region in the effort to promote comprehensive gender mainstreaming in the context of peace and security.

In West Africa women at civil society and grassroots levels are ready to play a role in making, building and sustaining peace. Even when they are not aware of their potential contribution in these contexts, if they are given the chance, and offered the capacity support, they immediately show strong interest and willingness to be involved. The grassroots level does need capacity building and lacks political support, resources, consideration and opportunities. Another problem increasingly effecting civil society and women's organizations is the politicization of their members and/or activities.

The decision-making level is simply not giving the right attention to the issues related to women in peace and security, and when it does, it struggles to find effective ways to translate it into actions.

Despite the ostracism, that can be quite strong in male dominated societies such as the West African, the attracting power of well tailored trainings and capacity building activities can have an exponential potential as they expand the reach of advocacy measures and consequently encourage a favorable response from decision makers. Basically the bottom-up approach facilitates top-down responses.

The considerable role that the media can play in this complex process is probably left unaddressed by most relevant actors and programmes in the sub-region, regrettably missing out on an opportunity.

by Brenda Gallagher\*

\*Amnesty International, Dublin, participant to the 2007 Peacekeeping Summer School in Pisa

# Working for Human Rights across Europe

## Moving back 'home' from Macedonia... the experience of an ex-participant to our Peacekeeping Summer School

My current position is Coordinator for a Cross Border Human Rights Education Initiative, Amnesty International Irish Section, Dublin. The project is supported by the teachers' unions, human rights commissions, and funded by the (Development Education Unit)Irish Aid and both departments of education in North of Ireland (NI) and Republic of Ireland (RoI).

When I say cross border, I mean this project stems across the border of the North of Ireland and the Republic of Ireland by linking schools through the medium of human rights education. The target group is the primary school sector.

Under the Good Friday Peace Agreement education is pin pointed as being one of the areas that needs a great deal of work in building relations between the North and South of Ireland. As a peace building initiative it is working very well. Recent findings show that Human Rights Education has a positive impact on both children's behaviour and academic achievement.

Governments can be reluctant to mainstream this kind of educational activity. Both the Irish and British governments have gone some way in ensuring that human rights education is provided for its' children in lines with its' international obligations under the UN World HRE programme which has been extended to 2009.

Amnesty International is supporting these efforts while at the same time pushing for complete mainstreaming of Human Rights Education in the

curriculum for both teachers and students alike.

It's challenging work because I haven't worked in this area in a developed country before and so there is quite a difference in the approach that needs to be taken. In the context of Macedonia, human rights education hasn't got the resources or governmental support to take off like it has here in Ireland but on the other hand it is clear that it is a process that always needs to be worked on, even in Ireland where it has developed quite a lot, there is still a way to go.

I am enjoying it because I am learning a lot about my own country and having spent two years in Macedonia it is quite beneficial to know your own country's system so that you have more to share and exchange.

So far I am enjoying being at home, even though, it is still strange as one very quickly gets used to another life in another place and so the transition period can be challenging. Nonetheless, so far so good!



**amnesty**  
**international**  
irish section



by Gaia Gigante\*

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## PRENSA LIBRE

# Press freedom in Latin America & the Caribbean

According to the last RSF (Reporters Sans Frontières) reports and press releases seven journalists were murdered in connection with

against journalists, but basically in every judiciary field, including violations and gross violations of Human Rights.



their work in the Americas in 2005 and fifteen more have been killed since the start of 2006.

Most of these murders are still unpunished, as impunity is still the main rule in most Latin American countries, not only in the case of crimes

It is true that today there is greater awareness of the devastating consequences the rule of impunity brings to newsrooms, press freedom and democracy. But it is also true that this practice keeps being adopted in several countries. Moreover physical attacks, harassment and



editorial censorship of the media are still very common too, sometimes with the support of local politicians and judicial officials.

The situation in Latin America is extremely violent, and the freedom issue in the press is quite a sensitive one. In the last decade more than 200 reporters, including photographers editors and columnists, have been murdered in the Latin American Countries area. What worries them most is that they were not covering wars or anything else that might be considered especially hazardous. They were just doing their regular job.

The most evident and astonishing case is the **Cuban** one. 23 journalist are currently imprisoned in Cuban jails, two of them without any specific charge nor on trial. This makes Cuba the second biggest prison in the world for journalists, after China. Not surprisingly the Cuban leader Fidel



Castro is spotted in the RSF Press Freedom Predators List, along with other 33 world leaders.

As for **Colombia** the situation keeps being dramatic, due to the ongoing civil war, the widespread violence and the general impunity for those perpetrating Human Rights violations.

Colombia is an extremely dangerous country for journalists, with constant threats and pressure, especially from the guerrilla groups. Several subjects are considered taboo, amongst them

corruption, the guerrilla war and drug trafficking. Dealing with this kind of sensitive issues and investigating about them is extremely risky, and can result in death or exile.

Controlling the information is a key point in the country civil war, and all sides try to achieve it by any possible means, including threatening, kidnapping and murdering journalists. In case of kidnapping usually no ransom is asked for, as the only aim is to get the message out.

Since the beginning of 2006 3 journalists have been killed in Colombia, many death threats have occurred, and 8 journalists chose to flee, and leave the country as exiled.

The subject of Human Rights violations is basically off-limits: the demobilisation of the paramilitaries that began in 2003 did not prove effective, as 8.000 of its members are still active. Moreover the Justice and Peace Law adopted by President Alvaro Uribe places limits on the punishment of most of the crimes committed by the paramilitaries of the United Self-Defence Groups of Colombia (AUC).

Another source of concern is **Mexico**, which became the western hemisphere's deadliest country for the press in 2006, and the second dangerous one in the world after Iraq. Since the beginning of the year eight journalists have been murdered in the country.

All in all, 16 journalists have been murdered since Vicente Fox became president in 2000, six of them in Nuevo Laredo, where drug trafficking seriously threatens press freedom as it does in all the Mexican cities bordering the United States. The federal government did assign a special prosecutor's office to handle attacks against the media, but it is not allowed to deal with drug-trafficking cases, the biggest source of threats to journalists, so it is not proving effective at all.

Moreover, Reporters Without Borders (RSF) is hailing the decriminalization of press offences and protection for the confidentiality of journalists' sources, that was approved by the Mexican federal chamber of deputies on April the 18th, but has not been ratified by the senate yet.

Eventually, minorities are often not represented, or under represented in the media world. For example in **Chile** the Mapuche community, the largest indigenous minority of the country,

continued

does not have any publication circulating at a national level: the only Mapuche publications available are small cyclostyled magazines, almost impossible to find, or online magazines, whose guestbook pages are, quite regrettably, not available notwithstanding several attempts, or even more regrettably, almost empty.



All that said, it is also true that several national, regional and international instruments, such as declarations, documents, organizations and campaigns, focused on the promotion and protection of press freedom, are available in the area.

One of the most relevant actors involved in the promotion and protection of press freedom is the **Inter American Press Association, or IAPA**, based in Miami, USA, which currently represents newspapers and magazines, from Patagonia to Alaska.

The idea of creating an instrument such as the IAPA was firstly developed in 1926, when 130 Western Hemisphere journalists, gathered in Washington, D.C. for the first Pan American Congress of Journalists, adopted a resolution calling for the establishment of a permanent inter-American organization of journalists. The Congress met again in Mexico City in 1942, at which time it created the Permanent Commission, that would officially become the IAPA at a conference in Havana the following year.

Amongst the several activities carried on by the IAPA, one of the most important is the declaration of Chapultepec, adopted in Mexico City on March the 11th 1994.

At a regional level several other declarations have been adopted over the years following the Chapultepec one, as the awareness about the press freedom issue was arising all over the continent.

Among them are the Hermosillo Declaration, signed in Mexico in 2005, the Pucallpa Declaration, signed in Peru in the same year, and the Resolution adopted by the Organization of American States at its general assembly in Caracas, Venezuela, on June 2, 1998.



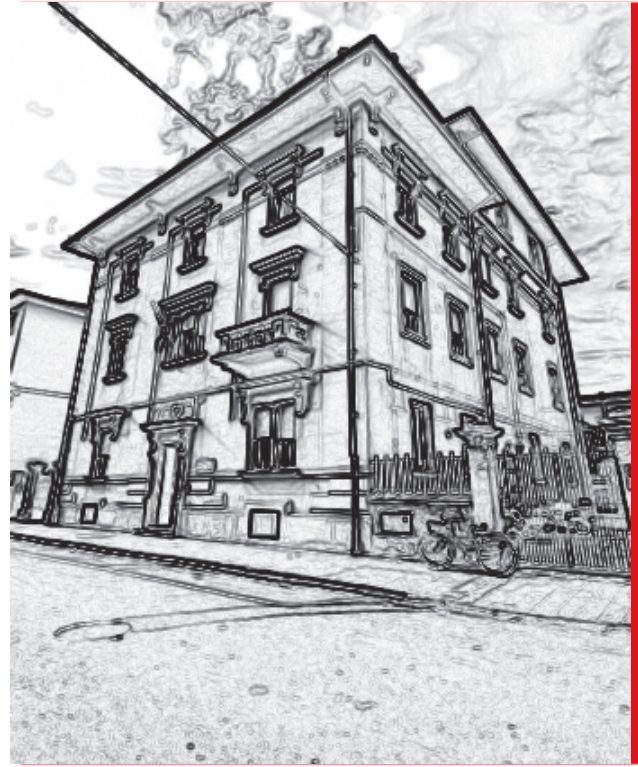
Image source [www.prima-news.ru](http://www.prima-news.ru)

Last but not least, the Rapid Response Unit must be mentioned.

The **Rapid Response Unit (RRU)** of the Inter American Press Association's Unpunished Crimes Against Journalists project took up its investigative role in 2000. It conducts prompt, on-site investigations into new cases of murder of journalists – with the aim of determining whether the murders have or have not been committed because of the victim's work – and into the kind of impunity that has surrounded similar cases in the past. With these investigations the IAPA's objective is to keep up pressure on the authorities concerned to solve the crimes and thus dissuade those who would resort to violence.

Merry  
Christmas  
&  
Happy  
New Year  
2008  
to all of  
YOU

the  
ITPCM STAFF



the itpcm & iccids base in Pisa, archive photo

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