

alert 2003 !

Report on conflicts,
human rights
and peace-building

ESCOLA DE CULTURA DE PAU

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human rights
and peace-building

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Summary

«Alert 2003: report on conflicts, human rights and peace-building» is a study carried out annually by the Alert Unit at the School of Peace Culture at Universitat Autònoma de Barcelona, providing an overview of the world situation at the end of the year on the basis of an analysis of various indicators. 37 indicators have been used in the preparation of this report, divided into 8 large groups: conduct in relation to the international community, arms embargoes, militarisation, human rights, development, humanitarian crises, conflict and peace building, and International Humanitarian Law. A description and analysis of what has happened in the world throughout this year, based on these indicators, helps to provide a greater knowledge of the advances, reverses and dynamics of various kinds that affect the whole of humanity. The majority of these indicators, once cross-referenced, can also help us to understand the influence of some factors on others. Comparing this data with the information gathered during the previous year means that the report can act as a preventive warning of certain general tendencies or a particular situation in individual countries, something that may be useful, among other things, for the rethinking of foreign policy, development cooperation and arms transfers, as well as for the development of policies aimed at preventing armed conflicts and facilitating the consolidation of peace processes and post-war rehabilitation throughout the world.

Sumario

«Alerta 2003: informe sobre conflictos, derechos humanos y construcción de paz» es un estudio que anualmente realiza la Unidad de Alerta de la Escola de Cultura de Pau de la Universitat Autònoma de Barcelona, y que sintetiza el estado del mundo al finalizar el año a partir del análisis de varios indicadores. Para hacer el informe se han utilizado 37 indicadores, agrupados en 8 grandes apartados, a saber: comportamiento ante la sociedad internacional, embargos de armas, militarización, derechos humanos, desarrollo, crisis humanitarias, conflictividad y construcción de la paz, y Derecho Internacional Humanitario. La descripción y el análisis de lo que ha ocurrido en el mundo a lo largo del año a través de estos indicadores, puede ayudarnos a conocer mejor los avances, los retrocesos y las dinámicas de diversa índole que afectan al conjunto de la humanidad. La mayoría de estos indicadores, una vez entrecruzados, pueden ayudarnos también a comprender las influencias de unos factores sobre otros. La comparación de estos datos con los del año anterior da al informe un carácter de alerta preventiva sobre algunas tendencias generales o sobre la situación de determinados países, lo que puede resultar útil, entre otras cosas, para el rediseño de las políticas exteriores, de cooperación al desarrollo y de transferencias de armas, así como para elaborar políticas de prevención de conflictos armados y que permitan consolidar procesos de paz y de rehabilitación posbélica en el mundo.

Sumari

«Alerta 2003: informe sobre conflictos, derechos humanos y construcción de paz» és un estudi que anualment realitza la Unitat d'Alerta de l'Escola de Cultura de Pau de la Universitat Autònoma de Barcelona, i que sintetitza l'estat del món al finalitzar l'any a partir de l'anàlisi de diversos indicadors. Per a fer l'informe s'han utilitzat 37 indicadors, agrupats en 8 grans apartats: comportament davant la societat internacional, embargaments d'armes, militarització, drets humans, desenvolupament, crisis humanitàries, conflictivitat i construcció de la pau, i Dret Internacional Humanitari. La descripció i l'anàlisi del que ha ocorregut en el món al llarg de l'any a través d'aquests indicadors, pot ajudar-nos a conèixer millor els avanços, els retrocessos i les dinàmiques de diversa índole que afecten el conjunt de la humanitat. La majoria d'aquests indicadors, una vegada entrecruats, poden ajudar-nos també a comprendre les influències d'uns factors sobre uns altres. La comparació d'aquestes dades amb les de l'any anterior dóna a l'informe un caràcter d'alerta preventiva sobre algunes tendències generals o sobre la situació de determinats països, la qual cosa pot resultar útil, entre d'altres, per a redissenyar polítiques exteriors, de cooperació al desenvolupament i de transferències d'armes, així com per a elaborar polítiques en termes de prevenció de conflictes armats i que permetin consolidar processos de pau i de rehabilitació postbèlica arreu del món.

Sommaire

«Alerta 2003: informe sobre conflictos, derechos humanos y construcción de paz» («Alerte 2003: rapport sur les conflits, les droits de l'homme et la construction de la paix») est un rapport réalisé annuellement par le Programme d'Alerte de l'École de Culture de la Paix de la Universitat Autònoma de Barcelona qui synthétise l'état du monde pendant la dernière année en partant de l'analyse de plusieurs indicateurs. 37 indicateurs ont été utilisés pour réaliser ce rapport, groupés en 8 grands chapitres, à savoir, le comportement des pays face à la société internationale, les embargos d'armes, la militarisation, les droits de l'homme, le développement, les crises humanitaires, les situations conflictuelles et la construction de la paix, et le Droit International Humanitaire. La description et l'analyse, grâce à ces indicateurs, des événements qui se sont produits dans le monde tout au long de l'année peuvent nous aider à mieux connaître les progressions, les reculs et toute autre tendance touchant l'humanité entière. La plupart de ces indicateurs, une fois entrecroisés, peuvent nous aider aussi à comprendre les répercussions de certains facteurs sur d'autres. La comparaison entre ces données et celles de l'année précédente renforce le caractère d'Alerte préventive sur certaines tendances générales ou sur la situation de certains pays. Cet instrument peut donc être utile, entre autres, pour la redéfinition des politiques extérieures, de coopération au développement et du transfert d'armes, ainsi que pour l'élaboration de politiques de prévention des conflits armés et la consolidation de processus de paix et de reconstruction de l'après-guerre dans le monde.

Glossary

AIG: Armed Islamic Group
AU: African Union
AUC: Autodefensas Unidas de Colombia (United Self-Defence Forces of Colombia)
BICC: Bonn International Conversion Centre
BONUCA: United Nations Peace-building Office in the Central African Republic
CAEMC: Central African Economic and Monetary Community
CAR: Central African Republic
CFSP: Common Foreign and Security Policy
CPI: Corruption Perception Index
CPN: Communist Party of Nepal
DAC: Development Assistance Committee
ECHO: European Commission's Humanitarian Aid Office
ECOMOG: Economic Community of West African States Monitoring Group
ECOSOC: United Nations Economic and Social Council
ECOWAS: Economic Community of West African States
EFTA: European Free Trade Association
EU: European Union
FAO: United Nations Food and Agriculture Organisation
FARC: Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Columbia)
FDD: Forces pour la Défense de la Démocratie (Forces for the Defence of Democracy)
FLEC-FAC: Frente de Libertação do Enclave de Cabinda - Forças Armadas de Cabinda (Cabinda Enclave Liberation Front - Cabinda Armed Forces)
FNL: Forces Nationales de Libération (National Liberation Force)
GAFI: Financial Action Group
GAM: Gerakin Aceh Merdeka (Movement for Free Aceh)
GDP: Gross Domestic Product
GNP: Gross National Product
GSPC: Salafist Group for Call and Combat
HIPC: Heavily Indebted Poor Countries
HIV-AIDS: Human Immunodeficiency Virus - Acquired Immunodeficiency Syndrome
ICRC: International Committee of the Red Cross and the Red Crescent
IDPs: Internally Displaced Persons
IGAD: Intergovernmental Authority on Development
IHL: International Humanitarian Law
IISS: International Institute for Strategic Studies
IMF: International Monetary Fund
IOM: International Organisation for Migration
IRIN: United Nations Integrated Regional Information Network
IRIS: Institut de Relations Internationales et Stratégiques (International and Strategic Relations Institute)
KANU: Kenya African National Union
LDC: Least Developed Countries
LRA: Lord's Resistance Army
LTTE: Liberation Tigers Tamil Eelam (Tigers for the Liberation of the Sacred Land of the Tamils)
LURD: Liberians United for Reunification and Democracy
MDC: Movement for Democratic Change
MDJT: Mouvement pour la Démocratie et la Justice au Tchad (Movement for Democracy and Justice in Chad)
MFDC: Mouvement des Forces Démocratiques de Casamance (Casamance Democratic Forces Movement)
MILF: Moro Islamic Liberation Front
MINUGUA: United Nations Verification Mission in Guatemala
MINURSO: United Nations Mission for the Referendum in Western Sahara
MLC: Mouvement pour la Libération du Congo (Congo Liberation Movement)
MONUC: United Nations Mission in the Democratic Republic of Congo
MPCI: Mouvement Patriotique de Ivory Coast (Ivory Coast Patriotic Movement)
NATO: North Atlantic Treaty Organisation
NCCT: Non-Cooperative Countries or Territories
NGO: Non-Governmental Organisation
NLA: National Liberation Army

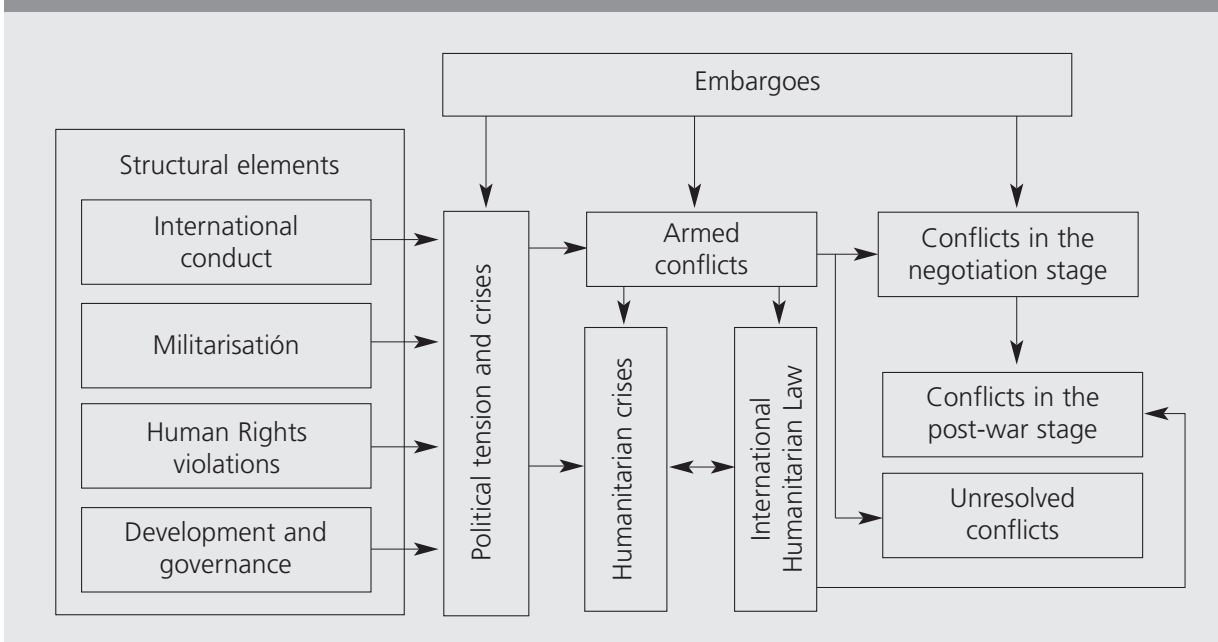
NPA: New People's Army
OAS: Organisation of American States
OCHA: United Nations Office for the Coordination of Humanitarian Affairs
ODA: Official Development Aid
OECD: Organisation for Economic Trade and Development
OPM: Organisasi Papua Merdeka (Free Papua Movement)
OSCE: Organisation for Security and Cooperation in Europe
PAC: Patrullas de Autodefensa Civil (Civil Defence Patrols)
PIOOM: Interdisciplinary Research Program on Root Causes of Human Rights Violations
PNA: Palestinian National Authority
PRIO: Peace Research Institute, Oslo
RCD-Goma: Rassemblement Congolais pour la Démocratie - Goma (Congolese Rally for Democracy - Goma)
RCD-ML: Rassemblement Congolais pour la Démocratie-Mouvement pour la Libération (Congolese Rally for Democracy - Movement of Liberation)
RCD-N: Rassemblement Congolais pour la Démocratie-National (Congolese Rally for Democracy - National)
RRI: Reproductive Risk Index
RUF: Revolutionary United Front
SADC: South African Development Community
SIPRI: Stockholm International Peace Research Institute
SPLA: Sudanese People's Liberation Army
UAB: Universitat Autònoma de Barcelona
ULFA: United Liberation Front of Assam
UNAIDS: United Nations HIV-AIDS Programme
UNAMA: United Nations Assistance Mission in Afghanistan
UNAMSIL: United Nations Mission for Sierra Leone
UNCTAD: United Nations Conference on Trade and Development
UNDOF: United Nations Disengagement Observer Force
UNDP: United Nations Development Programme
UNESCO: United Nations Educational, Scientific and Cultural Organisation
UNFICYP: United Nations Peacekeeping Force in Cyprus
UNHCHR: United Nations High Commissioner for Human Rights
UNHCR: United Nations High Commissioner for Refugees
UNHRC: United Nations Human Rights Commission
UNIDIR: United Nations Institute for Disarmament Research
UNIFIL: United Nations Interim Forces in Lebanon
UNIKOM: United Nations Iraq-Kuwait Observation Mission
UNITA: União para a Independência Total de Angola (National Union for the Total Independence of Angola)
UNMA: United Nations Mission in Angola
UNMEE: United Nations Mission in Ethiopia and Eritrea
UNMIBH: United Nations Mission in Bosnia Herzegovina
UNMIK: United Nations Interim Administration Mission in Kosovo
UNMISSET: United Nations Mission of Support in Timor-Leste
UNMOGIP: United Nations Military Observation Group in India and Pakistan
UNMOP: United Nations Mission of Observers in Prevlaka
UNO: United Nations Organisation
UNOGBIS: United Nations Peace-building Support Office in Guinea-Bissau
UNOL: United Nations Peace-building Support Office in Liberia
UNOMIG: United Nations Observer Mission in Georgia
UNPOB: United Nations Political Office in Bougainville
UNPOS: United Nations Political Office for Somalia
UNRWA: United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSCO: United Nations Office of the Special Coordinator in the Occupied Territories
UNTOP: United Nations Tajikistan Office of Peace-building
UNTSO: United Nations Truce Supervision Organisation
US\$: US dollars
USA: United States of America
WB: World Bank
WFP: World Food Programme
WHO: World Health Organisation
WTO: World Trade Organisation
ZANU-PF: Zimbabwe African National Union - Patriotic Front

Introduction

«Alert 2003: report on conflicts, human rights and peace-building» is a study carried out annually by the Alert Unit at the School of Peace Culture at Universitat Autònoma de Barcelona, providing an overview of the world situation at the end of the year on the basis of an analysis of various indicators. The Alert Unit also publishes a weekly bulletin containing information on the current international situation, «Semáforo», which is in turn analysed quarterly in the publication «El barómetro».¹

37 indicators have been used in this «Alert 2003» report. These have been divided into 8 large groups: conduct in relation to the international community, arms embargoes, militarisation, human rights, development, humanitarian crises, conflicts and peace-building and International Humanitarian Law. A description and analysis of what has happened in the world throughout this year, based on these indicators, helps to provide a greater knowledge of the advances, reverses and dynamics of various kinds that affect the whole of humanity. The majority of these indicators, once cross-referenced, can also help us to understand the influence of some factors on others. Comparing this data with the information gathered during the previous year means that the report can act as a preventive warning of certain general tendencies or a particular situation in individual countries, something that may be useful, among other things, for the rethinking of foreign policy, development cooperation and arms transfers, as well as for the development of policies aimed at preventing armed conflicts and facilitating the consolidation of peace processes and post-war rehabilitation throughout the world.

Figure 1: Relationship between alert indicators



As regards the conduct of countries in an international context, «Alert 2003» has placed the emphasis on the attitude of governments in relation to four elements that give a clear indication as to whether, on a world scale, there is an improvement in cooperation between states in respect of their assumption of and compliance with universally attainable norms. These four elements are the Millennium Declaration, the pro-

1. Both the weekly bulletin («Semáforo») and the quarterly report («El barómetro») can be consulted at the following web site: <http://www.pangea.org/unescopau>

tection of Human Rights, financial transparency and military security. Monitoring the signing and ratification of the main legal instruments included in the Millennium Declaration (the International Criminal Court, the prohibition of anti-personnel mines, the Kyoto Protocol on Climate Change, the Rio de Janeiro Convention on Biological Diversity, the Convention on Desertification, the Convention on the Elimination of all forms of Discrimination against Women and the Convention on the Rights of the Child) offers the advantage of synthesizing, to a large extent, a broad range of wishes expressed by the majority of countries, and their compliance, postponement or rejection allow us to see each individual government's actual level of commitment to progress towards a world that is more just, healthy, sustainable and balanced. It is regrettable, in this regard, that throughout 2002, Israel and the USA have withdrawn their signatures from the Rome Statute which created the International Criminal Court, and that Brunei and the USA have only ratified one of the seven treaties contained in the Millennium Declaration. On the positive side, it should be pointed out that the Kyoto Protocol could come into force during the early part of 2003, as the minimum number of ratifications have been obtained from countries with significant levels of pollutant emission.

As regards conduct in respect of the protection of Human Rights, 13 countries have not yet ratified any of the six existing instruments, and four Asian countries, with a total of more than 263 million inhabitants (Malaysia, Myanmar, Pakistan and Thailand) have signed only a maximum of two of these six instruments, meaning that the legal guarantees protecting their citizens may be diminished. As regards conduct in respect of financial transparency, some progress was made during 2002, though there remain 38 tax havens (41 in 2001), of which 7 have still not adopted the directives of the OECD (29 in 2001). It should also be mentioned that there are 11 states or territories that launder capital, in comparison with 17 the previous year. As regards conduct in respect of military security, the scales are also unbalanced, since there are 55 countries that have not yet ratified some of the three treaties on nuclear or chemical arms (Israel has not ratified any) and only 51 states have reported to the Conventional Arms Registry at the United Nations (less than the 54 that did so in 2001). In terms of relative progress, 77 countries have given information to the UN on their military spending, as compared with 55 in 2001, and the 16 African countries forming ECOWAS have renewed their moratorium on arms imports.

«Alert 2003» has an indicator structure that also allows it to observe whether countries are complying with the eight criteria set out in the EU Code of Conduct governing arms transfers, which requires governments to consider the human rights situation in purchasing countries, along with their level of militarisation, tension or conflict, among other aspects. Many exporting countries, however, only consider the determining factor to be whether or not the potential purchaser is embargoed by the United Nations or regional bodies, without analysing the rest of the factors mentioned. In any case, the existence of embargoes on 20 countries or armed groups is an important indicator in this report, to the extent that it indicates environments that are extremely deteriorated or represent a high risk. It is sufficient to point out in this regard that, of the 12 countries whose governments are subject to direct embargo, almost all of them show a high proportion of military spending against GDP, a very poor human rights situation, bad governance and the presence of refugees and displaced persons. In comparison with the previous year, Zimbabwe was added to the list of embargoed countries, while the embargoes on Yugoslavia and UNITA in Angola were lifted.

A third group of indicators refers to levels of militarisation. A worrying upward trend was confirmed during 2002 in respect of various indicators dealing with this subject, something which began some five years ago and which means that one can confirm the abandonment of the so-called «peace dividend», i.e. the possibility of dedicating more financial and technological resources to human development on the basis of a progressive reduction in military activity. Current trends are, however, quite different, and this could explain the difficulty in attaining other targets indicated in this report, particularly those linked with development. During the last year for which figures are available on an international level, military spending increased by 7% to around 772 billion dollars, and it looks as though it will continue to increase during the coming years as a result of the armament plans of various countries. At the same time, projects for the restructuring of the arms industry have diminished, and military spending in 18 countries remains in excess of 6% of GDP. Six countries have made significant purchases of heavy weaponry in an amount exceeding 1% of their GDP, while seven countries show significant levels of militarisation, with more than 2% of their population effectively in the armed forces. Many of the countries classified in this militarisation section are also reflected in the section dealing with human rights, which demonstrates the close relationship between these two elements.

The group of indicators dealing with Human Rights demonstrates the extremely slow speed at which the universal acceptance of these rights progresses, along with the occurrence of regressive trends. The increase in the use of torture and mistreatment in detention centres during 2002 was extremely worrying, along with the restriction of fundamental freedoms that resulted from the widespread anti-terrorist legislation introduced in many parts of the world. This general regression occurred in an international context that was already fragile in this respect, and human rights organisations indicate that abuses relating to the right to life and personal safety occur systematically in at least 51 countries. There is evidence that detainees are tortured and mistreated in more than 50% of countries (118), while 79 countries are cited for serious restrictions on fundamental freedoms and 21 impose serious restrictions on free speech and the freedom of the press. The United Nations has also expressed its concern regarding the discrimination that has occurred against indigenous peoples in 23 countries. The death penalty is still in force in half the countries of the world, and 84 of them have applied it to a greater or lesser extent (87 countries in 2001), the most notable being the 2,468 executions carried out in China. It is not a coincidence that more than half the countries that have applied the death penalty show very high levels of military spending, demonstrating a link between authoritarianism, the restriction of rights and militarisation. The report also points out the growing restrictions on political asylum in many countries, along with an indicator that shows the existence of 70 countries whose internal situation, whether as a result of conflict or because of human rights violations, results in more than 100 recognised asylum cases (68 countries in 2001).

In the section dealing with development, there is a notable increase in the number of countries that continue to spend more of their financial resources on military activities than on education and health (28 cases in 2002 as compared with 24 for the previous year), thus mortgaging their opportunities for development. Another 35 countries have been singled out by the World Bank for their bad governance, while a further 13 have shown a significant reverse in their commitments on social development. The indicators also show that 29 countries have foreign debts exceeding their GDPs (30 cases in 2001), and that 53 countries pay more in debt repayments to their creditors than they receive in Official Development Aid. This terrible situation in a large group of countries in the South, added to a stagnation in the reduction of world hunger, coincides with a policy trend in industrialised countries to reduce their development aid. It is sufficient to point out in this respect that only five industrialised countries have attained the target of allocating 0.7% of their GDP to development aid. On the other hand, three important summits linked to development took place in 2002: the International Conference on Financing for Development (Monterrey), the second World Food Summit (Rome) and the Summit on Sustainable Development (Johannesburg). As the data shows, however, in spite of the fact that the delicate international situation was demonstrated at these conferences, the undertakings made by individual states have been clearly insufficient.

As a reflection of the fragility of many areas, we wanted to dedicate one section of this «Alert 2003» report to an analysis of the 33 humanitarian crises that have arisen during the year and particularly affected more than 30 million people in southern Africa and the Horn of Africa. Although new population displacements have occurred in Africa, in which around a million people have had to leave their homes, particularly in Burundi, Ivory Coast, Liberia and Sudan, 2002 can be remembered for the fact that a much larger number of people have been able to return home. Some four million displaced persons or refugees from Afghanistan, Angola and Sierra Leone have been able to return as a result of the ending of the armed conflicts in their respective countries. The report also emphasises, on the positive side, the agreement that has made it possible to gain humanitarian access to the Sudanese population, and on the negative side, the increased anxiety regarding food in Eritrea and Ethiopia. Humanitarian crises have affected countries engaged in armed conflict, as well as those experiencing tension and high risk, especially those classified as being in a phase of post-war rehabilitation.

As we have mentioned, many areas experiencing humanitarian crises, the systematic violation of human rights or poor governance do so as the result of situations of armed conflict or environments in which there is strong political and/or economic tension. 2002 offered particular hope in this regard, since on the one hand it saw the end of wars in Afghanistan, Angola, Guinea, Rwanda and Sierra Leone, in spite of the fact that the end of war did not mean immediate peace in any of these places. However, on the other hand this year has seen the outbreak of new armed conflicts or the worsening of existing situations of conflict, such

as in Congo, Ivory Coast, the Central African Republic and Senegal. 2002 ended with 24 open armed conflicts and the possibility that several of them would end in the coming months, as we shall observe later. The report also indicates the re-emergence of many of the basic reasons that explain these armed conflicts, which can be divided into three highly inter-related categories: the struggle for political power against a fragile background or in the absence of democracy; claims for autonomy or independence; and confrontations within communities or relating to the control of natural resources. The report also points to the existence of 23 areas of high tension and risk, i.e. contexts in which a multiplicity of motives result in disputes, complaints, confrontations, death and situations of exclusion that may lead to armed conflict. New cases to be added to those from the previous year have emphasised the delicate situations in Ghana, Jordan, Kenya, Kyrgyzstan, Madagascar, Uganda and Venezuela, as well as the extreme tension caused by the threat of war against Iraq.

The positive element to the year, however, is the large number of negotiation processes that have begun, and the achievement of important agreements that will allow peace processes to begin in the short term. During the first months of 2002, a peace agreement was signed in Angola, thus ending one of the longest, most dramatic and most deadly conflicts of recent decades. By the year's end, another eleven countries in armed conflict were negotiating the cessation of hostilities in a formal and official way, the most optimistic and hopeful cases being Sri Lanka, where the process is already very advanced, and the region of Aceh in Indonesia. In addition to these eleven cases, there are another five that have reached the exploratory stage, along with several old and as yet unresolved armed conflicts in which the parties are continuing to talk and, in some cases, creating bases for trust. These achievements and efforts offer an alternative reading to the feelings of unease generated by the forecast war with Iraq. The peace processes mentioned are the result of patient diplomatic efforts on the part of many countries and international organisations, with the involvement of their civilian populations, showing clearly that when the aim is clear and the necessary complicity is achieved, it is possible to reverse the destructive process and provide the basis for agreement.

In keeping with the above, «Alert 2003» also contains an analysis of eleven cases of countries that have reached peace agreements during the past eight years and are therefore now in the post-war rehabilitation and peace-building phase. These are contexts which, in spite of having very different histories and geographical locations, are faced with the challenge of conquering enormous difficulties in order to overcome the hatred and resentment caused by any war and to restore the institutions and infrastructure that will allow a return to normality. Finally, the report analyses two indicators relating to International Humanitarian Law, these being the Additional Protocol to the Geneva Convention on the protection of the victims of armed conflicts, and the current situation regarding child soldiers. These show that the armed forces of 19 countries still recruit children, while the armed groups operating in a further six countries continue with this practice.

Table 1: Connections between indicators

	8-9	10	11	12	13	15	16	17	19	20	21	22	23	24	25	26	27	28	29	30		31	32	34	35	TOTAL
	Embargoes	Military spending	Increased MS	Arms imports	Soldiers	HR - AI/HRW	HR - EU	HR - UNHCHR	Death penalty	Asylum	MS-educ/health	Dev. goals	Debt	Debt/ODA	LDC	Governance	Food emergency	ECHO aid	Refugees	Displaced pers	Humanitarian crises	Armed conflicts	Tension	Unres. conflicts	Post-war	
8-9 Embargoes	X	11	-	-	1	9	10	6	5	8	7	6	1	3	6	10	4	9	9	10	5	4	3	4	1	13
10 Military spending	11	X	7	7	13	24	29	13	17	19	29	16	6	13	13	17	14	21	24	21	15	9	13	5	6	45
11 Increased MS	-	7	X	-	2	3	11	3	6	5	9	5	4	7	3	4	4	5	8	7	5	2	3	1	2	18
12 Arms imports	-	7	-	X	4	3	5	-	2	2	10	2	1	5	2	2	3	5	7	6	3	1	4	1	3	11
13 Soldiers	1	13	2	4	X	3	6	2	6	4	9	2	1	3	1	3	3	3	3	5	3	1	6	2	1	16
15 HR - AI/HRW	9	24	3	3	3	X	48	17	17	23	24	20	11	26	20	24	22	35	35	34	24	19	17	6	7	58
16 HR - EU	10	29	11	5	6	48	X	20	20	26	31	23	16	29	27	29	25	40	45	43	25	19	23	7	9	73
17 HR - UNHCHR	6	13	3	-	2	17	20	X	5	13	8	10	6	2	11	11	11	15	17	14	12	8	8	1	4	21
19 Death penalty	5	17	6	2	6	17	20	5	X	7	16	9	3	12	6	9	8	13	12	11	9	4	6	3	2	31
20 Asylum	8	19	5	2	4	23	26	13	7	X	16	10	8	10	14	15	15	23	27	22	17	12	12	4	5	28
21 MS-educ/health	7	29	9	10	9	24	31	8	16	16	X	14	11	21	17	15	12	22	26	23	13	8	16	8	5	50
22 Dev. goals	6	16	5	2	2	20	23	10	9	7	14	X	7	11	18	15	19	22	16	15	13	9	9	1	2	44
23 Debt	1	6	4	1	1	11	16	6	3	8	11	8	X	6	17	12	16	16	12	11	14	5	8	-	5	29
24 Debt/ODA	3	13	7	5	3	26	29	2	12	10	21	11	6	X	2	11	10	19	19	22	7	9	9	5	2	53
25 LDC	6	13	3	2	1	20	27	11	6	14	17	18	19	2	X	17	22	26	22	16	21	9	12	1	5	49
26 Governance	10	17	4	2	3	24	29	11	9	15	15	15	12	11	17	X	19	21	22	23	17	11	11	3	6	35
27 Food emergency	4	14	4	3	3	22	25	11	8	15	12	19	16	10	22	19	X	33	23	21	30	10	15	2	7	39
28 ECHO aid	9	21	5	5	3	35	34	15	13	23	22	22	16	19	26	21	33	X	40	32	32	17	14	6	9	58
29 Refugees	9	24	8	7	3	35	45	17	12	27	26	16	12	19	22	22	23	40	X	37	23	18	18	6	11	57
30 Displaced pers	10	21	7	6	5	34	43	14	11	22	23	15	11	22	16	23	21	32	37	X	17	19	18	7	8	48
Humanitarian crises	5	15	5	3	3	24	25	12	9	17	13	13	14	7	21	17	30	32	23	17	X	12	14	1	7	33
31 Armed conflicts	4	9	2	1	1	19	19	8	4	12	8	9	5	9	9	11	10	17	18	19	12	X	4	-	-	21
32 Tension	3	13	3	4	6	17	23	8	6	12	16	9	8	9	12	11	15	14	18	18	14	-	X	-	7	29
34 Unres. conflicts	4	5	1	1	2	6	7	1	3	4	8	1	-	5	1	3	2	6	6	7	1	-	-	X	-	12
35 Post-war	1	6	2	3	1	7	9	4	2	5	5	2	5	2	5	6	7	9	11	8	7	-	7	-	X	11
TOTAL	13	45	18	11	16	58	73	21	31	28	50	44	29	53	49	35	39	58	57	48	33	21	29	12	11	

A cross-referenced reading of a selection of the indicators used in this report demonstrates how some of them are very closely connected and inter-dependent, and it also allows one to observe the characteristics of each individual context. Thus, for example, situations that could be described as areas of «heightened tension» are characteristically frequently indicated in poorer countries (41% are LDC) with high military spending (45% of cases) that is, at the same time, higher than spending on education and health (55%). They are negatively reported on by the EU as a result of their human rights situations (79%), they are experiencing food crises (52%) and they give rise to the movement of refugees (62%) or displaced people (62%). Contrary to popular opinion, these situations of tension in places in which war has not yet broken out represent almost half of the cases classified as «humanitarian crises». They are also the areas where preventive policies at a diplomatic, political and economic level are more necessary, and where humanitarian action must provide opportunities to correct some of the patterns indicated.

As one would expect, the areas indicated as scenes of armed conflicts are those that show the worst human rights conditions (90% of cases). 90% of these conflicts give rise to internal displacements, and in more than half of them people have to seek refuge or asylum in another country. It is also significant that a little over half of these countries exhibit poor governance, and that child soldiers are used in 62% of cases.

The indicators relating to countries in a phase of post-war rehabilitation are very illuminating, to the extent that they show the extremely fragile nature of many of these processes and the existence of highly negative dynamics in the countries belonging to this group. Thus, for example, 55% of the cases analysed still show very high levels of military spending (in half of them, military spending continues to be higher than spending on education or health), 64% show serious human rights violations, 45% have foreign debt figures that are higher than GDP, 64% are experiencing food emergencies, all these countries continue to have a refugee population and, most importantly, 64% of these countries are also classified as being in a state of heightened tension, a fact that demonstrates their failure to overcome many of the fundamental causes that led to armed conflict in the first place and supports the argument that entry into a post-war phase does not automatically mean achieving peace. The information set out here indicates the need to pay more attention to these areas of post-war rehabilitation, not only as regards development cooperation but also, and especially, in the field of political and social reconstruction.

As we pointed out at the beginning of this report, a better knowledge of the contexts indicated here would allow an improvement in policies for the prevention of violent conflict and strategies for development cooperation. In this regard, both the EU as a whole and its member states as individuals have broad opportunities to take action in order to ensure that undertakings adopted in one area (e.g. the humanitarian field) are linked to strategies for the improvement of the human rights situation, governance, disarmament or post-war rehabilitation. By way of example, 59% of the countries in which the EU provided humanitarian aid through ECHO during 2002 show serious deficiencies as regards human rights and governance. This European aid has also been destined for 21 countries which, according to «Alert 2003» have active militarisation indices, meaning that this aid could indirectly be helping to perpetuate internal situations of injustice and imbalance as a result of the military priorities applied to the resources of these governments. In short, the final conclusion of this report is that the information compiled points to a need for individual states, regional and international organisations, non-governmental organisations and any other body with the capacity to take foreign action to increase the coherence of their policies by means of a cross-referenced reading of the contexts in which they operate, attempting to make several objectives compatible with each other (especially as regards the improvement of governance and human rights situations), increasing their preventive activities in areas of crisis and reinforcing their presence in regions of post-war rehabilitation.

For the School of Peace Culture, these undertakings to progress towards the actual fulfilment of universally achievable norms, a return to the principles of demilitarisation and the creation of levels of trust, strengthening the rules governing human rights, fighting corruption, nepotism and social injustice, achieving sustainable growth and offering decisive support for the diplomacy of peace, are the undertakings that have a genuine and very real capacity to break down the destructive inertia and dynamics of confrontation that, as shown in this report, exist across the entire planet.

List of indicators

A. CONDUCT IN RELATION TO THE INTERNATIONAL COMMUNITY

Conduct in relation to the Millennium Declaration

1. Countries which have not ratified the main United Nations legal instruments included in the Millennium Declaration

Conduct in relation to the protection of human rights

2. Countries which have not ratified the main United Nations legal instruments on human rights

Conduct in terms of financial transparency^a

3. Countries acting as tax havens
4. Countries which do not cooperate with the Financial Action Group (GAFI) on money-laundering

Conduct in terms of military security

5. Countries which have not signed the Non-proliferation agreements
6. Countries which have not given information to the UN Register of Conventional Weapons
7. Countries which have not given information to the UN Military Expenditure Report

B. ARMS EMBARGOES

8. Countries with arms embargoes from the Security Council
9. Countries with arms embargoes from regional bodies

C. MILITARISATION

10. Countries with military spending in excess of 4% of GDP
11. Countries with an annual increase in military spending of more than 20%
12. Countries with imports of conventional heavy weapons exceeding 0.5% of GDP
13. Countries where the number of soldiers exceeds 1.5% of the population
14. Militarised countries according to the BIC3D Index

D. HUMAN RIGHTS

15. Countries with serious and systematic violations of human rights according to non-governmental sources
16. Countries with serious violations of human rights and fundamental freedoms according to the EU
17. Countries with serious violations of human rights according to the reports and resolutions of the UNHCHR
18. Countries with negative or critical reports from the Special Rapporteur on the human rights and fundamental freedoms of indigenous people
19. Countries that apply or maintain the death penalty
20. Countries of origin of people who have obtained asylum

E. DEVELOPMENT AND GOVERNANCE

21. Countries that spend less on public health and/or education than on military spending
22. Countries failing to fulfil the social development goals established in Copenhagen
23. Countries with a total amount of foreign debt in excess of their GNP and Heavily Indebted Poor Countries (HIPC)
24. Countries whose foreign debt repayments exceed the amounts received in official development aid
25. Countries belonging to the group of Least Developed Countries (LDC) group
26. Countries with poor governance according to the World Bank

F. HUMANITARIAN CRISES

27. Countries facing food emergencies
28. Countries receiving humanitarian aid from the European Union (ECHO)
29. Countries of origin in which at least 1 person in every 1,000 is a refugee
30. Countries in which there are internally displaced people

G. CONFLICT

31. Countries engaged in armed conflict
32. Countries with high-risk tensions and disputes
33. Countries engaging in peace processes or formal negotiations
34. Countries with unresolved conflicts
35. Countries in a situation of post-war rehabilitation

H. INTERNATIONAL HUMANITARIAN LAW

36. Countries that have not ratified the 2nd Protocol of 1977 on armed conflicts between states in relation to the Four Geneva Conventions of 1949
37. Countries that recruit both boys and girls for their armies and have not ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Section by section analysis

A. Conduct in relation to the international community

This first section contains an analysis of indicators 1 to 7, which refer to the Millennium Declaration, the protection of human rights, financial transparency and military security. In spite of the fact that some of these subjects are analysed in more detail in other parts of the report, we want above all to point out here the level of undertaking and compliance with certain international treaties and regulations, in order to evaluate the conduct of individual states in relation to the international community.² The EU's own Code of Conduct in matters of arms exports indicates the need to comply with international obligations and undertakings (see criteria 1, 6 and 7 of the Code and Appendix VI of this report). Similarly, in the Millennium Report³ which he presented to the United Nations General Assembly, the Secretary General underlined the importance of multilateralism and urged member states to respect and contribute to the legal framework developed by the international community since the end of the Second World War. This section is divided into four sub-sections, each of which refers to one of the four areas mentioned above.

A1. Conduct in relation to the Millennium Declaration

The United Nations Millennium Declaration was adopted at the Millennium Summit (New York, September 2000) by 191 countries. This declaration defined a global agenda based on the values, themes and goals that should guide the actions of the United Nations and its member states throughout the coming years. The Declaration brings together some of the ideas that have themselves been the subject of world conferences (particularly those that took place during the 1990s)⁴ and it includes 25 multilateral treaties that combine the organisation's main principals. These 25 treaties are in turn a selection from among the more than 500 legal instruments created since the founding of the United Nations. The Millennium Declaration sets out principals and regulations that are not binding on individual countries, though all the treaties of which it is formed are legally binding.

This report has considered 7 of the 25 treaties that make up the Millennium Declaration (indicator no. 1).⁵ The following table indicates the countries that had signed and ratified these 7 treaties on 31 December 2002.⁶

2. The terms «Treaty», «Pact» and «Convention» are all used equally to indicate the agreements that are legally binding on individual countries.

3. See A/57/270 of 31/07/02

4. In particular the World Summit for Children (New York, 1990), the World Conference on Environment and Development (Rio de Janeiro, 1992), the World Conference on Human Rights (Vienna, 1993), The World Conference on Women (Beijing, 1995), the World Summit for Social Development (Copenhagen, 1995) and the World Food Summit (Rome, 1996)

5. For a description of the indicator, see Appendix I. For a description of each of the treaties, see Appendix III.

6. Although the information does not yet appear in the United Nations Register, Timor-Leste has ratified the following treaties: the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the elimination of all forms of Racial Discrimination; the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Elimination of all forms of Discrimination against Women; and the Convention on the Rights of the Child.

Table A1. Countries that had signed and ratified the main legal instruments included in the Millennium Declaration by the end of 2002

Legal Instrument	S	R	R 2002
Rome Statute of the International Criminal Court (1998)	139 ⁷	87	Australia, Barbados, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Colombia, Cyprus, Djibouti, DR Congo, Ecuador, Estonia, Gambia, Greece, Honduras, Ireland, Jordan, Latvia, Macedonia, Malawi, Malta, Mauritius, Mongolia, Namibia, Niger, Panama, Portugal, Republic of Korea, Romania, Samoa, Saint Vincent and the Grenadines, Slovakia, Tanzania, Timor-Leste, Uganda, Uruguay and Zambia
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction, or the Ottawa Treaty (1997)	133	130	Afghanistan, Angola, Cameroon, CAR, Comoros, DR Congo, Gambia and Suriname
Kyoto Protocol on Climate Change (1997)	84	101	Austria, Belgium, Benin, Bhutan, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Chile, China, Costa Rica, Cuba, Denmark, Djibouti, Dominican Republic, Estonia, Finland, France, Germany, Greece, Grenada, Hungary, Iceland, India, Italy, Ireland, Japan, Latvia, Liberia, Luxembourg, Malaysia, Mali, Morocco, Norway, Netherlands, New Zealand, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Tanzania, Thailand, Uganda, United Kingdom and Viet Nam
Rio de Janeiro Convention on Biological Diversity (1992)	168	187	Afghanistan, Bosnia and Herzegovina, Kuwait, Tuvalu and Yugoslavia
Convention to combat Desertification (1994)	115	179	Andorra, Bosnia and Herzegovina, Brunei Darussalam, Latvia, Macedonia, Maldives, Slovakia, Somalia and Ukraine
Convention on the Elimination of all forms of Discrimination against Women (1979)	97	170	Bahrain and Solomon Islands
Convention on the Rights of the Child (1989)	140	191	

Notes: S: Signed; R: Ratified; R (2002): Ratified during 2002. As regards ratification, the United Nations provides other legal mechanisms with the same legal validity as ratification which do not require the prior signing of the legal instrument. These are acceptance, approval, accession and succession. For this reason, the number of signatures is sometimes greater than the number of ratifications. In these tables, ratification includes all the other mechanisms.

Table A2. Countries that have ratified fewer than half of the 7 main international legal instruments included in the Millennium Declaration

Brunei Darussalam (2)	Lithuania (3)	Syria (3)
Ethiopia (3)	Oman (3)	Tonga (3)
Iran (3)	Russian Federation	United Arab Emirates (3)
Korea, PDR (3)	Sao Tome and Principe (3)	USA (1)
Kyrgyzstan (3)	Somalia (1)	
Lebanon (3)	Sudan (3)	

Note: The number in brackets indicates the number of instruments ratified

Two countries are worthy of special mention for having ratified only one of the seven treaties contained in the Millennium Declaration: the USA and Somalia. In the case of Somalia, the absence of a single recognised authority for the whole territory could have an affect on its international conduct. In the case of the USA, it should be pointed out that it has withdrawn its signature from the Rome Statute of the International Criminal Court and that it in 2001 it announced its withdrawal from the Kyoto Protocol, though it has not yet put this into effect. Finally, from a positive point of view, it should be mentioned that 49 states have ratified the seven treaties forming the basis for indicator no. 1, and 117 ratifications of these different treaties occurred during 2002.

USA, it has withdrawn its signature from the Rome Statute of the International Criminal Court and that it in 2001 it announced its withdrawal from the Kyoto Protocol, though it has not yet put this into effect. 117 ratifications of these different treaties occurred during 2002.

A2. Conduct in relation to the protection of human rights

Following the Second World War, the adoption of the Universal Declaration of Human Rights in 1948 and the European Convention for the Protection of Human Rights and Fundamental freedoms in 1951, a series of legal instruments has been constructed for the protection of human rights on both an international and a regional scale.⁸

In this connection, indicator no. 2 is created on the basis of the main human rights treaties that are legally binding on the states that have signed them. This indicator comprises the two Covenants that regulate human rights and fundamental freedoms generically (the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both of 1966), along with four Conventions that refer to more specific subjects, such as genocide, refugee status, racial discrimination and torture and other cruel treatment. One of the most important aspects relating to torture during 2002 was the approval by the United Nations General Assembly of the Optional Protocol on the Prevention of Torture, relating to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.⁹ These conventions are complemented by the two conventions on human rights included in indicator no. 1 in relation to the rights of women and children.

The following table indicates the countries that had signed and ratified these 6 legal instruments by 31 December 2002.

Table A3. Countries that had signed and ratified the main legal instruments for the protection of human rights by the end of 2002

Legal instrument	S	R	R (2002)
International Covenant on Civil and Political Rights (1966)	66	149	Djibouti and Eritrea
International Covenant on Economic, Social and Cultural Rights (1966)	64	146	Djibouti
Convention on the Prevention and Punishment of the Crime of Genocide (1948)	41	134	Trinidad and Tobago
Convention on the Status of Refugee (1951)	19	141	Republic of Moldova, Saint Kitts and Nevis and Ukraine
International Convention on the Elimination of all forms of Racial Discrimination (1966)	84	165	Honduras, Equatorial Guinea, Turkey and San Marino
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)	74	132	Djibouti, Equatorial Guinea, Ireland, Mongolia and Vatican City

Nota: F: Firma; R: Ratificación; R (2002): Ratificación en 2002.

8. This internationalisation of the system for the protection of human rights during the 20th century places an emphasis on the responsibility of individual states when it comes to guaranteeing their protection and promotion under international monitoring. Subsequently, as a reflection of the current approach to human rights, more than 170 countries ratified the universality, indivisibility and interdependence of human rights at the International Conference in Vienna in 1993.

9. This Protocol, which permits visits to detention centres in the countries adopting it, was presented for signature in December 2002, and it will come into force with the 20th ratification. Australia, China, Cuba, Japan, Nigeria and USA voted against its adoption.

Table A4. Countries that have ratified fewer than half of the 6 main UN legal instruments on human rights

Andorra (0)	Mauritania (2)	Saint Lucia (1)
Bhutan (0)	Micronesia (0)	Samoa (1)
Brunei Darussalam (0)	Myanmar (1)	Sao Tome and Principe (1)
Comoros (0)	Nauru (0)	Singapore (1)
Cook Islands (NZ) (0)	Niue (NZ) (0)	Swaziland (2)
Grenada (2)	Oman (0)	Thailand (2)
Guinea-Bissau (2)	Pakistan (2)	Tonga (2)
Kiribati (0)	Palau (0)	Tuvalu (1)
Marshall Islands (0)	Lao (2)	United Arab Emirates (1)
Malaysia (1)	Qatar (2)	Vanuatu (0)
Maldives (2)	Saint Kitts and Nevis (1)	

Note: The number in brackets indicates the number of instruments ratified.

Of the 32 countries that appear in this table, 19 are states that are either very small (Andorra, Singapore) or islands and archipelagos (11 in the Pacific, 3 in the Caribbean and 2 in the Indian Ocean). Indeed, some of these states or territories justify their failure to make an undertaking to international legislation on the grounds of their size, or the relatively marginal position that they occupy on the world stage. It is nevertheless worrying that 13 countries have not ratified a single instrument and a further 9 have ratified only 1. It is also a matter for concern that four Asian states (Malaysia, Myanmar, Pakistan and Thailand), with a combined population of 263 million inhabitants, have signed a maximum of just two of the six instruments. It should, however, be mentioned that 88 states have ratified all six legal instruments and that there were 16 new ratifications during 2002.¹⁰

Finally, five countries are worthy of special attention as they appear under both indicator 1 and indicator 2. These are Brunei Darussalam, Oman, Sao Tome and Principe, Tonga and the United Arab Emirates.

A3. Conduct in terms of financial transparency

Two indicators are analysed in this sub-section: the one relating to tax havens (indicator no. 3) and the one listing the countries that are not cooperating with the Financial Action Group (GAFI) (indicator no. 4).

As regards the situation in 2002, 39 states or territories are pointed to as being considered **tax havens**,¹¹ of which seven are non-cooperative (because they have not adopted OECD directives on harmful fiscal practices), while the other 32 have undertaken to implement these directives (indicator no. 3). Of these 32 states

39 states or territories are pointed to as being considered tax havens, of which seven are non-cooperative (because they have not adopted OECD directives on harmful fiscal practices).

or territories. 21 assumed undertakings during 2002, while the other 11 had already done so during previous years. Although the adoption of OECD directives does not mean that they cease to be considered as tax havens, it does indicate a greater willingness to cooperate with the international community. As a result, from a positive point of view, it should be mentioned that of the 35 non-cooperating states or territories listed in the 2000 report,¹² only 7 now remain, and substantial progress was made during 2002 as regards cooperation with the OECD and the adoption of legislation against fiscal opacity. However, it

10. Although this figure is well below that of the number of new ratifications under indicator no. 1, it is worth pointing out that the legal instruments contained in indicator no. 2 are much older than those that make up the Millennium Declaration, and this has an unquestionable effect on the number of new ratifications.

11. The OECD considers that a state or territory is a tax haven when it meets the following four requirements: a) a tax on capital does not exist or is not applied; b) there is no effective exchange of information between different jurisdictions and between financial institutions; c) there is no transparency on the part of the judiciary, and d) there is no monitoring of financial operations.

12. OECD, «Towards Global Tax co-operation, Report to the 2000 Ministerial Council Meeting and Recommendations by the Committee on Fiscal Affairs, Progress in Identifying and Eliminating Harmful Tax Practices», Paris, 2000.

should be borne in mind that in 2001 the OECD decided to restrict its recommendations and directives to criteria relating to financial transparency and the exchange of information (while tax on capital and the monitoring of financial operations had also been included up to that point), a fact that goes a long way to explaining why so many states and territories have disappeared from the list of non-cooperating tax havens.

As regards specific cases, the OECD is positive in indicating the willingness of the following states to comply with its directives: Aruba, Bermuda, Bahrain, the Cayman Islands, Cyprus, the Dutch Antilles, the Isle of Man, Malta, Mauritius, San Marino and the Seychelles. In addition, Tonga (in 2001) and the Maldives (in 2002) ceased to be considered as tax havens.

Finally, the OECD announced that from April 2003 it would be implementing a series of coordinated actions and defensive measures against any non-cooperating financial centres. The application of this new framework for action, along with the directives on the exchange of information and financial transparency, is not only intended to combat money-laundering and the financing of terrorism, but is also directed at strengthening international finance and helping countries to allocate their own resources to development, in accordance with one of the calls made at the Monterrey Summit in March 2002.

Table A5. Tax havens that do not cooperate with the OECD

Andorra	Marshall Islands	Nauru
Liberia	Monaco	Vanuatu
Liechtenstein		

Source: OECD.

For its part, the Financial Action Group (GAFI),¹³ indicates 11 states or territories that do not adequately follow its recommendations for the prevention, detection and punishment of **money-laundering** (indicator no. 4). On the positive side, it should be pointed out that while in 2000 and 2001 it listed 15 and 17 states and territories respectively, 8 states and territories were removed from this list in 2002 as a result of their good conduct: Dominica, Hungary, Israel, Lebanon, Marshall Islands, Niue, Russian Federation and Saint Kitts and Nevis. On the other hand, on 20 December 2002 the GAFI decided to apply counter-measures against Ukraine for not adopting a sufficiently strict policy against money-laundering. It also warned that it might apply measures against Nigeria in the event that it did not remedy the deficiencies identified by the GAFI. In spite of the improvements recorded during the last two years, the IMF stated that money-laundering still represents between 2% and 5% of world GDP.

Table A6. Countries that do not cooperate with the GAFI in respect of money-laundering

Cook Islands	Indonesia	Philippines
Egypt	Myanmar	Saint Vincent and the Grenadines
Grenada	Nauru	Ukraine
Guatemala	Nigeria	

Source: GAFI.

The case of Nauru is particularly significant, since it is the only country which appears in both indicators (no. 3 and no. 4).

Finally, indicators 3 and 4 are also of interest when it comes to detecting the states and territories that may facilitate certain unlawful practices and offer shelter for illegal organisations and activities. Indeed, it is frequently the case that many of the intermediary and broking companies accused of engaging in illegal or illicit practices operate from these countries or territories.

13. The GAFI was created by the G-7 in 1989 and includes 29 states and territories, together with the European Commission and the Gulf Cooperation Council. Although it works closely with the OECD, it does not form part of this organisation, and its aim, based on a list of 40 recommendations, is the development and coordination of government efforts to combat money-laundering.

A4. Conduct in terms of military security

Three indicators have been taken into account in the preparation of this sub-section, and these refer to various international instruments on questions of military security: the ratification of the main agreements on the non-proliferation of weapons of mass destruction (indicator no. 5)¹⁴ and participation in the UN's Register of Conventional Weapons and its Military Expenditure Report (indicators 6 and 7).

On the positive side mention the moratorium signed by 16 members of the Economic Community of West African States (ECOWAS), since this represents an effort to improve their security through mutual trust, disarmament and demilitarisation, and it serves as an example to other regions of the world.

As regards the **agreements on the non-proliferation of weapons of mass destruction** (indicator no. 5), the position at the end of 2002 was that 55 countries had not ratified at least one of the three following treaties: a) the Nuclear Non-Proliferation Treaty; b) the Biological and Toxin Weapons Convention, and c) the Chemical Weapons Convention. In addition, 20 countries had not ratified 2 of the 3 agreements, while only East Timor and Israel had not ratified any of them.

Finally, the two last indicators show the degree of transparency in the transfer of weapons and military spending and, to a certain extent, they indicate the level of political will to promote measures to encourage trust. In 2002, only 51 states gave information to the **United Nations Register of Conventional Weapons** (indicator no. 6), which is a voluntary instrument. On the other hand, 77 countries provided information for the **Military Expenditure Report** (indicator no. 7), which is the highest figure achieved since this instrument was created in 1980. Both cases show that very few countries are accustomed to providing information on their sales and purchases of arms.

Table A7: Countries with negative indicators in respect of their international conduct on military security¹⁵

Angola	Haiti	Myanmar
CAR	Israel	Syria
Chad	Kyrgyzstan	Somalia
Comoros	Liberia	Tanzania
Djibouti	Madagascar	Timor-Leste
Egypt		

On the positive side, however, we should like to mention the moratorium signed by 16 members of the Economic Community of West African States (ECOWAS), since this represents an effort to improve their security through mutual trust, disarmament and demilitarisation, and it serves as an example to other regions of the world.

Table A8. ECOWAS countries that have signed a moratorium on the import, export, distribution and production of light weapons and munitions

Benin	Guinea	Niger
Burkina Faso	Guinea-Bissau	Nigeria
Cabo Verde	Liberia	Senegal
Côte d'Ivoire	Mali	Sierra Leona
Gambia	Mauritania	Togo
Ghana		

14. The Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention.

15. Andorra, Antigua and Barbuda, the Marshall Islands and Tuvalu are included in all 3 indicators, but they do not appear in the table because they have no armed forces or their armed forces are very small.

Table A9. Member states with seats on the United Nations Security Council during 2002 and 2003

Members in 2002	Members in 2003 ¹⁶
Bulgaria	Angola
Cameroon	Bulgaria
China (P)	Cameroon
Colombia	Chile
France (P)	China (P)
Guinea	France (P)
Ireland	Germany
Mauritius	Guinea
Mexico	Mexico
Norway	Pakistan
Russian Federation (P)	Russian Federation (P)
Singapore	Spain
Syria	Syria
United Kingdom (P)	United Kingdom (P)
USA (P)	USA (P)

(P): permanent member.

Finally, given the expectations that existed at the end of the year as regards the final results of investigations by disarmament inspectors in Iraq, the following table shows the behaviour of countries on the Security Council and the Disarmament Commission in relation to proposals on nuclear disarmament. The table shows that the USA has voted against almost all the resolutions relating to this subject. The United Kingdom, France and Israel are other countries that have voted against on a large number of occasions.

Table A10. Countries that voted against nuclear disarmament matters submitted to the vote at the 57th Session of the United Nations General Assembly, in which at least two third of countries voted in favour

Resolutions	Total votes	Votes against	Security Council votes against					Other countries voting against at least twice at the Disarmament Conference		
			USA	UK	Russia	France	China	India	Israel	Poland
Reduction of strategic nuclear weapons	165	42	X	X		X				
Towards a world free of nuclear weapons	167	36	X	X		X		X	X	
Nuclear weapon-free zone in the Southern hemisphere	168	5	X	X		X				
A route towards the total elimination of nuclear weapons	171	13	X					X		
Monitoring of the consultative opinion of the JIC on the legality of threatening to use or actually using nuclear weapons	171	24	X	X	X	X			X	X
Risk of nuclear proliferation	169	8	X						X	
Treaty for a Complete Ban on all Nuclear Testing	170	5	X							
Conference for the Elimination of Nuclear Arms	164	37	X	X		X			X	X
Transparency in armaments matters	166	23								
TOTAL	9		8	5	1	5	—	2	4	2

Note: Both North Korea and Iran form part of the Disarmament Commission and they have not voted against any resolution. Iraq also participated in the Conference but was not able to vote in the General Assembly.

16. New members in 2003, elected for a two-year period shown in bold.

B. Arms embargoes

A total of 21 arms embargoes were in force during 2002, though this list was reduced to 20 at the end of the year with the lifting of the embargo on the opposition group UNITA, following the signing of the Peace Agreement in Angola. Indicator no. 8 relates to embargoes declared by the United Nations, while indicator no. 9 contains those declared by regional inter-governmental organisations, such as the EU and the OSCE. In the case of the EU, the question of arms embargoes is included under criterion 1 of the Code of Conduct in the matter of arms exports, which this body adopted in May 1998.

A comparison between these two indicators and the rest of the indicators used in this report shows how countries subject to embargo are also those that show a larger number of alert signals in the final indicators table.

As a general rule, embargoed countries display political tension or armed conflict, with the occurrence of humanitarian crises, making them highly impoverished areas. It is a good idea, therefore, to adopt preventive measures in an attempt to reduce the arrival of new weapons to these areas, thus reducing the risk of destabilisation. On occasion, embargoes are not placed on governments but instead on armed opposition groups acting within a country or in neighbouring states. This is the case, among others, in Afghanistan (the Taliban regime), Rwanda and Sierra Leone (the RUF and other armed opposition groups), and it also applied until recently to UNITA in Angola.

How important it is for arms-producing and exporting countries to bear in mind the repercussions that the export of these products may have in the importing country.

We have not made any distinction in this report between binding and voluntary embargoes, because the mere adoption of an embargo is sufficient to denote a worrying situation in a particular country. Voluntary embargoes, as we shall see below, represent a particular difficulty, since there is no reason for them to be explicitly lifted or reviewed, which makes it difficult to ascertain the date on which the embargo in question ceases to be operative. The cases indicated in the report are described here.¹⁷

In **Afghanistan**, the Security Council has until this time imposed two embargoes. One was compulsory and was ordered at the end of 2000. This was restricted to the territory controlled by the Taliban regime, though at the end of 2002 it remained in force, in spite of the fact that significant political change had occurred in the country during 2002. For its part, the EU, which also had an embargo on this country, modified it in October 2001 along the lines of the UN embargo. The second Security Council embargo against Afghanistan was voluntary and affected the whole country, though it is considered to have ended in October 2001, when a group of countries began to supply arms to the «Northern Alliance» as part of the armed international intervention in the country.

In the case of **Angola**, as we have already pointed out, the embargo only affected the armed opposition group UNITA. Something similar happened in **Sierra Leone**, where an embargo is in force against the RUF armed opposition group. In the case of **Rwanda**, the embargo affects both the armed opposition groups within the country as well as neighbouring countries (Burundi, Democratic Republic of Congo, Uganda and Tanzania), in the event that the military equipment in question is for use inside Rwanda. As regards **Sierra Leone** and **Liberia**, the embargo does not apply to ECOMOG forces.

In Resolution 1373 of 28 September 2001, the Security Council decided that all states would eliminate their supply of arms to «terrorist organisations». In resolution 1390 of 16 January 2002, the Security Council reiterated its decision to prevent the supply of arms to members of the Al-Qaida organisation, the Taliban and other individuals, groups, companies and institutions associated with them. Specifically, the Declaration by

the President of the Security Council on 11 September 2002 indicated the specific sanctions imposed on **Al-Qaida**, and this group has therefore been included in table B1.

The reasons that lead international bodies to declare arms embargoes differ from one case to the next. Thus, for example, **China** has been embargoed by the EU since the events of Tiananmen Square in 1989, **Iraq** for its invasion of Kuwait in 1990 and **Libya** for failing to cooperate with the investigation into the attack on the Pan Am flight in 1988. In the case of the EU embargo on **Bosnia and Herzegovina**, in 1999 this excluded light weapons for the police and mine removal equipment. The OSCE embargo on Armenia and **Azerbaijan** applies to the forces deployed in the disputed territory of Nagorno-Karabakh. Voluntary embargoes from the Security Council have also applied to these two countries since 1993 and to **Yemen** since 1994. In this latter case, although some analysts consider the embargo to have ended, it has never been officially lifted. In this regard, given that it is a country with a little over 17 million inhabitants in which between 5 and 8 million light weapons are distributed among the civil population, then in the context of this analysis we consider that this fact makes it necessary to consider that the embargo remains active.

In some cases, it is necessary to point out confusing situations, such as the embargoes on **Myanmar** or **Sudan**, since in both cases the embargo does not affect contracts that have already been signed, meaning that arms and military equipment are still entering both countries, in spite of the violent situation that exists in both places.

The only change in respect of the previous year is the imposition of a new embargo on **Zimbabwe** by the EU in February 2002, due to the denial of press freedom and the right to express an opinion, as well as the political tension that preceded the presidential elections in March.

Table B1. Countries and armed groups embargoed in 2002

Al-Qaida	Congo, DR (1)	Somalia
Taliban regime (Afghanistan)	Iraq	Sudan
UNITA (Angola) (2)	Liberia	Tanzania (1)
Armenia	Libya	Uganda (1)
Azerbaijan	Myanmar	Yemen
Bosnia and Herzegovina	Rwanda (1)	Zimbabwe
Burundi (1)	RUF and other armed opposition groups	
China	(Sierra Leone)	

Notes: (1) Relates to arms embargoes against non-governmental forces in Rwanda, along with Uganda, Tanzania, Burundi and Democratic Republic of Congo, in the event that these arms may be used in Rwanda. (2) This embargo ended in December 2002

As regards a global evaluation of arms embargoes, it is necessary to set out the three following points: a) the countries that supply arms do not all respect the international agreements; b) a notable increase has recently been observed in the sources of supply, i.e. the appearance of new producers and illegal transactions, a fact that impedes monitoring; and c) there are technical problems when it comes to declaring and implementing embargoes, due, for example, to the lack of any common model for the type of products that should be embargoed. All of this once again illustrates the how important it is for arms-producing and exporting countries to bear in mind the repercussions that the export of these products may have in the importing country and the risk that the exported products may be diverted to a final destination other than the one officially recognised as the purchaser.

Finally as regards this subject, it is worth mentioning the reports made by the Security Council's Sanctions Committee and the Secretary General of the United Nations, which indicate people, companies and countries that are infringing arms embargoes or failing properly to cooperate with their investigations. The Security Council's Sanctions Committee has only recently started publicising its reports, but this is making a more significant contribution to an improvement in mechanisms for the monitoring of sanctions and their compliance. Unfortunately, the only public reports existing at this time relate to the situation on the African con-

continent, so it is not possible to make an analysis on a world level, a fact that restricts our view of how the parties breaching these sanctions are operating. According to these reports, the way in which arms embargoes are being violated can be summarised as follows: the majority of arms come from Eastern Europe and the countries of the former Soviet bloc, and they are sent via bordering states which are allies of the armed groups or embargoed countries and which issue false end-user certificates. There are reports relating to the sanctions imposed on UNITA, Sierra Leone, Liberia and Somalia. In this last case,¹⁸ for example, violations of the embargo on this country were detected between 1993 and 2000 by Bangladesh, Djibouti, Eritrea, Ethiopia, Iran, Kuwait, Libya, Yemen and the USA. In spite of these indications, the fact that the accusations appearing in the Sanctions Committee's reports are greatly postponed, and the fact that it is not always clear whether the government of the country in question is actually responsible for the violation, means that this source was rejected for the purposes of this report.

C. Militarisation

Indicators 10 to 14, which make up this third section, refer to different aspects of militarisation. In particular, these indicators provide information on military spending (indicator no. 10), the change in military spending in comparison with the previous years (indicator no. 11), the percentage of weapons imports against GDP (indicator no. 12), the percentage of military personnel against total population (indicator no. 13) and the BIC3D militarisation index (indicator no. 14).

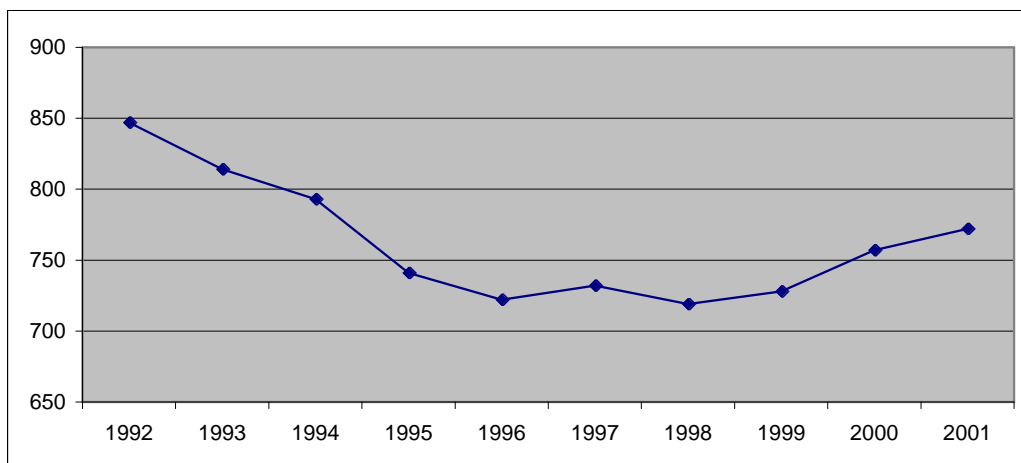
Although this section allows one to analyse a country's level of militarisation, parameters other than financial militarisation figures have to be taken into consideration if one wishes to make a complete reading. One indicator could be the number of police and security forces that in some cases perform functions of a military nature. Another one could relate to the proliferation of private security companies, whose effectiveness in some regions, such as Central America, exceeds that of the armed forces themselves. Unfortunately, the fact that there are no recognised sources relating to these elements has meant they could not be included in this report.

The amount of resources assigned for military purposes by an individual government usually gives a relatively reliable indication of its priorities in terms of security, and above all offers information on whether it is choosing to strengthen its military capabilities or instead channelling its resources preferentially towards human security.¹⁹

In general terms, the most recent information available confirmed a worldwide upward trend in military spending in 2001, a process that began in 1996. According to the Stockholm International Peace Research Institute (SIPRI) worldwide military spending increased by 7% in 2001 and was estimated at a total of 772 million US\$. In addition, the Bonn International Conversion Centre (BICC) also warned that both disarmament and the restructuring of the arms industry are in a clear process of reverse for the first time in ten years. This information leads to the conclusion that we are reaching the end of the «decade of disarmament» which began at the end of the Cold War, when the concept of the «Peace Dividend» was popularised.²⁰ In this regard, the recent announcement by some governments (such as the USA, China and France) that they would be increasing their military spending during the coming financial year is a sign that this trend for increasing militarisation is continuing.

We are reaching the end of the "decade of disarmament" which began at the end of the Cold War, when the concept of the "Peace Dividend" was popularised

Diagram C1. Evolution of world military spending (in billions of US\$)



Source: SIPRI, SIPRI Yearbook 2002

19. «Human Security» is understood to mean security policies that place the emphasis on the economy, finances, food, health, the environment, personal welfare, gender, community and political aspects, rather than on military elements, as set out in the Human Development Report issued by the UNDP in 1994.

20. «Peace Dividend» is understood to mean the release of military resources for development purposes.

As regards a specific analysis of each indicator, it should be pointed out that the most relevant one is the indicator relating to military spending against GDP (indicator no. 10). In building this information, data has been used from the two research centres that produce world statistics in this area: the SIPRI and the International Institute for Strategic Studies (IISS). However, these two centres show differing figures, due to the fact that they work using different methodologies, and the fact that governments use differing criteria when indicating what constitutes military spending, something which is further aggravated by the secrecy and opacity that characterises many military activities.²¹ On the basis of these statistics, we have chosen in this report to indicate the countries whose military spending, according to one of the sources mentioned, exceeded 4% of GDP during 2001. There were 45 countries whose military spending exceeded 4% of GDP in 2001. Furthermore, in 18 cases spending was more than 6% (see table C1). This table sees the addition of Liberia, which was reprimanded by the United Nations in 2002 for dedicating an excessive portion of its budget to military spending.

Table C1. Countries with a high level of military spending

Afghanistan	Iraq	Liberia	Syria
Angola	Israel	Maldives	Viet Nam
Congo, DR	Jordan	Oman	Yemen
Eritrea	Korea, PDR	Qatar	Yugoslavia
Ethiopia	Kuwait	Saudi Arabia	

Looking at this data from a regional point of view, the large number of middle-eastern countries included in this category is to be noted, particularly those found on the Arab Peninsula. Three of the cases mentioned in the table (Democratic Republic of Congo, Israel and Liberia), reflect the situations of armed conflict in which they are involved (analysed in section G1 below), while others, such as Afghanistan, Angola and Eritrea, are now in a phase of post-war rehabilitation, and their military spending is therefore expected to decrease over coming years.

The **indicator on defence budgets in 2001 as compared with 2000** (no. 11) shows 18 cases in which increases exceeded 20%. In four of these cases, the increase exceeded 50% (Belarus, Kazakhstan, Lebanon and Nigeria).

As regards countries whose **heavy weapons imports exceed 0.5% of GDP** in one year (indicator no. 12), the list includes 11 cases, six of which show a figure for arms imports exceeding 1% of GDP (Angola, Eritrea, Georgia, Jordan, Macedonia and Pakistan). This indicator points to countries that do not have their own arms industries for certain products, meaning they have to look for military equipment on the international market. However, it does not provide any information on the amount of military material acquired within the country itself, which would also include some arms-producing countries. Nevertheless, the indicator does allow one to offer warnings on a potential arms spiral on a regional scale.

The sources used to calculate this indicator refer only to heavy weapons and do not take light weapons,²² the type most used in current armed conflicts, into account, since there are currently no reliable records relating to these types of weapons. In any case, the fact that these types of weapons represent a mortgaging

21. See the observations made for indicator no. 8 in the section on international conduct, in respect of countries providing information for the United Nations Military Spending Report.

22. According to the report from the United Nations' Panel of Governmental Experts on Light Weapons (A/52/298 of 27 August 1997), light weapons are understood to be any type of conventional weapon that can be carried by a person or light vehicle, these being subdivided into small arms (designed for personal use), light arms (designed for use by several people), munitions and explosives.

of security and development in many countries has provided an incentive for the introduction of many initiatives for the collection and destruction of light weapons (see some examples in table C2):

Table C2. Examples of programmes for the collection and destruction of light weapons

Place	Period	Framework	Promoting body	Weapons collected
Mozambique	1995-2001	Peace-building	NGO (Transformação de Armas em Enchados -TAE)	200.000 weapons
Cambodia	1998-2001	Peace-building / Crime prevention	Government	112.562 weapons
Sierra Leone	1999-2000	Peace-buildingz	UNAMSIL	12.695 weapons 253.535 munitions
Congo	2000-2001	Peace-building	IOM / UNDP	2.800 weapons 8.000 granadas y otros explosivos
Bosnia and Herzegovina	1999-2001	Peace-building	SFOR	15.169 weapons 57.492 grenades 5,3 million rounds of ammunition
Macedonia	2001	Peace-building	NATO	3.875 weapons 397.625 mines, explosives and ammunition
Mendoza (Argentina)	2000-2002	Crime prevention	Government / NGO (Espacios)	5.002 weapons
Rio de Janeiro (Brazil)	2001-2002	Crime prevention	Government / NGO (Viva Río)	110.000 weapons
Peru	2002	Crime prevention	Government / UN-LIREC	2.573 weapons

Source: Prepared for this report on the basis of Small Arms Survey 2002: Counting the Human Cost.

As regards the **number of soldiers as a percentage of total population** (indicator no. 13), there has been a clear reduction on a world level, following the trend that began some years ago when the armed forces of many countries became fully professional. Even so, there are nine cases in which the proportion of soldiers in relation to total population is between 1.5% and 2%, and in seven countries (Eritrea, Israel, Jordan, Lebanon, PDR Korea, Qatar and United Arab Emirates) it exceeds 2%. These countries, with the exception of Lebanon, have already been mentioned as having military spending in excess of 4% of GDP. For its part, Lebanon is one of the countries which increased its military spending budget in 2001 by more than 50% in comparison with the preceding year.

Finally, the **BIC3D militarisation index**,²³ calculated annually by the BICC (indicator no. 14), shows that 63 countries are in a process of militarisation, the level of militarisation being considered very serious in 15 of these. Several of these countries also have very high levels of military spending (more than 4% of GDP): Armenia, Qatar, Sudan, Bahrain, Sri Lanka, Burundi and Eritrea (listed from lowest to highest, according to the index). Some of these countries (Burundi, Sri Lanka and Sudan) were involved in armed conflicts during 2001, the period to which the figures from this source refer.

23. The BIC3D index is the result of combining four sets of figures: military spending, weapons reserves, armed forces personnel and personnel employed in military production. Figures in this index vary between +100% and -100% and are interpreted on the basis of the percentage change between the average since the end of the Cold War and the BIC3D index for the year. Positive results indicate a process of demilitarisation while negative figures indicate increased militarisation.

D. Human Rights

Human rights are the inherent rights and freedoms of any person to live in liberty and with dignity. These rights are universal, inalienable and indivisible, and are generally divided into the following three categories: a) civil and political rights; b) economic, social and cultural rights; and c) rights linked with solidarity and peace.

The six indicators (numbered 15 to 20) that form this section refer specifically to Civil and Political Rights, while Economic, Social and Cultural Rights will be dealt with later, in section E on Development. This section, which is based on criterion 2 of the EU Code of Conduct in matters relating to arms exports, reflects the complaints made about human rights abuses committed by government agencies (see table D1). The subject of respect for the international instruments for the protection of human rights is evaluated in detail in the section dealing with conduct in relation to the international community (indicators n.º1 and n.º2).

Following the attacks of 11 September 2001, the world has seen the widespread implementation of anti-terrorist legislation and an increase in the use of torture and mistreatment in detention centres, according to the Special Rapporteur on Torture.

Table D1. Human rights and their violation, as analysed in this section

Civil and political rights	Examples of abuses by governmental agencies and international legislation against such violations ²⁴
The right to life	<ul style="list-style-type: none"> – Genocide, covered by the Convention on the Prevention and Punishment of the Crime of Genocide – Extra-judicial executions and summary disappearances, covered by the Universal Declaration and the Convention on Civil and Political Rights. – Death Penalty, covered by the 2nd Optional Protocol to the Convention on Civil and Political Rights
The right to personal integrity	– Torture, inhumane or degrading treatment or punishment and sexual violence , covered in the Convention against Torture
The right not to be arbitrarily detained or punished	– Arbitrary detentions and legal proceedings without guarantees , covered in both cases by the Universal Declaration and the Convention on Civil and Political Rights.
The right not to be discriminated against and not to suffer a diminishment of one's rights and freedoms as the result of belonging to one of these groups	<p>Groups discriminated against:</p> <ul style="list-style-type: none"> – Women, covered by the Convention for the Elimination of all forms of Discrimination against Women – Children, covered by the Convention on the Rights of the Child and the Optional Protocols to this Convention – Minority groups and indigenous peoples, covered by the International Convention on all forms of Racial Discrimination – Refugees, IDPs and asylum-seekers, covered by the Convention on the Status of the Refugee and the two Protocols to the Four Geneva Conventions
Fundamental freedoms	– Expression, Association, Conscience, Thought and Religion, and Participation , all covered in the Universal Declaration and the Convention on Civil and Political Rights.

Indicators 15 to 17 refer to the situation regarding human rights and fundamental freedoms in the countries or territories examined, based on the breakdown of countries and indicators relating to human rights (see also Appendix III), while indicators 18 to 20 refer to other aspects that are worthy of special attention. Only violations of human rights by the state or governmental agents have been taken into account.²⁵

24. The basic protection of these rights is established in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

25. The reason why abuses by other perpetrators, such as armed opposition groups, are not considered here, is that international legislation regulates the conduct of states, and this report attends to the responsibility of individual states, with the result that the majority of the sources used in the indicators refer to violations committed by governments.

Violations of human rights and fundamental freedoms

Following the attacks of 11 September 2001, the world has seen the widespread implementation of anti-terrorist legislation and an increase in the use of torture and mistreatment in detention centres, according to the Special Rapporteur on Torture.²⁶ On the one hand, the increase in the enactment of laws to combat terrorism has resulted in greater restrictions on fundamental freedoms (expression, association, conscience, etc.) on a world level. These laws have above all affected armed opposition groups, minority communities and ethnic groups in a large number of countries, particularly in Africa and Asia. Furthermore, complaints about torture in police detention centres have also increased, mostly due to the reduction in the fundamental freedoms and procedural guarantees of many people accused of terrorism. In spite of the difference in the number of countries indicated, these two factors are clearly reflected in the three indicators shown here. The first is based on non-governmental sources, while the other two are based on data from the EU and the United Nations.

The first indicator (no. 15) includes the countries in which, according to the situation described in the **2002 reports by Amnesty International and Human Rights Watch**, serious human rights violations have been recorded. This gives the following result: a) the existence of abuses relating to the right to life and personal safety have been shown to be systematic and widespread in 51 countries as a result of the actions or omissions of the state; b) torture and mistreatment occur in 118 countries (in spite of the fact that 130 countries have ratified the Convention against Torture, see indicator no. 2); and c) there have been serious reductions in fundamental freedoms in 79 countries, the groups most affected being defenders of human rights and members of the media.

In the case of the restriction of the freedom of expression and the press, in their most recent report the French NGO Reporters sans Frontières denounced the way that governments and the courts have not punished those responsible for the murder, disappearance and torture of journalists in 21 countries (see table D2):²⁷

Table D2. Violations of the freedom of speech and the press

Algeria	Colombia	Rwanda
Angola	Haiti	Sierra Leone
Bangladesh	Iran	Syria
Brazil	Iraq	Somalia
Burkina Faso	Myanmar	Tajikistan
Cambodia	Nepal	Ukraine
China	Russian Federation	Yugoslavia (Kosovo)

The second indicator (no. 16) refers to the countries included in the report published by the European Commission in April 2002, which announced four specific areas that it was prioritising for the promotion and protection of civil and political rights, these being: a) the abolition of the death penalty; b) combating immunity from punishment and promoting international justice through the International Criminal Court;²⁸ c) combating racism, xenophobia and discrimination against ethnic minorities and indigenous peoples; and d) the prevention of torture. For its part, the **European Council**²⁹ also specifically mentioned some countries in which the human rights situation seemed worrying (see indicator no. 16). In this case, from a total of 73

26. According to a complaint dated 30 September 2002 by the Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatments or Punishments, Thomas Van Boven. Also worthy of mention is the approval by the General Assembly of the United Nations of the Optional Protocol on the prevention of torture at detention centres, relating to the Convention on Torture, prepared for signing in December 2002 (see indicator no. 2), which resulted from this increase and spread in the use of torture.

27. Reporters without Borders, «Annual Report 2002». <<http://www.rsf.org/>>. It also indicates a further series of countries which have approved legislation in defence of press freedom but which must continue to be assessed: Georgia, Indonesia, Mexico, Mozambique, Nigeria, the Philippines, Serbia-Montenegro, Sri Lanka and Turkey.

28. See indicator no. 1 in this report.

29. Council of the European Union, «European Union Annual Report on Human Rights 2002», (12747/1/02, 1st Rev.), Brussels, 16 October 2002.

countries mentioned, 52 were singled out for violations of human rights and 55 were countries in which fundamental freedoms are restricted. In this report we have also taken into account the 10 electoral observer missions (five in Asia, four in Africa and one in America) in which the EU was directly involved during the period examined. These allow conclusions to be drawn in respect of the freedom to participate (see table D3):³⁰

Tabla D3. Misiones electorales directas de la Unión Europea			
Country	Date	Type of elections	Justification for mission
Timor-Leste	30/08/2001 14/04/2002	Constituent Assembly Presidential	Consolidation of new state
Bangladesh	01/10/2001	General	Electoral violence
Nicaragua	04/11/2001	Parliamentary	Restriction of free speech
Sri Lanka	05/12/2001	Parliamentary	Transition to democracy
Zambia	27/12/2001	Presidential and Parliamentary	Lack of transparency in previous results
Cambodia	03/02/2002	Communal	Electoral violence
Zimbabwe	09-10/03/2002	Presidential	Mission expelled by government
Congo	10/03/2002	Presidential (1st round)	Restriction on presentation of candidates
Sierra Leone	14/02/2002	Presidential and Parliamentary	Consolidation of peace agreements

Finally, the third indicator in this block relating to human rights violations (no. 17) is based on the reports presented at the **58th Session of the United Nations Human Rights Commission**.³¹ These reports were the result of the conclusions reached at conferences and sessions held under the auspices of the United Nations,³² along with the contents of reports prepared by Special Representatives and Rapporteurs or independent experts working at individual country level or in respect of a particular subject. Based on these reports presented at the 58th Session of the Human Rights Commission, mention should be made of certain countries whose Human Rights situation was expressly condemned: Afghanistan, Burundi, Bosnia and Herzegovina, Cambodia, Cuba (restriction of fundamental freedoms), Democratic Republic of Congo, Iraq, Israel, Myanmar, Sierra Leone, Sudan and Yugoslavia. On the other hand, it should be considered that the resolutions relating to Croatia and Western Sahara acknowledged a certain amount of progress.

It should, however, be pointed out that given that these are inter-governmental bodies their decisions may show certain contradictions. This is the reason for the differences between the evaluations made by the different bodies, such as, for example, in the cases relating to Equatorial Guinea, Haiti and Iran, in which the resolutions of the United Nations Human Rights Commission acknowledge positive aspects, while the report by the Special Representative on Human Rights in each of these countries concludes that the seriousness of the situation did not improve in any way in comparison with 2001. In the case of Equatorial Guinea, the Commission ended the mandate of its Special Representative on human rights in the country, in spite of continued complaints. In the end, at the request of the Secretary General, in December 2002 the High Commissioner for Human Rights sent a Special Rapporteur for the encouragement and protection of the right to free opinion and speech to Equatorial Guinea, to report on the situation in respect of political prisoners and the use of torture in the country.

30. The EU has also carried out exploratory missions on electoral processes in Colombia and Papua New Guinea (relating to security aspects), Togo (in spite of the fact that the government eventually proposed elections), Guinea (where it reported that the process was neither free nor transparent), and finally Pakistan and Ecuador.

31. Geneva, 18 March - 26 April 2002.

32. These conferences were the World Conference against Racism, Racial Discrimination, Xenophobia and Intolerance (Durban, 31 August to 7 September 2001); the Special Session on the Rights of the Child (New York, 8 to 10 May 2002) and the Second World Assembly on Ageing (Madrid, 8 to 12 April 2002).

Based on an evaluation of these three indicators (numbers 15 to 17), a double list has been prepared which indicates those countries with serious violations of human rights and fundamental freedoms. The results of this double list show that it is considered in this report that such violations occurred during 2002 in 71 countries, of which 48 were singled out as showing serious Human Rights violations while 23 others showed serious restrictions on fundamental freedoms (see tables D4 and D5).

Table D4. Countries with serious violations of human rights and fundamental freedoms

Afghanistan	China	Ivory Coast	Russian Federation
Albania	Colombia	Korea, PDR	Rwanda
Angola	Congo	Liberia	Sierra Leone
Algeria	Ethiopia	Malaysia	Somalia
Azerbaijan	Equatorial Guinea	Mexico	Sri Lanka
Bangladesh	Guatemala	Myanmar	Sudan
Bosnia and Herzegovina	Haiti	Nepal	Thailand
Burundi	India	Nigeria	Turkey
Cambodia	Indonesia	Pakistan	Uganda
Cameroon	Iran	Palestine N.A.	Uzbekistan
CAR	Iraq	Papua New Guinea	Yugoslavia
Chad	Israel	Peru	Zimbabwe

Table D5. Countries with serious violations of fundamental freedoms

Belarus	Guinea-Bissau	Moldova	Tunisia
Cuba	Kenya	Saudi Arabia	Turkmenistan
Egypt	Kazakhstan	Swaziland	Ukraine
Eritrea	Kyrgyzstan	Syria	Viet Nam
Gambia	Lao	Tajikistan	Zambia
Guinea	Lebanon	Togo	

Other aspects worthy of special attention (indicators 18 to 20)

In preparing this report, the reports of the Rapporteurs and Representatives who for the first time have presented their conclusions to the Human Rights Commission have been taken into account.³³

The fact that we are in the middle of commemorating the International Decade of the World's Indigenous People (1995-2004),³⁴ explains why particular attention has been paid to the reports of the Special Rapporteur on the situation in respect of human rights and fundamental freedoms among **indigenous peoples**³⁵ (indicator no. 18). In calculating this indicator, we have borne in mind both the reports of the European Union and those prepared by the United Nations in this regard (see indicators 16 and 17 respectively). In this connection, between August 2001 and January 2002, the Rapporteur indicated 23 countries in which there had been cases of discrimination against indigenous peoples.³⁶ In 12 of these countries it was reported that

33. The independent Expert appointed to examine the question of the wording of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the independent expert appointed to examine the need to establish a criminal framework for the protection of people from arbitrary and involuntary disappearance.

34. Proclaimed by the General Assembly in resolution 48/163, 21 December 1993.

35. The Sub-committee for the Prevention of Discrimination and the Protection of Minorities, which oversees the Working Group on Indigenous Populations together with the Rapporteur, abandoned the expression «indigenous populations» in 1988 in favour of «indigenous peoples», acknowledging their right to self-determination.

36. The mandate of this Rapporteur is based on the protection and promotion of the rights of indigenous peoples, enabling them to select options that permit them to preserve their cultural identity while still participating in a country's political, economic and social life, with full respect for their cultural values, languages, traditions and forms of social organisation. The Rapporteur also has the power to present recommendations to governments.

the agreements regulating, above all, the ownership of land and equality before the law had not been implemented, and serious human rights violations against indigenous peoples were also recorded in 11 countries. There had been an increase in such violations as compared with the previous year in eight countries, three of which were in Asia (the montagnard in Vietnam, Laos and Cambodia) and five in Latin America (indigenous peoples in Brazil, Colombia, Ecuador, Guatemala and Mexico).

Another aspect considered key in this report is the existence and application of the **death penalty** (indicator no. 19), which represents the denial of the most fundamental right: the right to life. In this regard, it is worth pointing out that, in 2002, capital punishment continued to form part of the legislation of almost half the countries of the world, in spite of the call for an international moratorium on executions and the existence of two instruments prohibiting the death penalty.³⁷ According to information from Amnesty International, the death penalty was applied in 84 countries.

At the end of 2001, 74 countries and territories had already abolished the death penalty for all offences. Another 15 countries had abolished the death penalty for all offences except those of an exceptional nature,

In 2002, capital punishment continued to form part of the legislation of almost half the countries of the world, in spite of the call for an international moratorium on executions.

such as offences committed in situations of armed conflict. A further 22 countries can be considered to have abolished it in practice, since no executions have taken place at least during the last ten years (this list is considered to include countries that, in spite of retaining the death penalty on their statute books, apply the rule of not carrying out executions, as well as those that have made an international undertaking not to carry out executions). However, 84 countries continued to apply the death penalty, even though it was not actually handed down and executions were not carried out during 2001.

It is recorded that at least 3,084 people were executed during 2001, in 31 countries, and no less than 5,265 people were condemned to death in 68 countries.³⁸ As regards the countries in which the number of executions continues to be particularly high, the following should be mentioned: Saudi Arabia, China, Democratic Republic of Congo, USA, Iran and Iraq. These six countries were responsible for 90% of executions carried out in 2001. This is the highest executions figure since 1996, due in great part to the approval of anti-terrorism and anti-corruption laws, which led to the execution of 2,468 people in one year in China.

On the other hand, between the end of 2001 and the end of 2002, some countries introduced moratoria on executions or changes in their legislation as regards the application of the death penalty. The Council of Europe, for example, presented Protocol no. 13 of the European Convention on Human Rights and Fundamental Freedoms for signature, relating to the abolition of the death penalty under all circumstances;³⁹ Turkey modified its constitution in order to restrict the death penalty to situations of armed conflict or acts of terrorism; Kyrgyzstan extended a moratorium on executions until 2002; Yugoslavia ratified the 2nd Optional Protocol to the International Covenant on Civil and Political Rights without reserve (Serbia and Montenegro have abolished the death penalty for all offences); Cyprus has abolished the death penalty for all offences; the Democratic Republic of Congo has established a moratorium which is not retroactive; and in Fiji, the Parliament is currently in the process of abolishing the death penalty.⁴⁰

Finally, in preparing this section relating to the human rights situation throughout the world, we have also taken into account the question of the **granting of asylum** (indicator no. 20). Granting this status represents

37. The Second Optional Protocol of the International Covenant on Civil and Political Rights, and Protocol no. 6 of the European Convention on Human Rights and Fundamental Freedoms.

38. Nevertheless, it is highly possible that the real number of executions and condemnations is larger, since these figures only represent cases that are known.

39. In May 2002.

40. In the area of the OSCE, only five countries retain it following the most recent legislative modifications: Belarus, USA, Kazakhstan, Tajikistan and Uzbekistan.

the acknowledgement, by the government of the recipient country, that there is a situation in the country of origin that involves the violation of human rights and persecution on the grounds of race, religion, nationality, membership of a particular social group or the holding of political opinions, as set out in the 1951 Convention relating to the Status of Refugees. During 2001, the situation in 70 countries resulted in the grant of more than 100 cases of asylum in each case, with an aggregate amount exceeding 150,000. The majority of people granted asylum come from Africa and Asia, particularly from areas in which the forced migration of asylum-seekers results from a combination of armed conflict and human rights abuses. In this regard, the UNHCR reiterated its concern in 2002 for the increasingly restrictive policies being imposed by recipient countries in relation to asylum, a fact that demonstrates the lack of international commitments as regards the protection of people who become the victims of human rights violations.

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Finally, we should mention the preparation by the UNHCR in June 2002 of the Agenda for Protection, following a process of Global Consultation which had taken around a year and a half and involved governments, NGOs and experts in the field, aimed at improving protection for refugees and asylum-seekers. The Agenda introduced six challenges to be faced during the coming years, these being: a) strengthening the application of the 1951 Convention and the 1967 Protocol on the Status of Refugees; b) the protection of refugees involved in large migratory movements; c) the more even distribution of duties and responsibilities and the provision of the capacity to receive and protect refugees; d) the most effective treatment of problems relating to security; the intensification of the search for more lasting solutions; and finally f), attending to the need to protect refugee women and children.

E. Development

In this section, development is considered to mean the Human Right recognised in the Declaration on the Right to Development, adopted by the United Nations General Assembly in 1986.⁴¹ This Declaration claims as a human right the right to a particular development process in which all human rights and fundamental freedoms can be fully implemented, but not economic rights when they lead to increasing inequality and an ever-greater concentration of wealth.⁴² Article 2 of the Declaration defines it as «the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom».⁴³ This expression not only denotes it as a process, it also requires states to have specific policies, as it is they that «have the right and the duty to formulate appropriate national development policies» to this end.

This section refers to the eighth criterion of the EU Code of Conduct on Arms Exports, which establishes that «member states will take into account, in the light of information from relevant sources such as UNDP, World Bank, the IMF and OECD reports, whether the proposed export would seriously hamper the sustainable development of the recipient country».

The indicators used in this section can be arranged into three groups: those relating to bad governmental practices in relation to social development (indicators 21 and 26), those providing evidence for conditions of vulnerability, economic dependence and impoverishment (indicators 22, 23 and 25) and finally, an indicator that refers to bad practices in policies for development cooperation (no. 24). A weighted summary of the results of these indicators gives the following table:

Table E1. LDC countries shown to have poor government practices in relation to social development

Afghanistan	Guinea-Bissau	Niger
Angola	Kiribati	Rwanda
Burkina Faso	Lao	Sierra Leone
Burundi	Lesotho	Somalia
Cambodia	Liberia	Sudan
Congo, DR	Madagascar	Tanzania
Equatorial Guinea	Mali	Yemen
Eritrea	Mauritania	Zambia
Ethiopia	Myanmar	

Bad government practice in respect of social development

Public spending priorities (indicator no. 21) and bad governance are the two indicators that directly indicate bad government practice. As regards the former, 28 countries spend more public resources on military items than on both education and health, while military spending is higher than either education or health individually in another 21 countries. There are even 4 countries that, in addition to giving military spending priority over social spending, have significantly cut social spending (by more than one per cent between the beginning and the end of the 1990s), this being the case in Armenia, Azerbaijan, Georgia, and Jordan.

41. General Assembly resolution 41/128 of 4 December 1986.

42. The contents of the right to development are examined in five reports by the independent Expert on the right to development, Arjun Sengupta: E/CN.4/1999/WG.18/2, A/55/306, E/CN.4/2001/WG.18/2, E/CN.4/2002/WG.18/2 and E/CN.4/2002/WG.18/6.

43. <http://www.unhchr.ch>

As regards **governance** (indicator no. 26), an area which is intrinsically linked to development, we have taken the aggregate data of the World Bank, which considers six variables: the control of corruption, the publishing of accounts, political stability and the absence of violence, the effectiveness of government, the rule of law and procedural guarantees. Based on these parameters, the World Bank singles out 35 countries for poor governance.

Conditions of vulnerability and dependence

As regards the second group of indicators (22, 23 and 25), it should be borne in mind that, although it is the individual states themselves that must implement development policies, conditions of vulnerability, economic dependence and impoverishment are not only explained on internal grounds. Indeed, the structures and rules of the global economy, together with the development policies of international organisations, also play a fundamental role in this regard.

At an international level, 2000 saw the adoption of the Millennium Development Goals which, as the UN Secretary General indicated, have different prospects as regards compliance, while there are «marked differences between and within regions. Progress in East Asia and parts of South Asia has been sufficient in recent years to give hope —if it can continue to be made— of broad success in meeting many or all of the goals. Yet progress in parts of Latin America is slow, while much of sub-Saharan Africa and large parts of central Asia are hardly advancing at all —or even worse are falling back dramatically».⁴⁴

It is still too early to obtain enough data in order to monitor compliance with the Millennium Development Goals on a country-by-country basis. As a result, when preparing this report we chose to take as a reference the undertakings adopted at the World Summit for Social Development held in Copenhagen in 1995, in which 115 heads of state and government assumed ten **commitments for social development**, with an action plan and specific targets for their implementation. Since then, the organisation Social Watch has prepared an annual table summarising the progress and setbacks seen in relation to compliance with the action targets (indicator no. 22), arranged into six themed groups: basic education,⁴⁵ child health, food safety and child nutrition, reproductive health, health and life expectancy and drinking water and sanitation.

Though there is a notable lack of data, the information that is available shows that at least 13 countries are going backwards in half of these six areas and at least 31 more are experiencing significant reverses in one or two. These reverses in social development targets should be interpreted as the failure of development policies, not only by the individual countries themselves but also by the international organisations and the conditions that they impose on the poorer countries. They can also be put down to the breach by donor countries of their undertakings regarding the quantity and quality of development cooperation.

«Much of sub-Saharan Africa and large parts of central Asia are hardly advancing at all —or even worse are falling back dramatically.»

44. First annual report by the Secretary General on the Application of the UN Millennium Declaration, A/57/270, 31/07/02, p.9.

45. According to UNESCO, more than 70 countries will fail to comply with the aim of providing general education by 2015, undertaken at the Dakar International Conference in 2000. In addition, some of these countries have experienced reverses in some of the targets already achieved.

Chart E1. Commitments for social development (Copenhagen Summit, 1995)

1. Create an economic, political, social, cultural and legal environment that will enable social development
2. Eradicate poverty in the world through energetic action and international cooperation
3. Support full employment as a basic priority in economic and social policy
4. Promote social integration and the promotion and protection of all human rights
5. Achieve equality and equity between men and women
6. Promote and achieve the aims of universal and equitable access to education and the access of all people to primary health care
7. Accelerate the economic, social and human development of Africa and the Least Developed Countries
8. Ensure that Structural Adjustment Programmes include social development goals
9. Substantially increase resources allocated to social development
10. Improve and strengthen the framework of international cooperation in the spirit of participation

Source: Copenhagen Summit

The next indicator deals with the problem of **foreign debt** (indicator no. 23), i.e. the money that the poorer countries owe to the banks, lender countries and multilateral financial institutions (the IMF, the World Bank and the regional banks) as a consequence of the loans that their governments have received in the past and in many cases are unable to repay at the present time. Both total foreign debt and debt repayments have grown continuously over the last 20 years, in spite of the repayments made over the same period. This is due to two factors: an increase in the interest payments that debtor countries are obliged to pay and requests for new loans, often taken out in order to repay earlier ones.

There are various ways of measuring the effect of foreign debt on an individual country. In this report we have considered foreign debt in relation to GDP. The results show that a total of 29 countries have foreign debts exceeding their GDP, of which 23 are recognised as Heavily Indebted Poor Countries or HIPC. The HIPC initiative to reduce debt was proposed by the IMF and the World Bank in 1996 and currently includes 42 countries for which it provides special credit programmes. However, according to the report published by the World Bank and the IMF in April 2002 on the implementation of the HIPC initiative, this programme has stagnated and thus made very little progress, since only five countries have reached the final stage of reducing their debt. In addition, the report notes that the worldwide economic slowdown and the sharp fall in prices and demand for raw materials have affected exports to poorer countries and upset the provisions regarding their capacity to make repayments.

Also worthy of special attention are countries that belong to the group of 49 **Least Developed Countries** or LDCs (indicator no. 25). This was recognised by the member states of the United Nations at the 3rd Conference on LDCs, held in Brussels in May 2001, at which a Programme for Action was adopted to relieve foreign debt and increase official development aid, with the reaffirmation of the commitment to assign 0.15% of GDP to LDCs.⁴⁶

Every three years (the last update was made in 2001), ECOSOC updates the list of countries classified as LDCs, on the basis of three variables:

- low income (GDP per capita)
- low human resources (quality of life index based on life expectancy, calories per capita, schooling and literacy)
- low level of economic diversification (index based on various macro-economic indicators).

According to UNCTAD's 2002 report on LDCs, these countries have four principal characteristics:⁴⁷

- poverty is felt by the whole of society in the majority of LDCs
- the incidence of extreme poverty is on the increase in LDCs as a whole
- there is a great contrast between the trends in extreme poverty in Asian and African LDCs, and it is in the latter that the incidence and intensity of poverty is particularly strong
- and finally, the LDCs that show the most extreme poverty are those that depend on the export of primary products, particularly minerals, in which income has fallen notably over the past twenty years.

In spite of the fact that the Programme for Action for LDCs is aimed at reducing by half the proportion of people living in conditions of extreme poverty (less than 1 US\$ per day) by 2015, the UNCTAD report warns that this proportion has doubled during the last 30 years, and this is now the condition of 307 million people, a figure that could reach 420 million by 2015. In other words, since 1971 the number of LDCs has doubled from 25 to 49 countries.

Bad practices in development cooperation policy

Finally, we looked at bad practices in development cooperation policy, based on an indicator that points to countries with **foreign debt repayments exceeding the amounts received in official development aid** (indicator no. 24). This indicator relates the amount paid by a country each year in the form of total debt repayments, i.e. the repayment of both interest and loan capital, to the amounts received in official development aid (ODA), i.e. the financial assistance granted by governments to poor countries and channelled via bilateral or multilateral organisations, with the principal aim of promoting economic development and social welfare in developing countries (a minimum of 25% of which takes the form of a donation). Thus, the indicator shows the situation in 53 aid-receiving countries, according to the DAC, that are paying more to their creditors than they are receiving in ODA.

This data leads one to the conclusion that foreign debt is being managed fundamentally on a financial basis and not on grounds of social development, i.e. there is no active policy for the lifting of foreign debt and its conversion into social development in coordination with all the other elements of development cooperation. Furthermore, conditional aid still represents a very high proportion of the total ODA amount, and the commitment to assign 20% of bilateral ODA to basic social sectors is a long way from being realised.

While, for the lender countries, the repayment of this debt represents a cash flow problem, for the debtor countries it means an extraordinary financial effort, given that their economies are becoming increasingly weak and dependent on foreign capital. In this connection, it should be remembered that the service of debt repayments provides an incentive for the indiscriminate exploitation of natural resources, since their export is one of the few ways of earning sufficient foreign currency to be able to meet these repayments. In other words, the populations of the poorer countries continue to pay the price of opportunity that debt repay-

Table E2. Dependence on aid : countries in which more than a quarter of GDP depends on ODA

Guinea-Bissau	39,6
Sierra Leone	29,6
Zambia	28,5
Malawi	26,8
Nicaragua	26,6
Eritrea	25,3
Mozambique	24,9

Source: World Bank, World Development Indicators 2002.

47. See http://www.unctad.org/en/docs/ldc2002overview_en.pdf

ments mean in terms of development. As this indicator shows, in a large number of countries these debt repayments exceed the financing that they receive from developed countries in the form of Official Development Aid.

Chart E2. Official Development Aid from DAC countries ⁴⁸

Assign more than 0.7%		G-7	
Denmark	1.01	France	0.34
Norway	0.88	United Kingdom	0.32
Netherlands	0.82	Germany	0.27
Luxembourg	0.80	Canada	0.23
Sweden	0.76	Japan	0.23
		Italy	0.14
		USA	0.11

Source: DAC, ODA against GDP, 2001.

The development agenda in 2002

Throughout the 1990s, the United Nations held a wave of international summits and conferences at which an agenda for development was gradually defined. Nevertheless, a large number of the agreements became merely a list of good intentions, as they were accompanied neither by executive mandates from the United Nations nor by the reforms necessary to make them possible. With this legacy, the Millennium Summit was held in New York in September 2000, and this summarised the broad strokes of the nineties agenda in the eight Millennium Development Goals, aimed at being in place by 2015.⁴⁹ In his first report on the application of the Millennium Declaration, the Secretary General concluded that the results achieved during the first two years were ambiguous, and that «in the remaining 13 years progress must be made on a much broader front. Otherwise, the ringing words of the declaration will serve only as grim reminders of human needs neglected and promises unmet. The way forward is not a mystery. The Millennium Declaration charted a route that was adopted by all 189 member states».⁵⁰

There were four large world meetings on development during 2002, and these have offered continuity to the commitment adopted in the Millennium Declaration. These were: the International Conference on Development Financing in Monterrey (Mexico) in March, the second World Food Summit held in Rome in June, the International Conference on HIV-AIDS in Barcelona (Spain) in July and the World Summit on Sustainable Development, held in Johannesburg (South Africa) in August-September.

The **International Conference on Development Financing**, which took place between 18 and 22 March in Monterrey (Mexico), was aimed, on the one hand, at mobilising the resources required to make the Millennium Development Objectives viable,⁵¹ and in particular reducing extreme poverty by half by 2015; on the other, it was aimed at promoting the changes necessary within the frameworks of law and international relations. Finally, the document that was approved, known as the *Monterrey Consensus*, includes recommendations and good intentions but does not set out either quantifiable commitments or a definitive timetable for compliance with the agreements made.

In spite of the fact that there were several discussion proposals, the agreement did not incorporate anything new in terms of financing formulas as regards capital volatility, tax havens and transparency, international

48. Note that none of the countries whose ODA exceeded 0.7% of GDP is a member of G7. In addition, it should be pointed out that between 1990 and 2001, ODA from DAC member countries fell by 20%.

49. See Appendix III.

50. See A/57/270, 31/07/02, p.22.

51. The World Bank estimates the additional aid resources required in order to achieve the Millennium Development Goals at between 40 and 60 billion dollars a year, which would mean doubling the amount of ODA to 0.5% of the GDP of donor countries.

corruption or foreign debt. Furthermore, scant attention was paid to the institutional changes required in order to democratise the framework of international bodies with responsibility for these areas. As a result, the Monterrey Consensus, whose text had been approved in advance by the preparatory committee, does not guarantee any increase in development financing or search for new ways in which it can be achieved.

A few months later, between 10 and 13 June, the **Second World Food Summit** was held in Rome,⁵² called by the FAO a year late and with many heads of state not present. According to the annual report by the United Nations' Special Rapporteur on the Right to Food,⁵³ J. Ziegler, the conclusion reached in Rome was that almost no measures had been adopted in order to comply with the target, set five years previously at the first summit, to reduce the proportion of people suffering hunger by half by 2015. This number now exceeds 800 million. Member states did not make the undertaking proposed by the FAO to double ODA intended for agriculture and rural development, which during the 1990s experienced a fall of 48%.

As the Rapporteur made clear, little progress was made in Rome, with the exception of some small but innovative advances in the final Declaration, in which governments reaffirmed the right to food and agreed to draw up some voluntary directives for the realisation of this right during the coming two years. These directives are a response to the demand to create a code of conduct on the right to food, which was intended to be approved as a framework instrument to advance the fight against hunger.

During the Summit, the poorer countries criticised the economic policy which, while obliging them to open up their markets, allowed OECD member states to engage in protectionist practices and subsidise their farmers in the amount of a billion dollars a day,⁵⁴ particularly when the WTO summit in Doha (Qatar, November 2001) had called for the elimination of subsidies. For its part, the civil groups present at the Summit underlined the claim for people to have sovereignty over their own food and rejected the proposal to promote biotechnology as a way of combating food problems. In spite of the fact that the final Declaration placed an emphasis on biotechnology and free trade as fundamental ways of reducing hunger, the Rapporteur, J. Ziegler, indicated in his report (mentioned above) that not only can these approaches not solve the problem of world hunger, they could on the contrary represent obstacles to achieving the right to food.

Member states did not make the undertaking to double ODA intended for agriculture and rural development, which during the 1990s experienced a fall of 48%.

In its annual report, *The state of food insecurity in the world 2002*⁵⁵ published in October, the FAO pointed out the lack of progress in reducing hunger given that, since the World Food Summit in 1996, the number of undernourished people had been falling 10 times slower than was needed in order to meet the goal of reducing hunger by half by 2015. Of the nine million people that die every year through hunger, six million are below the age of five; the great majority are not victims of famine, nor do they attract emergency aid, they are merely the consequence of chronic malnutrition, also known as «hidden famine» which means a lack of vitamins and minerals. It is for this reason that one in every seven people born in the poorer countries where chronic malnutrition is found will die before reaching the age of five. The report indicates two key elements for the reduction of hunger and poverty: improving food diversity and guaranteeing safe access to the land, or, in the words of the Rapporteur,⁵⁶ access to the land and agrarian reform as a fundamental strategy to ensure the right to food.

Likewise, in relation to food, it is worth mentioning the increasing importance of the subject of access to drinking water as a human right on the international agenda. In April, the UNHRC created the post of Spe-

52. See <http://www.fao.org/worldfoodsummit>

53. See A/57/356, 27/08/02

54. In his inaugural speech, the Director General of the FAO, J. Diouf, underlined the lack of equality that exists in the world agricultural market: «the total transfer of agriculture in OECD countries represents a direct subsidy of 12 thousand dollars a year per farmer, while these same countries provide aid to developing countries equivalent to just 6 dollars per farmer».

55. See http://www.fao.org/sof/sofi/index_es.htm

56. See A/57/356, 27/08/02, p.6.

cial Rapporteur on Drinking Water and Sanitation Rights, to which it appointed H. Guissé, with the mandate to study the relationship between the benefit of economic, social and cultural rights and encouragement of the exercise of the right to have access to drinking water and sanitation services. Currently, according to this Rapporteur,⁵⁷ 1.5 billion people have no access to drinking water and almost 4 billion lack proper sanitation services, which has a strong impact on the spread of illness, given that 80% of diseases are spread through contaminated water, according to the World Health Organisation. For its part, the United Nations has declared 2003 the International Year of Freshwater, in recognition of the importance of water resources and in order to raise awareness of the critical situation, given that at the current level of consumption, two out of every three people will be experiencing water shortages by 2025.⁵⁸

Thirdly, the **14th International Conference on HIV-AIDS**⁵⁹ was held in Barcelona (Spain) between 7 and 12 July, with the aim of mobilising financial resources and political responsibility in order to prevent proliferation, improve treatment and develop a vaccine against HIV-AIDS. In its most recent report, UNAIDS,⁶⁰ warned that five million people were infected with HIV-AIDS during 2002, bringing the number of people affected to 42 million, of which almost 30 million live in Africa. The report points out that the disease is spreading rapidly in Central Asia and Eastern Europe, and that for the first time men and women are being affected equally, and that 90% of people affected have no access to treatment with retroviral drugs.

As regards this question, it is worth mentioning one of the items that has succeeded in being included in the agenda, thanks to the international campaigns promoted by Médecins sans Frontières and Oxfam, this being **access to essential medicines** for the more than two million people who lack this possibility.⁶¹ Remarkable progress has been made by this campaign in arranging for poor countries to import basic medicines without authorisation from the laboratories holding the patents, though negotiations with the WTO were postponed in December due to the USA's use of its veto. For the time being, a country may produce generic drugs without a patent only in response to medical emergencies caused by 15 diseases, and in the event that they have no pharmaceutical industry they may not import them.

Finally, the **Summit on Sustainable Growth** was held between 26 August and 4 September in Johannesburg (South Africa), after a year and a half of preparatory meetings. It was intended that this summit would see the integration of the agreements made at previous meetings under the auspices of the United Nations, and under

Summit ended with many proposals, but without any firm commitments or implementation deadlines.

the heading «People, planet, prosperity» it tackled five areas: health, water and sanitation, biodiversity and management of the ecosystem, energy and agriculture (human settlements and employment did not make the agenda in the end). The Summit ended with the adoption of a political declaration and a programme for action with many proposals, but without any firm commitments or implementation deadlines.

One of the negative aspects of the Summit was the constant reference to the possibility of privatising services, along with the weak defence of access to land, the vague commitments in relation to biodiversity and the lack of clear goals as regards renewable energy sources and access to energy by a third of the world's population (due to its rejection by the USA), not to mention the lack of commitment to ratify the Kyoto Protocol. On the positive side, however, there was progress in matters of health at work and the social responsibility shown by business, a commitment to guarantee access to drinking water for half of the people that currently do not have such access by 2015, and the creation of a Social Fund for development. Finally, although it makes constant references to the role of trade as the driving force for development, the Declaration makes no mention of the importance of resolving armed conflicts and building peace.

57. See Rapporteur's preliminary report E/CN.4/Sub.2/2002/10, 25/06/02.

58. See <http://www.un.org/events/water/>

59. See <http://www.unaids.org/barcelona/index.html>

60. See <http://www.unaids.org/worldaidsday/2002/index/html>

61. See <http://www.accessmed-msf.org/index.asp>

62. See www.un.org/events/wssd/

63. See observations on indicator n.º 1, in the section dealing with conduct in relation to the international community.

F. Humanitarian crises

This section is included in response to the need to consider the actual consequences of international behaviour, militarisation, human rights violations, development and governance and the violence of armed conflict on a specific kind of environment in which there is a situation of humanitarian crisis. In order to make this consideration, it is necessary to analyse the factors that have given rise to such crises, their repercussions, the parties who are harmed by them, the response of the international community and prospects for the future.

In this report, **humanitarian crises** are understood to be those phenomena in which different forms of human suffering converge as a result of economic, social, demographic, environmental, military and/or political factors. Such crises tend to occur against a background of poverty, political instability and a lack of food, in which a natural disaster or armed conflict give rise to the occurrence of a crisis relating to food, disease, the enforced displacement of people within the country or outside it, along with a significant mobilisation of international resources in the form of aid.

The food crises being experienced in southern Africa and the Horn of Africa, which affect 14.5 million and 16 million people in these areas respectively.

In this section we examine four indicators which point to the countries that have experienced humanitarian crises during 2002. Indicator no. 27 shows that 39 countries are currently facing **food emergencies** according to the FAO, pointing to the fact that sub-Saharan Africa continues to show the highest malnutrition figures in the world and that the number of people affected by this situation is gradually increasing. Indicator no. 28 reflects the situation in 58 countries which have, over the past year, been **recipients of humanitarian aid from ECHO**, showing the principal beneficiaries of European aid to be countries in southern Africa, Angola and Ethiopia, among others (See Table F2). Finally, indicators 29 and 30 deal with the evolution of **enforced population displacement** (both internally displaced persons (IDPs) and refugees). The majority of the countries analysed show cases of people who have been internally displaced (48 countries) as well as the exodus of people arriving as refugees in other countries (57 countries).

Given all of this, and weighing up the different impact that each of these indicators has had in particular contexts, a list of 33 countries considered as having suffered a humanitarian crisis during 2002 was drawn up. The criterion used was either that a country had experienced a combination of food emergencies, disease, the acceptance of humanitarian aid and the enforced displacement of people (as was the case with Afghanistan, Angola, Liberia and Georgia, among others), or that one of these indicators had an impact that was so significant and relevant on its own that it generated a situation of humanitarian crisis (as would be the case with Zimbabwe and the remaining countries in southern Africa as a result of the food crisis that they are experiencing, Colombia as a result of the number of IDPs resulting from the armed conflict, or the Palestine as a result of the humanitarian isolation to which it is subject).

Thus, four important facts must be pointed out in relation to the evolution of these humanitarian crises during 2002. Firstly, the food crises being experienced in southern Africa and the Horn of Africa, which affect 14.5 million and 16 million people in these areas respectively. Secondly, the important return and resettlement processes that have begun in new environments of post-war rehabilitation such as **Angola, Sierra Leone** and **Afghanistan**. Thirdly, the constant flow of displaced people in the great lakes region, caused by the armed conflicts in the Democratic Republic of Congo and Burundi. And finally, the important agreement on humanitarian access signed in October in **Sudan**, which for the first time in 19 years allows access by humanitarian organisations to all the people affected. The main areas of humanitarian crisis during 2002 are examined below (see Table F1).

Table F1. Countries in a situation of humanitarian crisis

Afghanistan	Etiopía	Madagascar	Sudan
Angola	Georgia	Malawi	Swaziland
Burundi	Guinea	Mozambique	Tajikistan
CAR	Haiti	Palestine	Tanzania
Colombia	Iraq	Russia (Chechnya and Ingushetia)	Uganda
Congo	Ivory Coast	Rwanda	Yugoslavia
Congo, DR	Korea, PDR	Sierra Leone	Zambia
Eritrea	Lesotho	Somalia	Zimbabwe
Ethiopia	Liberia		

The continent of Africa is the stage on which most crises have been played out. In Angola, the humanitarian crisis continued to be one of the most serious in world in 2002. In April, the country signed a ceasefire agreement that put an end to 27 years of armed conflict. According to government sources, 3.5 million people were displaced within the country as a result of the war (more than a quarter of the population). The UNHCR puts the number of refugees in neighbouring countries at 470,000. In addition, some 445,000 people (demobilised members of UNITA and their families) remained in camps, completely dependent on humanitarian aid and awaiting the beginning of the process of reintegration into civil society. By the end of the year, more than 85,000 refugees had spontaneously returned to their places of origin, mostly from Zambia and the Democratic Republic of Congo, together with some 1.1 million IDPs, in spite of the fact that conditions were not favourable for their return and that the UNHCR will be beginning a process of organised repatriation in the middle of 2003. The IDP situation continues to be very uncertain and could be worsened by the arrival of the rains, since this will make access to populated areas more difficult.

As regards the region of southern Africa, particularly **Lesotho, Madagascar, Malawi, Mozambique, Swaziland, Zambia** and **Zimbabwe** (in this last country the vulnerable population numbers 6 million), the response in terms of food aid to a humanitarian crisis affecting almost 15 million people has slightly improved the situation. Nevertheless, the structural causes that gave rise to the emergency have not been tackled: endemic poverty, the impact of HIV and AIDS, food shortages, drought, political and financial crises, the breakdown of social services, etc. Some countries (including Zambia and Zimbabwe) have rejected the supply of food aid from the USA because it has been produced using genetically modified organisms.

In the **CAR**, the attempted coup d'etat at the end of October caused the enforced displacement of part of the population, some to the Democratic Republic of Congo and some to the interior of the country. Access to certain cities affected by the uprising is restricted, which prevents information being gathered as regards the complete situation. The WFP has begun to distribute food aid to the population.

The situation in the Great Lakes region (**Democratic Republic of Congo, Congo, Rwanda, Uganda, Burundi** and **Tanzania**) can also be analysed as a whole. In 2002 population displacements were huge across the region, and the number is currently put at 3.5 million IDPs and 1.2 million refugees in the different countries. The reasons for these displacements are both the existence of armed conflicts and persistent violence as well as constant natural disasters (droughts, flooding, volcanic eruptions, earthquakes), land erosion, poor harvests or limited access to social and economic services, among other problems common to the entire continent. All of this has placed the region's population in a general position of insecurity and vulnerability which represents a serious challenge for the various humanitarian organisations. Moreover, there have been several instances of population return with very unequal results.

In **Burundi**, for example, the return process seemed to progress for the first six months, but then it came to a standstill half way through the year, when not only was there a fall in the number of people returning from Tanzania (the country that had received many refugees from the region), but there were also new displacements of people from Burundi into Tanzania. A complicated process of return has also begun in Rwanda, since the closure of the refugee camps in Tanzania has forced, or at least precipitated, the return of many refugees. In **Uganda** in spite of improvements in the West of the country that have permitted the return of

almost 90% of the people in this region, the situation in the North does not allow for a positive overall balance, since displacements have continued due to the constant attacks by the Ugandan armed opposition group, the LRA. One could also describe as dramatic the situation involving displaced people in the **Democratic Republic of Congo**, the exact number of whom is unknown, since access to these people by humanitarian personnel is still very difficult, a fact that increases their vulnerability to the various armed combatants and affects their conditions as regards sanitation and food.

Turning to the Horn of Africa region, there have not been any improvements as regards the humanitarian situation. During 2002, **Eritrea** once again faced a long drought that affected crops and, therefore, food security for 1.4 million people (out of a population of 3.3 million). In addition, the consequences of the armed conflict, widespread poverty and the urgent need to create conditions for the return, resettlement and reintegration of thousands of IDPs and refugees, have placed the country in a situation in which it is dependent on international humanitarian aid. The number of people in situations of vulnerability increased by 1.4 million to 2.3 million. 2002 also saw the return of almost 16,000 IDPs and more than 185,000 refugees. The remaining 58,000 IDPs have not been able to return to their houses as it is not yet safe to return. In **Ethiopia**, the drought led to an extreme food crisis at the end of the year. It is calculated that 2.1 million small farmers need aid urgently. The government has renewed its calls for assistance to the international community.

As regards **Somalia**, the constant deterioration in the armed conflict has condemned the majority of the Somali population to a state of permanent subsistence and vulnerability. especially worrying is the situation of some 350,000 IDPs (100,000 of them concentrated in Mogadishu) and 440,000 refugees (the safety of those in Kenya has been constantly threatened as a result of conflicts with the local population). The UNHCR has been able to carry out a repatriation process for the refugees who went to Somaliland. Child malnutrition in the under-fives continues to be a chronic problem in the South and centre of the country and infant mortality rates have reached almost 25%. In addition, half the population has no access to sanitation and three quarters of these have no access to drinking water. It should also be mentioned that humanitarian access to these people has been intermittent.

Finally, the persistence of the armed conflict in **Sudan**, together with the drought being suffered in the East and West of the country have worsened the humanitarian crisis. However, an agreement was signed in October by which the warring parties guarantee access by the humanitarian organisations to all the needy people in the country. This is important, since both the government and the SLA armed opposition group have been systematically using the aid intended for the civil population in the South of the country for military, political and economic purposes. In addition, the limited sanitary infrastructure makes it impossible to combat the main causes of death: diarrhoea, TB and HIV-AIDS. Up to the present, the armed conflict has caused half a million refugees and four million IDPs (it is the country with the largest number of IDPs in the world). The Sudanese people who fled as refugees to the North of Uganda have experienced moments of great danger due to the constant attacks on the refugee camps by the LRA, which has forced their resettlement in other parts of the country and has therefore given rise to further displacements.

It is also appropriate to analyse the humanitarian situation in four countries in West Africa (Guinea, Liberia, Sierra Leone and Ivory Coast) from a regional point of view. The security situation in **Guinea**, for example, has stabilised in spite of the constant fighting in the North of Liberia which has given rise to a continuous flow of refugees. This fact, combined with the recent crisis in Ivory Coast, are the main threats faced by the country. As regards Liberia, the persistence of the armed conflict in 2002 has hugely destabilised the whole region. During this year, the violence has caused the displacement of 130,000 IDPs in established camps, while humanitarian access to 200,000 people is restricted. In addition, a further 90,000 have fled to Sierra Leone, Guinea, Ivory Coast and Ghana. Furthermore, 50,000 refugees from Sierra Leone still remain in the country. As in the case of Guinea, one should also bear in mind the consequences in Liberia of the conflict that has broken out in Ivory Coast, given the massive return of Liberian refugees from the latter country.

The beginning of post-war rehabilitation in **Sierra Leone** during 2002 has brought stability to the country. During this period some 100,000 refugees have returned and 124,000 IDPs have been resettled (the major-

city towards the North and East of the country). However, the deterioration of the situation in Liberia has resulted in the arrival of 37,000 Liberian refugees which is weakening the transition towards peace. There is also concern about the infiltration of armed opposition groups that may disturb the successes achieved up to the present. Finally, the outbreak of violence that occurred in **Ivory Coast** in September has actually worsened considerably during recent months. In spite of the attempts at negotiation between the opposing parties, the rise in tension and violence has, to date, generated some 500,000 new IDPs and 36,000 refugees who find themselves in critical humanitarian conditions. Especially worrying is the situation in towns within the areas controlled by the three armed opposition groups in the West of the country, due to the difficulties that the humanitarian organisations are having in reaching them. In addition, the crisis has raised the level of destabilisation in the whole region, particularly in Liberia.

As regards the American continent, mention should be made of the humanitarian crisis being felt by IDPs in Colombia, as a consequence of the rise in violence during 2002. During the third quarter of last year, this group reached its highest level for the past 17 years, with the daily displacement of around 1,624 people, i.e. 150,000 newly displaced people. It is calculated that in **Colombia** there have been almost three million displacements during the last ten years (more than 5% of the population) and that around one million people left the country during this period. In Haiti, drought and flooding caused a food emergency in the country in 2002, and it also suffered a disproportionate increase in food prices. These circumstances have meant that 100,000 people now depend on food aid. Finally, although not shown in the chart, mention should be made of the food crisis being suffered in almost all of Central America (**El Salvador, Guatemala, Honduras and Nicaragua**), which has mainly been caused by the repercussions of the natural

**In Colombia, during 2002,
daily displacement of around
1,624 people.**

disasters occurring in previous years, the drought being suffered in some areas and the fall in the price of coffee for small farmers, due to the international crisis being experienced by this product

In Asia we should like to point to three situations of humanitarian crisis. In the first place it should be emphasised that in **Afghanistan** the humanitarian situation improved considerably throughout 2002, though there are still great difficulties and long-term challenges. Around 1.7 million refugees and some 140,000 IDPs have returned to their original communities with the assistance of the UNHCR. This return operation has not been free of problems, given the speed with which the process has occurred and the instability of conditions in the return destinations of the people that had been displaced, in which food emergencies still exist. In addition, some 2.2 million Afghans remain in a position of great vulnerability and depend on international aid. All this has meant that, in some cases, people who had returned find themselves forced to move again.

Five years after the end of its internal armed conflict, **Tajikistan** continues to face a complex humanitarian situation. Added to the consequences of the armed confrontation are the frequent natural disasters that hound the country (with more than 200,000 people affected), the drought that affected more than a million people and the effect of the different crises in Afghanistan and the countries of Central Asia. As a result, the general situation involving the vulnerability of 1.5 million people requires prolonged international humanitarian aid.

In the People's **Democratic Republic of Korea**, more than 6.4 million people continue to suffer the effects of the food shortages suffered by the country for many years. In addition, almost half the population (some 10 million) do not have sufficient food and basic social services (health, water and education). Around 2.2 million children under the age of seven are at high risk of malnutrition due to the low levels of growth and development achieved. This whole crisis is aggravated by the difficulties that the WFP has encountered during the distribution of food supplies. The sanctions imposed on PDR Korea, which cut the supply of oil, may hugely impede the distribution of aid to the civilian population, a fact that will worsen the current crisis.

The situation in several countries in Europe and the Middle East should be pointed out. In **Georgia**, serious drought and the current economic problems have meant that the country continues to suffer a considerable food emergency and humanitarian aid continues to be essential in order to cover the requirements of a

more vulnerable population. After ten years, the situation as regards IDPs is also one of enormous dependence. The humanitarian crises have continued in **Chechnya** and its neighbouring republics such as **Ingushetia** following the renewal of hostilities three years ago. Lack of security is a great problem in this region, made worse by the situation of vulnerability encountered by a million refugees and more than 250,000 IDPs. The displaced face continuous pressure on them to return, but the situation in Chechnya does not allow this to happen in conditions of safety and dignity. Humanitarian aid has been fundamental in alleviating the situation, but improved action is required in terms of protection and assistance. In **Yugoslavia**, the humanitarian situation continues to be especially complicated for the 350,000 refugees living in the country and the 290,000 IDPs. The majority of them depend on international humanitarian assistance, which accentuates their situation of vulnerability, particularly in the case of certain groups like the Roma, the old and women. During 2002, the food aid given to displaced people was reduced, particularly aid intended for those without documentation, mostly ethnic Roma people.

As regards **Iraq**, the food situation has improved very slightly, though the shortages continue to be worse than normal. Food imported under the «oil for food» agreement (S/Res 986, 1995) has hardly improved supplies, and malnutrition continues to be a very serious problem in some areas of the country. One in five Iraqi children and one in four young people suffer from malnutrition and need extra food. In addition, sanitary conditions in the country are getting worse and they only have a third of the drugs they need. This circumstance is aggravated by the controls governing the Iraqi health system due to the possible importation of products that might be used, according to the Security Council, for the manufacture of lethal weapons. In addition, in its last resolution at the end of 2002 (S/RES 1454, 2002), the Council approved greater restrictions on the import of goods by Iraq, with Russia voting against and claiming that the restrictions linked to transport vehicles could have a very negative impact on the distribution of humanitarian aid. In addition, the humanitarian organisations have expressed their grave concern about the catastrophic consequences that might be caused to the civilian population in any potential attack on Iraq. Neighbouring countries are preparing to deal with a potentially huge exodus, though they intend to offer assistance in border regions, without allowing displaced people to enter their countries.

Finally, in the **Palestine**, restrictions on access by humanitarian organisations, imposed by Israel several years ago, have isolated the territories of Gaza and the West Bank and placed them in a critical situation. The UNRWA, the UN agency charged with assisting almost 4 million Palestinian refugees,⁶⁵ has faced serious budgetary difficulties throughout the year and, in addition, six of its members have been murdered. UNICEF has complained that during 2002 a total of 175 young Palestinians have been murdered (in 2001 the figure was 98), mainly in the areas of Jenin, Nablus and Rafah.

64. See <http://daccess-ods.un.org/TMP/8940153.html>

65. It should be pointed out that UNRWA is exclusively responsible for providing aid and assistance to Palestinian refugees, but not for guaranteeing their protection.

Table F2. Main recipients of humanitarian aid from ECHO during 2002

Recipient country	Amount (millions of euros)	Type of humanitarian aid
Southern Africa (Lesotho, Malawi, Mozambique, Swaziland, Zambia and Zimbabwe)	154.0	People affected by the food crisis, population displacements and conflicts
Angola	133.0	Support for the peace process and victims of armed conflict
Ethiopia	97.0	Emergency food aid
Palestine	82.5	UNRWA and victims of the crisis in the Middle East
Afghanistan	73.0	Vulnerable groups affected by the conflict and refugees
DR Congo	45.4	People affected by the eruption of the Nyiragongo volcano and victims of the armed conflict
Yugoslavia (Serbia)	36.0	Assistance to refugees, IDPs and other vulnerable groups
Tanzania	27.0	Humanitarian aid to refugees
Russia (Chechnya)	20.5	Assistance for the people affected by the armed conflict
Great Lakes region (Angola, Burundi, CAR, Dem. Rep. Congo, Congo, Namibia, Rwanda, Uganda, Burundi, Zimbabwe and Tanzania)	20.0	Demobilisation process
Burundi	17.5	Assistance for IDPs and vulnerable groups
Eritrea	17.5	Assistance for IDPs and refugees and emergency food aid
Mano River region (Guinea, Liberia and Sierra Leone)	17.0	Assistance for vulnerable groups
Sudan	17.0	Assistance for victims of the conflict
Iraq	13.0	Health and food action for vulnerable groups
Tajikistan	10.0	Basic food aid for 55,000 people
Colombia	10.0	Emergency aid for IDPs

Source: ECHO.

Table F3. Main countries generating enforced displacements during 2002

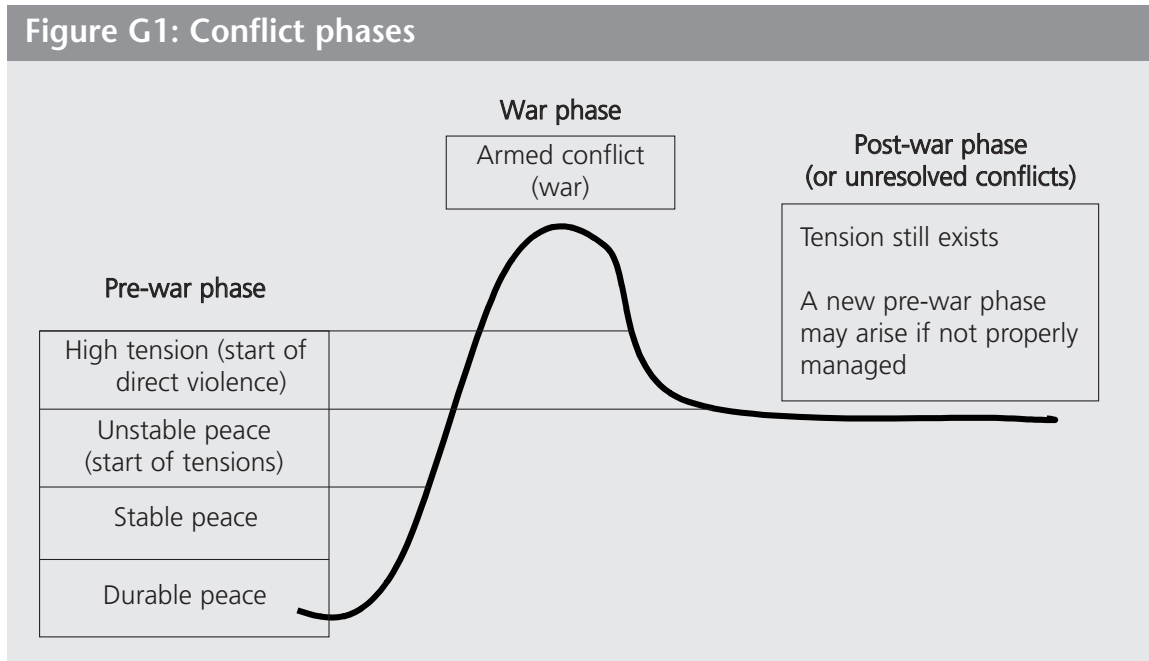
Countries	Refugees⁽¹⁾	IDPs⁽²⁾	Movements during 2002 (approximate figures)
Afghanistan	3,809,645	920,000	1.7 million returning refugees 400,000 returning IDPs
Angola	470,630	3,500,000	86,500 returning refugees - 1.1 million returning IDPs
Burundi	553,992	487,500	50,900 returning refugees - 17,000 new refugees
Colombia	18,020	2,800,000	353,110 new IDPs
Congo	24,277	75,000	20,000 newly displaced ⁽⁴⁾
DR Congo	392,135	2,275,000	
Ivory Coast	858	500,000 ⁽³⁾	36,000 new refugees - 500,000 new IDPs
Ethiopia	58,903	12,500	185,000 returning refugees - 16,000 returning IDPs
Eritrea	333,107	58,180	
Georgia	17,500	257,000	
Iraq	530,112	700,000	
Liberia	244,574	180,000	90,000 new refugees
Palestine	349,142 ⁽⁵⁾	11,700	
Russia	57,473	380,000	
Rwanda	105,736	Unknown	23,500 returning refugees
Sierra Leone	179,032	10,000	100,000 returning refugees - 124,000 returning IDPs
Somalia	439,888	350,000	12,000 refugees returned to Somaliland
Sudan	489,505	4,000,000	300,000 newly displaced
Uganda	40,139	650,000	
Yugoslavia	138,712	288,000	

Source: Prepared by the authors from UNHCR, CODHES, Global IDP Project, IRIN, OCHA.

Notes: (1) UNHCR, Statistical Yearbook 2001; (2) GLOBAL IDP PROJECT, December 2002; (3) The IDP figures are from the most recent OCHA update in January 2003; (4) Displaced: the source does not indicate whether these are refugees or IDPs; (5) The figure for Palestinian refugees given by UNRWA is 3,800,000 people.

G. Conflict and peace-building

This section is divided into three parts: G1) armed conflict and tension; G2) peace processes and unresolved conflicts; and G3) peace building in post-war contexts. Figure G1 shows the sequence that is normally followed in a conflict.



G1. Armed conflicts and situations of tension

In the first part of this section, we shall analyse the countries that are in a state of armed conflict (indicator no. 31) or a state of raised tension with high-risk disputes (indicator no. 32). Both indicators are in turn related to criteria 3 and 4 of the EU Code of Conduct on arms exports, which refer to both the existence of tension or armed conflict and the maintenance of peace, security and regional stability.

Armed conflicts

Here we shall analyse the armed conflicts that existed during 2002. An armed conflict is considered to be any confrontation involving groups of various kinds, such as regular or irregular military forces, guerrillas, armed opposition groups, paramilitary groups or ethnic or religious communities which, using arms and other destructive methods, claim more than 100 lives per year.⁶⁶

The armed conflicts that currently exist are characterised by being mostly internal in nature, i.e. they are being fought within an individual state. There are few that are being fought between two states. However, the majority of these armed conflicts are of a significant size and have an important regional or international influence, due among other things to the flows of refugees, arms trading, the financial or political

The majority armed conflicts are of a significant size and have an important regional or international influence, due among other things to the flows of refugees, arms trading, the financial or political interests that neighbouring countries may have in the conflict.

66. As when defining tension (see above), this figure of 100 deaths is just an indicator, and it should be seen in relation to other elements, such as the total population of the country and the geographical extent of the armed conflict, the level of destruction caused and the enforced displacements created.

interests that neighbouring countries may have in the conflict, or because the armed opposition groups seek refuge or have their bases in neighbouring countries.

In the majority of armed conflicts, one of the combatant parties is usually the government or its armed forces, fighting one or several armed opposition groups. In other cases, however, confrontation may be between clans, opposing armed groups or ethnic or religious communities. Although the most usual type of weapons used in armed conflicts are conventional ones, particularly light arms (which cause 90% of deaths in conflicts, mainly women and children), other methods are often used, such as suicide attacks. In this connection, when preparing this report we have borne in mind those occurrences which, although not fought with conventional weapons, have caused the death of a number of people in a deliberate and systematic strategy of destruction.

In 2002, the most common causes found behind the main armed conflicts can be classified in the three following groups: 1) in relation to political power (in which difficulties are observed in the transfer of power, the fragility of the democratic process and the specific struggle for power); 2) in relation to the alternately named autonomy / independence, which implies the existence of minority groups; and 3) in relation to territory and people (confrontations between communities for the control of natural resources, due to the regional marginalisation or demographic colonisation of one community by another). In the majority of cases, however, these causes are inter-related.

Small arms (which cause 90% of deaths in conflicts, mainly women and children).

To the armed conflicts that existed in 2001 we can currently add the conflicts in Ivory Coast, the CAR and events in Gujarat (India), which brings the total number of armed conflicts to 24 (see table G1).

Table G1. Countries with armed conflicts during 2002⁶⁷

Algeria	India (Assam)	Israel-Palestine	Russian Federation (Chechnya)
Burundi	India (Gujarat)	Ivory Coast	Senegal (Casamance)
CAR	India (Jammu and Kashmir)	Liberia	Somalia
Colombia	Indonesia (Irian Jaya)	Nepal	Sri Lanka
Congo	Indonesia (Malaccan Is.)	Nigeria (Kaduna)	Sudan
Congo, DR	Indonesia (Aceh)	Philippines	Uganda

The majority of these armed conflicts are taking place in Africa and Asia. In America, the only currently active armed conflict is the one in Colombia, while in Europe there is still armed violence in Chechnya. As regards the Middle East, the scale of the armed conflict between Israel and the Palestine has continued to grow in intensity since the second Intifada began in September.⁶⁸

67. The armed conflicts in Indonesia (Aceh) and Sri Lanka have entered an advanced stage of negotiation.

68. Half of these conflicts have also entered a process of negotiation, and they will therefore be analysed later in the section dealing with «peace processes».

Table G2. Main causes for armed conflicts during 2002

Armed conflicts	Main causes
Algeria	Political and economic control (natural resources) by the military over Islamic opposition, religious and ethnic confrontation
Burundi	Political control of an ethnic minority and difficulties in the transfer of power
Colombia	Historical political exclusion, social injustice, control of natural resources and the degradation of the conflict by drug-trafficking
Congo	Political control by different ethnic groups and fragile democracy
DR Congo (inter-Congolese dialogue)	Control of political power, difficulties in transferring power and control of natural resources
DR Congo-Rwanda	Political control by a minority and the search for secure borders
India (Assam)	Autonomy v. independence, marginalisation of some regions, religious confrontation
India (Gujarat)	Religious confrontation
India (Jammu and Kashmir)	Autonomy v. independence and religious confrontation
Indonesia (Aceh)	Autonomy v. independence and control of natural resources
Indonesia (Irian Jaya)	Autonomy v. independence, religious confrontation, demographic colonisation and control of natural resources
Indonesia (Malaccans)	Religious confrontation and demographic colonisation
Iraq	Iraqi militarism v. access to oil resources, US military strategy
Israel-Palestine	Religious confrontation, colonisation and control of land, security problems, political recognition
Ivory Coast	Marginalisation of some regions, fragile democracy, political exclusion, religious confrontation
Liberia	Control of natural resources and ethnic confrontation
Nepal	Control of political power and fragile democracy
Philippines	Autonomy v. independence, marginalisation of some regions, religious confrontation
Russia (Chechnya)	Autonomy v. independence
Senegal (Casamance)	Autonomy v. independence
Somalia	Absence of practical democracy, struggle for regional political power, confederation v. federation
Sri Lanka	Autonomy v. independence, religious differences
Sudan	Autonomy v. independence, religious differences
Uganda	Religious messianism and regional marginalisation

We shall now analyse these cases in more detail. In **Algeria**, the government, with the protection of the armed forces, continued its policy of confrontation with the Berbers in the Kabylie region, who are demanding democratisation of the country and the recognition of their rights. Parliamentary elections in May 2002 were marked by violence and abstentions, particularly in the Kabylie region. The government was accused of infiltrating the Islamist armed opposition groups, the AIG and the GSPC, both of which persisted in their attacks on the civilian population.

In West Africa, the failed coup d'état that took place in **Ivory Coast** in 2001, and the political violence during the disputed local elections of July 2002 formed the prelude to the military uprising that began in September 2002. In spite of the mediation of ECOWAS and pressure from France, the confrontations between the government and the MPCI armed opposition group claimed hundreds of victims, thousands of internally displaced people and the repression of the significant Burkinabe minority, whose country was accused of supporting the uprising. At the end of 2002, two new armed groups appeared⁶⁹ in opposition to the government of L. Gbagbo. The Intervening French Forces came into direct confrontation with these two groups. In **Liberia**, the declaration of a state of emergency in February 2002 caused an upsurge in human rights violations and confrontations between the government and the LURD armed opposition group. In the middle of September, the government lifted the state of emergency, though the level of violence did not decrease, in

69. The Movement for Justice and Peace (MJP) and the Ivorian Popular Movement of the Great West (MPIGO).

spite of the LURD's wish to open dialogue with President Charles Taylor. The President was opposed to the establishment of a United Nations peace-keeping mission and continued to accuse Guinea of rearming the LURD. In **Senegal**, the elections of May 2002 revived tensions in the Casamance region, where there were confrontations between the government and the MFDC, which is seeking independence for the region South of the River Gambia. There was contact between the two parties in October.

In the Great Lakes region, both in the **Democratic Republic of Congo** and **Burundi**, there has been continued confrontation between the respective governments and armed opposition groups, in spite of advances in the respective peace processes. On the positive side however, we should mention the withdrawal of foreign troops (Angola, Zimbabwe, Namibia, Burundi, Uganda and Rwanda) from the Democratic Republic of Congo. In addition, according to the report by the Panel of Experts on the illegal exploitation of natural resources in the Democratic Republic of Congo, the last four years of war have been used by the ruling elite to enrich themselves and deplete the country's own natural resources, as have their allies in Rwanda, Uganda and Zimbabwe. This report also mentions some western companies that are implicated in this despoliation.⁷⁰ On 17 December 2002, a Global and Inclusive Agreement on Transition in the Democratic Republic of Congo was signed by all the parties involved, establishing the cessation of hostilities and the sharing of power at all levels of government. In spite of this, confrontations began again in the East and Northeast of the country at the end of the year.

To the West of the continent, in the **Republic of Congo**, confrontations between the government and dissident elements of the Ninja militia once again saw an upsurge in March, giving rise to a serious humanitarian crisis in the Pool region. In addition, the sporadic confrontations that have been seen since May on the border between Chad and the **CAR** formed the prelude to an attempted coup in the latter country at the end of October 2002 by rebel members of the military, led by General F. Bozizé, former head of the country's armed forces. Chad was accused of complicity in the uprising. Libya and members of the MLC opposition group from the Democratic Republic of Congo (who committed serious human rights violations during the confrontations) gave their support to the government. CAEMC countries established the Inter-African Observation Force, whose mission is to guarantee the security of the President, A.F. Patassé, supervise control of the border and help reform government armed forces in central Africa. BONUCA established a commission to investigate the human rights violations perpetrated during the attempted coup.

In **Nigeria**, the application of some aspects of Sharia (Islamic law) in criminal law (corporal punishment, amputations and death by stoning) in the 12 states in the North of the country from 2000 on has led to renewed tensions between the Christian and Muslim communities. In November 2002, at least 200 people died in confrontations in Kaduna state. In addition, in some states in the South of the country, paramilitary bodies created recently in order to «combat crime» were accused of committing serious violations of human rights.

Turning to the Horn of Africa, the confrontations in **Sudan** between the government of O. Al-Bashir and the SPLA armed opposition group persisted, while the negotiations that began in June 2002, with mediation from IGAD, continued in an attempt to establish a ceasefire. This situation culminated in the signing of an indefinite truce in the middle of October 2002 in Machakos (Kenya), after 19 years of armed conflict in which the civilian population has been manipulated by both sides. In spite of several reports of ceasefire violations (in the South and East of the country), which placed negotiations in danger, along with the rise in tension between the governments of Eritrea and Sudan, the truce survived and talks resumed in January 2003. In **Somalia**, the situation deteriorated markedly during 2002. Mogadishu entered a new cycle of violence between certain factions in the city on the one side, and the National Transition Government (NTG), which resulted from the agreements reached in Arta (Djibouti) in 2000 and which controls part of the capital, on the other. The NTG increased the number of international meetings being held in order to seek the

70. For information on the individuals and companies that the Panel of Experts accuse of organising, directing and benefiting from the removal of resources, along with the companies that have breached OECD directives for multinational companies, see the report at <http://daccess-ods.un.org/doc/UNDOC/GEN/N02/621/79/pdf/N0262179.pdf?OpenElement>

recognition that it has not been given by various individuals and regional administrations around the country, principally the Coalition for Restoration and Reconciliation in Somalia (CRRS), a group of "warlords" opposed to the NTG. In Puntland (in the Northeast), Colonel A. Yusuf took control of the administration by force, replacing President J.A. Jama., while in the state of Southwest Somalia (the Bay and Bakool regions) there was tension between the two administrative factions. In the Juba Valley and Shabelle region there was also an upsurge in violence between the «warlords». Only Somaliland remained outside the rising violence, preparing for elections in December, and an important event in this region was the death of M. Ibrahim Egal, the historic leader of the 1991 independence movement. IGAD succeeded in arranging the peace conference in Eldoret (Kenya), which was finally held in October after several delays and which saw an historic cessation of hostilities. In **Uganda**, the agreement with Sudan to enable pursuit of the LRA armed opposition force in the South of the country was extended in March, a fact that caused an increase in the number of confrontations and human rights violations against the civilian population by the LRA, both in the South of Sudan and the North of Uganda. After several military defeats, the LRA's leader, J. Kony, finally expressed a wish to begin negotiations in December.

On the continent of Asia, the armed conflicts already existing in India, Indonesia, the Philippines and Nepal in 2002 were joined by confrontations between Muslims and Hindus in the state of **Gujarat in India**, particularly from February on, which caused around 900 deaths in two months (this figure could be as high as 2000 according to some non-official sources). The event that sparked these confrontations was the burning of a train on which the passengers were mostly Hindus. Also in India, there is still no solution to the tense situation in **Assam**, caused by calls for independence from the ULFA armed opposition group. In addition, in the state of **Jammu and Kashmir**, the armed Islamic groups fighting for the state's independence continued their actions against the civilian population and the different Indian security organisations. This region also saw an upsurge in political violence before the elections held in September and October 2002.

As regards **Indonesia**, several armed conflicts continued to result in hundreds of victims, mainly among the civilian population, though it should be pointed out on the positive side that a process began in **Aceh** that could put an end to this armed conflict that has lasted now for 26 years, a peace agreement being signed in December 2002. In another region of Indonesia, **Irian Jaya**, although levels of violence did not reach those seen in Aceh, there were still unresolved questions at the end of 2002, such as the demand for greater autonomy, linked to the management of natural resources. In the **Malaccan Islands**, the arrival in the year 2000 of thousands of members of the Islamist organisation Laskar Jihad changed the relationship between the Christian and Muslim communities. Confrontations also arose in 2002, though in the middle of October Laskar Jihad announced that it was disbanding. In the **Philippines**, the government started a vigorous campaign against Abu Sayaf, the armed group responsible for perpetrating serious human rights violations in the islands to the South. The USA collaborated with the government in pursuing this group, which is accused of links with the Al-Qaida terrorist organisation. In addition, we should point out a notable reduction in the activities of the MILF and NPA (the armed wing of the Philippine Communist Party) after the negotiations held with them in an attempt to establish ceasefire agreements (this has been agreed with the MILF since August 2001).

In **Nepal**, confrontations increased between the government and the Maoist armed opposition group, the CPN, in connection with the establishment of a state of emergency at the end of 2001. The CPN's repeated offer to enter into dialogue was rejected by the government, and although the government lifted the state of emergency in August 2002 as a sign of its real intention to negotiate, the King suspended parliament and selected an interim government that was rejected by the political parties.

In **Colombia**, the only actively armed conflict in America, the most notable events of the year were the breakdown in February of negotiations between the government of A. Pastrana and the FARC guerrilla group, along with the reoccupation of the demilitarised zone by the army. The number of people displaced as a result of the armed conflict continues to increase.⁷¹ Also to be noted was the announcement by the AUC, in Novem-

71. See section on Humanitarian crises.

ber 2002, of a cessation of hostilities and their willingness to enter into immediate talks with the new government of A. Uribe, who had declared a state of emergency after taking office. Against this background of a new security policy based on military terms, President A. Uribe introduced new laws from August 2002, declaring a restriction on public freedoms in the territories declared to be «rehabilitation areas». Both the FARC and the ELN have continued to carry out attacks throughout the year, as did the AUC until December.

As far as Europe is concerned, the only open armed conflict during 2002 was the one in **Chechnya**. Mention should be made here of the repression of the civilian population by the Russian security forces in this Transcaucasian republic (several mass graves have been found over the course of the year), as well as the guerrilla war being fought by armed Chechen groups against the Russian military presence in the region, in spite of some rapprochements between the parties involved. This situation worsened in October with the government operation to release more than 700 hostages who had been seized in a theatre in Moscow by members of armed Chechen groups. This resulted in 177 deaths (115 of them due to the gas used in the operation) and dozens of disappearances.

Table G3. Summary of armed conflicts and armed opposition groups during 2002

Country	Conflict began	Deaths since outbreak of conflict	Armed opposition groups
Angola	1975	...	FLEC-FAC
Algeria	1992	100,000	AIG, GSPC
Burundi	1993	200,000	FDD, FNL
CAR	2002	+ 200	mercenary troops of General F. Bozizé
Colombia	1964	40,000	FARC, ELN, AUC
Congo	1998	20,000	Ninjas
Congo, DR	1998	200,000	RCD-Goma, RCD-ML, MLC, Mayi-Mayi militias, RCD-N
India (Assam)	1989	1,000	ULFA, BJF
India (Kashmir)	1989	35,000	JKLF, Lashkar-e-Tayyeba, Hizb-ul-Mujahideen
Indonesia (Irian Jaya)	1963	+ 3,000	OPM/TPN
Indonesia (Malaccan Isl.)	1998	6,000-13,000	Laskar Jihad
Indonesia (Aceh)	1976	7,000	GAM
Israel-PNA	2000 (2nd Intifada)	2,000	Hamas, Jihad, Al Aqsa martyr brigades, PFLP
Ivory Coast	2002	...	MPCI, MJP, MPIGO
Liberia	1989	200,000	LURD
Nepal	1996	4,000	CPN
Philippines	1969	21,000-25,000	NPA, MILF, Abu Sayyaff
Russian Federation (Chechnya)	1991	40,000-70,000	Various
Senegal (Casamance)	1982	1,200	MFDC
Somalia	1988	300,000	Various
Sri Lanka	1983	70,000	LTTE
Sudan	1983	1,500,000	SPLA
Uganda	1989	...	LRA

Source: Prepared by the authors with information from Journal of Peace Research, vol. 39, no. 5, Oslo, September 2002; Stockholm International Peace Research Institute (SIPRI), SIPRI Yearbook 2002, Oxford University Press Inc., New York, 2002; Balencie, Jean-Marc; de La Grange, Arnaud, Mondes rebelles. Guérillas, Milicies, Groupes Terroristes. L'Encyclopédie des Acteurs, Conflits & Violences Politiques, Éditions Michalon, Paris, 2001.

Finally, in the conflict between **Israel** and **Palestine**, the situation in the occupied territories of the West Bank and Gaza during 2002 was marked by the increase in violence against the civilian population, which on the Israeli side involved the use of all its military capacity to carry out various punishment operations, committing serious violations of human rights and individual freedoms on the grounds of its own security. The Intifada has caused Israel to enter into an economic and political crisis that led to elections being called in January 2003. On the Palestinian side, in this second year of Intifada there has been a notable increase in Palestinian suicide attacks and the murder of Israeli civilians. The PNA is unable to put a stop to these

attacks, thus generating a climate of powerlessness, and there has been international pressure to implement the necessary reforms that would end corruption and establish a transitional government, in preparation for the elections that were initially planned for January 2003 but were postponed on the grounds that they cannot be held without certain basic conditions, given the Israeli occupation and the subsequent lack of freedom of movement.

Table G4. Security Council resolutions during 2002 relating to armed conflicts

	N°	Date	Subject
Algeria	-	-	-
Burundi	-	-	-
CAR	-	-	-
Colombia	-	-	-
Congo	-	-	-
DR Congo (internal dialogue)	1399	19-3	Condemns the resumption of confrontations and demands the withdrawal of RCD-Goma troops
	1417	14-6	Extends the MONUC mandate for one year and demands the withdrawal of foreign forces
	1445	4-12	Broadens MONUC's powers and restates that an international conference on peace, security, democracy and the development of the Great Lakes region must be organised
Indonesia (Aceh)	-	-	-
Indonesia (Irian Jaya)	-	-	-
Indonesia (Malaccans)	-	-	-
Israel-Palestine	1397	12-3	Demands a halt to all acts of violence
	1402	30-3	Calls the parties to establish an immediate ceasefire and requests the withdrawal of Israeli troops
	1403	4-4	Demands compliance with the ceasefire
	1405	19-4	Underlines the urgency of access by humanitarian organisations to the Palestinian civilian population
	1435	24-9	Demands that Israel immediately end the measures that it is applying in Ramallah and its surroundings, and the withdrawal of Israeli occupation troops in Palestinian cities
Ivory Coast	-	-	-
Liberia	1395	27-2	Decides to re-establish the Group of Experts
	1408	6-5	Accuses the government of Liberia of supporting the RUF, requests the monitoring of certificates of origin for diamonds and requests the establishment of a Group of Experts to investigate arms-dealing in the area
Nepal	-	-	-
Nigeria (Kaduna)	-	-	-
Philippines	-	-	-
Russia (Chechnya)	1440	24-10	Condemns the taking of hostages in Moscow, requesting their release, and urges all states to cooperate with the Russian government, expressing determination to combat all forms of terrorism
Senegal (Casamance)	-	-	-
Somalia	1407	3-5	Requests the establishment of a Group of Experts to investigate arms-dealing
	1425	22-7	Prohibits the financing of all arms acquisitions and supplies and establishes a Group of Experts to investigate the supply of arms to Somalia
Sri Lanka	-	-	-
Sudan	-	-	-
Uganda	-	-	-

Note: It should be noted that there have only been resolutions relating to 5 of the 24 cases.

Situations of heightened tension

In this section we will also analyse the situations of heightened tension that existed during 2002. **Situations of heightened tension** and **high-risk disputes** are understood to be those contexts in which serious situations of social and political tension and polarisation arise, with confrontations between political, ethnic or religious groups or between these groups and the state, which involve alterations in the operation of the state's own institutions (coups d'état, curfews and states of emergency),⁷² and in which violence leads to the deaths of no more than 100 people in one year, a figure which is, however, viewed in relation to the country's total population and the geographical scope of the tension, along with the level of destruction generated and the enforced displacements that may be caused.

In these areas of tension, there is a strong possibility that a situation of armed conflict will occur within a short time. Moreover, these tensions may not occur within the geographical territory of the state in question, but we have borne in mind the extent to which its interests or stability are directly affected, or the fact that they may involve specific attacks on the territory of another country. Finally, we have also included those areas that are experiencing serious difficulties in implementing peace agreements (in the event that they exist).

In 2002 there were 23 areas of tension, of which the situations in Ghana, Jordan, Kenya, Kyrgyzstan, Madagascar, Uganda (Karamoja) and Venezuela intensified during the year (see table G5).

Table G5. Situations of heightened tension or high-risk disputes

Afghanistan	Haiti	Ukraine
Angola (Cabinda)	India-Pakistan	Uganda (Karamoja)
Chad	Israel (Lebanon-Syria)	USA/Israel - Al-Qaida
Eritrea	Jordan	USA/United Kingdom - Iraq
Ethiopia	Kenya	Venezuela
Ghana (Dagbon)	Kyrgyzstan	Yugoslavia (Kosovo)
Guatemala	Madagascar	Zimbabwe
Guinea-Sierra Leone (Liberia)	Rwanda	

As regards specific cases, the **USA** has continued in its pursuit of members of the **Al-Qaida** organisation in Afghanistan and other countries, stepping up its global offensive against this organisation, which in turn has increased its attacks against the interests of western governments, particularly those of the USA, in different countries. Israel joined the **USA** at the end of the year in this operation against Al-Qaida, as the result of the attack by the latter organisation against Israeli interests in Mombassa (Kenya) in November 2002. For its part, **Afghanistan** remained in a situation of general instability with confrontations between different «warlords».

In these areas of tension, there is a strong possibility that a situation of armed conflict will occur within a short time.

The **USA-United Kingdom** coalition continued to bomb the aerial exclusion zones in **Iraq**, at the same time as preparing the recent Security Council resolution⁷³ on this subject, which required the Iraqi government to agree to the return of the United Nations inspectors so they could check for the possible existence of nuclear, biological and chemical arsenals. Iraq finally agreed to the visits by the inspectors, who travelled to the country at the end of the year. In the Middle East, the Lebanese project to exploit the waters of the River Hasban (which they carried out in spite

of threats from Israel, since this river flows into Israeli territory) increased tensions in the region, due to the mutual violations of the ceasefire along the blue line between **Lebanon** and **Israel**. Furthermore, there was no notable progress in the negotiations between **Israel**, **Syria** and **Lebanon** in relation to demarcation and the return of the Golan heights and the Shebaa farmlands. In **Jordan**, the armed forces carried out operations of

72. See section on sanctions.

73. See sections on humanitarian crises, peace processes and post-war rehabilitation.

repression against the civilian population in 2002 in which several people died, looking for collaborators of Al-Qaida who are allegedly linked to Islamist groups in the country. In Man, the main city affected, militias sprung up in opposition to the various attacks by the armed forces.

2002 saw an increase in political violence and human rights violations on the American continent, mainly in three areas: **Venezuela**, **Guatemala** and **Haiti**. In **Venezuela**, the coup d'état against President H. Chavez and his subsequent return to power in April raised the climate of tension and confrontation between supporters and opponents of the government, leading to the need for mediation by the OAS. This resulted in talks between the government and the anti-Chavez lobby, which is demanding the President's resignation, or at least the calling of early elections or a referendum on his continuing to hold the post. Several general strikes have been held over the year, bringing economic activity to a standstill in the country and causing several deaths and injuries. In **Guatemala**, MINUGUA denounced the deterioration of the human rights situation and the increase in the intimidation, persecution and murder of judges, journalists, union leaders, religious leaders and defenders of human rights, while both old and new violations remained unpunished. The old counter-insurgency paramilitary forces, the PAC, reformed and land occupations increased. Finally, in **Haiti**, political insecurity continued, as did the violence between supporters and opponents of President J.B. Aristide, who continued to lose the support of the people. A large majority of these people, together with opposition groups and human rights organisations, demanded his resignation and the formation of a transition government.

In Europe, the areas of tension were **Ukraine**, where mention should be made of the increasing authoritarianism and violent repression of political opposition during parliamentary elections at the end of March 2002, which reaffirmed the dominant position of the party of President L. Kuchma, though without a majority, and **Kosovo**, where tensions between the Albanian and Serbian communities continue to require international military supervision.⁷⁴

In Asia, the broad social movement against the government of **Kyrgyzstan** led to its complete resignation in May 2002. This resulted from the violent repression of demonstrations by the police (in March, five people died in one of these demonstrations), the giving up of territory claimed by China, the imprisonment of several political opponents and a reduction in fundamental freedoms. Elsewhere, the border tensions between **India** and **Pakistan** were on the point of spilling over into a new armed confrontation between the countries, since India felt that Pakistan was not working hard enough to control incursions by armed opposition groups from its country into Indian Kashmir. In spite of this, at the end of the year both countries engaged in trust-building measures which substantially reduced tensions.⁷⁵

Finally, on the African continent, tension increased in various areas characterised by the fragility of the democratic systems and difficulties in the transfer of power. In the Horn of Africa, the difficult relationship between **Eritrea** and **Ethiopia** and the humanitarian crises in these countries was made worse by the authoritarianism of the government of Eritrea and the rise in tensions between this country and Sudan, due to Eritrea's alleged support for Sudanese armed opposition groups and the creation of an Eritrean government in exile.⁷⁶ In Ethiopia, various armed groups comprising ethnic members opposed to the government remained active, controlled by the Tigrean ethnic minority.

In western Africa, particularly **Ghana**, a state of emergency was declared in the Dagbon region in March 2002, due to the existence of significant confrontations between the Andani and Abudu communities. As regards the River Mano region, which includes **Guinea**, **Sierra Leone** and **Liberia**, the instability caused by the enforced displacement of people as a result of the armed conflict in Liberia represented a threat to the fragile peace process in Sierra Leone⁷⁷ and a focal point for instability in Guinea. Elsewhere, the tense relations between **Chad** and the **Central African Republic** worsened in August as a result of border confrontations between their respective armed forces and the attempted coup in the CAR (which accused Chad of links with the leaders of

74. See section on post-war rehabilitation.

75. See section on peace processes.

76. See sections on humanitarian crises and post-war rehabilitation.

77. See section on post-war rehabilitation.

the coup), in spite of the efforts of the CAEMC (Central African Economic and Monetary Community) to seek a way out of the crisis. In addition, at the beginning of October there was an attack by the MDJT armed opposition group following the death of its leader at the end of September. This brought an end to the ceasefire signed in January 2002.

To the East of the continent, the elections held in **Kenya** at the end of December 2002 were won by the leader of the opposition National Rainbow Coalition, M. Kibaki, defeating the official candidate U. Kenyatta and bringing an end to the 40-year dominance of the KANU party and the 24-year rule of President D. A. Moi. During the run-up to elections there were several violent incidents, as had occurred in 1992 and 1997, though local and international observers recorded that the process was transparent and credible. In **Uganda**, in addition to the armed conflict with the LRA, the expiry in February of the voluntary disarmament programme in the northern region of Karamoja caused confrontations between this community and the armed forces, and there was also a renewal of community tensions in the Southeast in relation to land ownership. Relations between **Rwanda** and the neighbouring Democratic Republic of Congo improved with the signing of the Pretoria agreement, which saw the withdrawal from territory belonging to the Democratic Republic of Congo of Rwandan armed forces, accused of looting Congolese resources on the pretext of pursuing the groups that had committed the genocide of 1994 and strengthening border security. At the end of the year there were accusations that some of the members of these forces were still inside the Democratic Republic of Congo.

In southern Africa, political violence broke out during 2002 in **Zimbabwe**. This was based around the elections of March 2002, which resulted in confrontations between the government and supporters of its ZANU-PF party on the one hand and supporters of the opposition MDC on the other. The forced expropriation of land owned by the white population as one of the electoral calls made by the government of R. Mugabe⁷⁸ has aggravated the country's political and economic situation, meaning that this tension, combined with the abandonment of crops and the worsening of the humanitarian crisis, has left the country on the edge of armed conflict. In **Angola**, in spite of the historic signing in April of an agreement for the cessation of hostilities between the government and UNITA,⁷⁹ the second half of the year saw an intensification of human rights violations against the civilian population in Cabinda. These were committed by the armed forces, while fighting the armed opposition forces of the FLEC-FAC, who are claiming the independence of this oil-rich enclave in the North. Finally, in **Madagascar**, the leader of the opposition, M. Ravalomanana, rejected the results of the elections held in December 2001 and proclaimed himself winner of the poll and the new President of the country. This decision resulted in confrontations between the government of D. Ratsiraka and supporters of M. Ravalomanana during the first half of the year, dividing the island into two parts under their respective control. M. Ravalomanana finally prevailed, agreeing to call new elections at the request of the United Nations and the African Union in the middle of December 2002, which he won easily.

G2. Peace processes and unresolved conflicts

The cases analysed in this sub-section correspond to the indicators for **peace processes or formal negotiations** (indicator no. 33) and **countries with unresolved conflicts** (indicator no. 34) in the table of countries and indicators.

2002 will unquestionably be remembered for three significant events as regards peace processes. Firstly, Angola has finally set out on a path towards peace, and while this is not without its difficulties, it has brought an end to a quarter of a century of confrontations between the government and UNITA, with an accumulated death toll of almost one million and many millions of people displaced or living as refugees. The second factor to be mentioned is the reasonable hope awakened by the fact that several countries involved in armed conflicts have begun peace negotiations during the year. This group of 11 countries already involved in formal negotiations plus another 4 that are in an early exploratory phase or trial period repre-

78. See section on sanctions.

79. See sections on humanitarian crises, peace processes and post-war rehabilitation.

sent hope for more than half of the areas of conflict throughout the world, a fact that represents very positive news. Furthermore, in several cases these are countries with conflicts that have lasted a long time and have, throughout their history, left hundreds of thousands dead and millions displaced. Some of these negotiations have been consolidated over the months and offer the possibility of ending in agreement. Others, however, are still in an exploratory or preliminary phase and are evolving in a more fragile and uncertain way. The third element to be mentioned here relates to peace processes and the creation of bases for trust that have begun or evolved over the course of the year in countries that have seen armed conflict but are now seeking a way of bringing a complete end to the disputes that caused them. In several of these cases there has also been significant progress.

The most successful processes and the ones that have generated most hope are those in Asia, particularly Sri Lanka and Indonesia, though there has also been significant process in Africa.

As explained in greater detail in the section dealing with post-war rehabilitation, the peace process in **Angola** began in March, one month after the death of J. Savimbi, the historic leader of the UNITA armed opposition group. A ceasefire was established, followed by an amnesty, the signing of a peace agreement and the beginning of a demobilisation process for the combatants. In August, the UN approved a new mission (UNMA), with the mandate to work on the political aspect, disarmament, human rights, development and humanitarian questions.

Countries in armed conflict with formal negotiation processes at the end of 2002

As regards the group of countries still in actual conflict (see Table G6), the most successful processes and the ones that have generated most hope are those in Asia, particularly Sri Lanka and Indonesia, though there has also been significant process in Africa.

Table G6. Countries engaged in formal negotiations during 2002 against a background of continuing armed conflict

Burundi	Ivory Coast
Colombia (AUC)	Somalia
Congo, DR (inter-Congolese dialogue)	Sri Lanka
Congo, DR - Rwanda	Sudan
Indonesia (Aceh)	Uganda
Israel - Palestine	

In **Sri Lanka**, negotiations restarted in January with mediation from Norway. A ceasefire was signed and a number of trust-building measures were agreed as part of the process, a fact that has, among other things, allowed the return of many displaced people and refugees. The government lifted the ban on the armed opposition force, the LTTE, and several rounds of discussion began in Thailand in November. As negotiations continued, steps were simultaneously being taken to reconstruct the country. There were expectations of reaching a definitive agreement during the first months of 2003, after a solution was agreed in Oslo in the middle of December, based on the principle of self-determination in the regions historically inhabited by the Tamils, within a federal structure of a united Sri Lanka. The speed of the process in Sri Lanka and the originality of basing it on the creation of trust-building measures and the rehabilitation of the country in the midst of negotiations have given rise to considerable expectations in other areas of conflict throughout the world.

Also in Asia, in the region of **Aceh (Indonesia)**, the government has held at least ten rounds of negotiations with the GAM during 2002, with the mediation of the Swiss Centre Henry Dunant. These ended on 9 December with the signing of a peace accord which included the cessation of hostilities, the disarmament and demobilisation of the GAM, the withdrawal of most of the armed forces from Aceh, the establishment of «peace zones» where humanitarian and rehabilitation work was to begin, and the holding of elections in 2004. However, the political status of the region has not been finally decided, with the government offering

ring broad autonomy and the GAM continuing its calls for independence. Following the model established in Sri Lanka, a meeting of donor countries was recently called, sponsored by Japan, the USA and the World Bank, to ensure the reconstruction of the region. In another part of Indonesia, the Malaccan Islands, the radical Islamist group Laskar Jihad disbanded in the middle of October, an event that has reduced tensions in the area.

Finally as regards Asia, in the Hindu state of Nagaland, the government lifted the ban imposed on the NSCM (I-M) armed opposition group, which is calling for independence for the region. Thus allowing for progress to be made in negotiations that had begun five years earlier. Talks continued during January 2003 and it is hoped that the peace process will shortly end with a definitive agreement being reached.

In the Great Lakes region of Africa, the peace process in **Burundi** has turned out to be much more complex because of the large number of parties involved (there are four important armed groups), among other reasons. This has made it necessary to seek several routes for parallel negotiations, based on the offers made by the governments of South Africa and Tanzania. A ceasefire (the application of which was postponed until the beginning of this year) was agreed at the beginning of October with two of the groups (the FDD, led by J.B. Ndayikangurukiye and the FNL, led by A. Mugabarabona), while the other two began brief talks in Tanzania. In December, a third group (FDD rebels led by J.P. Nkurunziza) signed a ceasefire agreement, meaning that agreement only remains to be made with the FNL troops led by A. Rwaswa. By way of an incentive, a Donors Conference was held in Geneva at the end of November. This promised 905 million US\$ for the reconstruction of the country. The «Inter-Congolese dialogue» being held in the Democratic Republic of Congo between various armed groups and politicians on the one side and the government on the other has suffered many ups and downs and delays during the course of the year, following the opening of preparatory meetings in Brussels and Geneva in January and February. The two most important armed opposition groups (RCD-Goma and MLC) agreed to a ceasefire in March, and a process of negotiations subsequently began in several South African cities. Partial agreements were reached throughout the process, which culminated in the participation of all the groups involved in a conference held in Pretoria in the middle of November, where a plan proposed by South Africa was discussed, along with the division of power at each level of government. Finally, on 17 December, all the groups signed an agreement in Pretoria which provided for the formation of a transitional government over two years in which they would all participate. In spite of this agreement, however, confrontations continued in various parts of the country.

As regards the dispute between the **Democratic Republic of Congo** and **Rwanda** during recent years, the situation has evolved positively during 2002. In May, a plan was designed to establish a security zone between the Democratic Republic of Congo and three of its neighbours, including Rwanda, with the presence of United Nations troops and the mediation of the South African President. This plan was finalised at the end of July with the signing in Pretoria (South Africa) of a Peace Agreement between the two countries. This allowed for the deployment of a United Nations peace-keeping force (MONUC) and the establishment of a timetable for the disarming of combatants and the withdrawal of all foreign troops, which has been adhered to relatively properly. Finally, in **Uganda**, after months of great uncertainty, changes in strategy and attempts by the country's bishops to mediate, the government decided in November to establish a team that would negotiate with the LRA armed opposition group, a fact that could represent its abandonment of the military confrontation approach followed until that point. Nevertheless, fighting was continuing at the end of the year, and the Ugandan army was still confident of achieving a military victory. The resolution of this conflict also depends on the maintenance of good relations between Uganda and Sudan.

As regards other areas in Africa, the peace process in **Somalia** had a further boost in February, when IGAD proposed holding a Reconciliation Conference in Kenya, though it did not actually take place until October after a series of delays. In April, the UN approved the creation of a peace-building mission and the formation of a group of «friendly countries», and in July, the EU offered important financial incentives to underpin future undertakings between the opposing parties. In October, in spite of serious divisions and threats of withdrawal, most of the groups agreed to a truce while the Eldoret (Kenya) Reconciliation Conference lasted. The second round of this conference, held in December, discussed matters as significant as a federal formula for the country, demobilisation, land and reconciliation. It is hoped that in the coming

months the AU will play a more prominent role in the search for an agreement and that, in January, talks will begin on the distribution of political power. Under the auspices of IGAD, a draft agreement was reached in Sudan in July that included the possibility of holding a referendum on self-determination within six years. In the meantime there would be autonomy in the South of the country. The end of the same month saw a direct meeting between the President of Sudan and the leader of the SPLA armed opposition group. In the middle of October, an indefinite truce was signed during negotiations, while at the beginning of November the government and the SPLA reached agreements on several matters, such as the division of power, the formation of a government of national unity, a legislative council and a representative national assembly. Talks were halted in December while elections took place in the mediating country, Kenya, beginning again in January 2003. The USA has proposed that the third round of negotiations take place there. In **Ivory Coast**, the conflict saw an upsurge in September when the MPCJ attempted a coup. The first ceasefire was achieved in the middle of October and talks began in November, with support from various countries in the region and the assistance of ECOWAS, which had to deploy an intervention force in the country in January. These talks have been interrupted on several occasions, and the situation became more complicated in December when two new armed groups appeared and the negotiations being held in Togo were suspended.

In Latin America, it should be pointed out that the new government in **Colombia** has opened the way to negotiations with the self-defence forces (AUC) with the church acting as intermediary. These groups declared the total cessation of hostilities from the beginning of December. At the same time, the government is exploring the possibility of opening a dialogue with the National Liberation Army (NLA) in Cuba, which was suspended in December, and it has expressed an interest in the United Nations taking steps to hold talks with the Revolutionary Armed Forces of Colombia (FARC). At the end of the year, however, nothing concrete had resulted from negotiations with these two groups, and the process is expected to take a long time.

Finally, in the Middle East, the conflict between Israel and Palestine has deteriorated markedly throughout the year. Peace initiatives have, for this reason, multiplied, with proposals such as the creation in July of the International Working Group for Palestinian Reform and the actions of the Diplomatic Four (USA, Russia, the EU and the UN), particularly their peace plan, which was disclosed by the European Union in August and which comprises three stages, concluding in 2005 with an independent Palestinian state. This plan was initially accepted by both parties, but the rising spiral of violence has delayed discussions and obliged the Palestinian elections planned for January 2003 to be postponed.

Countries in conflict that were exploring negotiations at the end of 2002

As regards potential peace processes in the near future, in addition to the unproductive exploratory contacts between the Colombian government and the ELN mentioned earlier, it should be mentioned that there are four cases involving approaches that may bear fruit in 2003. Two of these relate to Asia (Kashmir and Nepal) and two to Africa (Liberia and Senegal).

Table G7. Countries in conflict exploring negotiations at the end of 2002

Colombia (ELN)	Nepal
India-Pakistan (Kashmir)	Senegal
Liberia	

Several attempts at external mediation were made throughout the year in **Kashmir**, including approaches by the Russian Federation, Iran and, towards the end of the year, Canada. From October on, both India and Pakistan introduced various measures to build trust, such as India's decision to withdraw most of its troops gradually from the border, answered with a similar move from Pakistan in December. In addition, at the end of the year the new government of the state of Jammu and Kashmir asked the Indian government to initiate talks for the opening of a peace process, and the general situation would therefore allow for a

There are four cases involving approaches that may bear fruit in 2003. Two of these relate to Asia (Kashmir and Nepal) and two to Africa (Liberia and Senegal).

more optimistic view of negotiations during 2003. In **Nepal**, after negotiations between the government and the NCP armed opposition group had begun and then been broken off in the middle of 2001, in October 2002 King Gyanendra appointed a new prime minister who promised that one of his priorities would be to open a dialogue with the Maoist NCP. A few days later, the European parliament asked the EU to appoint a Special Representative to mediate in the conflict. At the end of the year, the government stated that its priority was to seek a peaceful solution, and the NCP renewed its offer to enter into dialogue.

In **Liberia** the situation was still very fragile at the end of the year. In spite of the fact that the LURD armed opposition group had already suggested the need to begin negotiations with the government in March, the fact that the countries in the region had decided to revive the River Mano Union, the fact that the Inter-religious Council of Liberia had been accepted in the role of mediator and the fact that ECOWAS had been collaborating in order to bring the National Reconciliation Conference to fruition and even create a peace-keeping force, it cannot really be said that a real peace process has begun. The United Nations' creation in September of an International Contact Group, comprising the USA, France, the United Kingdom, Nigeria, Burkina Faso and Senegal could be the key to improving the situation in 2003, especially since the Liberian government asked ECOWAS to mediate in December. In the region of **Casamance (Senegal)**, after a long period in which attempts at negotiation were frustrated by internal divisions and military confrontations, the government and the MFDC armed opposition group finally held contacts at the end of October to establish a new attempt at negotiations, which will probably take place in Guinea-Bissau.

Other unresolved conflicts in stages of negotiation

In addition to the armed conflicts mentioned above, there are other regions in the world in which negotiations are required in order to achieve definitive peace, particularly in countries that have seen armed conflict in the past and have not yet reached a definitive agreement (indicator no. 34). These are situations which are in a state of ceasefire or impasse but where there is a potential risk that a political or diplomatic failure may mean a return to armed confrontation. Worth mentioning in this regard is the conflict in the Caucasus between **Armenia** and **Azerbaijan** over the disputed enclave of Nagorno-Karabakh, which continues to be at a stalemate in spite of the efforts at mediation by the Minsk Group (France, Russia and the USA) and the meeting held in November between the Presidents of the two countries at the NATO summit, in which both expressed optimism as regards future dialogue. In January, a document for the distribution of powers between Georgia and Abkhazia was presented in **Georgia**, with the support of the Secretary General's Group of Friends (the USA, France, Germany and Russia), which established Abkhazia's autonomy within Georgia, though since then the situation has been at a standstill due to Abkhazia's refusal to discuss any idea that does not include the possibility of its independence. In October, the Georgian President changed mediators and reinforced the facilitating role of the UN Secretary General's Special Envoy.

However, more hope is raised by the approaches made in Asia, such as the case of the two **Koreas**, in a process based on the creation of trust-building measures (visits by delegations, the reunion of separated families, the re-establishment of diplomatic relations and road and rail connections, the removal of mines, the acknowledgment of past mistakes, the despatch of humanitarian aid, etc.), even though these approaches were tempered in December by the tensions created following the resumption of North Korea's nuclear programme. China has also made approaches to the Dalai Lama in relation to **Tibet**, and has agreed some economic trust-building measures with **Taiwan**, such as the joint exploitation of gas deposits, along with the establishment of air and sea traffic and a postal service between the two countries. In **Myanmar** the process of political dialogue continues between the ruling military junta and the party led by the Nobel prize-winner, A. S. Suu Kyi, who was finally freed in May 2002. The process is based on the continued presence of the UN Secretary General's Special Envoy and the Special Rapporteur on Human Rights, whose trips have been preceded or followed by the release of political prisoners in a process of trust-building measures linked to their visits.

In Europe, it should be mentioned that direct talks were resumed in January in **Cyprus** between the Presidents of the Turkish- and Greek-Cypriot communities, with the presence of the UN Secretary General's Special Envoy. These culminated in a proposal at the end of the year from Kofi Annan, suggesting the creation of a state composed of two cantons with a common government, which would serve as the basis for subsequent negotiations. In the context of the Balkans, the United Nations continued to maintain its Observer Mission in **Prevlaka** (UNMOP) until the middle of December, when an agreement to maintain the demilitarisation of the peninsula was signed by **Yugoslavia** and **Croatia**.

As regards Africa, it should be mentioned that in **Western Sahara**, the efforts of the UN Secretary General's Special Envoy, J. Baker, have not yet succeeded in achieving any rapprochement between the positions held by Morocco and the Polisario Front, and the Security Council has therefore extended the mandate of its Mission in the territory (MINURSO) and is requesting that a political agreement be reached.

Finally, in Latin America, the legal way of solving the **Chiapas** (Mexico) conflict was closed with the final passing of the Indigenous Act, which does not recognise the 1996 San Andrés Agreements and does not provide the right to indigenous autonomy. In October, the parliamentary commission charged with facilitating the process of dialogue between the Government and the EZLN (COCOPA) proposed further constitutional reform for the Act.

There are other regions in the world in which negotiations are required in order to achieve definitive peace, particularly in countries that have seen armed conflict in the past and have not yet reached a definitive agreement.

Table G8. Security Council resolutions in 2002 relating to unresolved conflicts

	N°	Date	Subject
Armenia-Azerbaijan (Nagorno-Karabaj)	-	-	-
Croatia (Prevlaka)	1387	15-1	UNMOP mandate extended for six months
	1424	12-7	UNMOP mandate extended for six months
	1437	10-10	UNMOP mandate extended for six months
China-Taiwan	-	-	-
China-Tibet	-	-	-
Cyprus	1416	13-6	UNFICYP mandate extended for six months
	1442	25-11	UNFICYP mandate extended for six months
Georgia (Abkhazia)	1393	31-1	UNOMIG mandate extended for six months
	1427	29-7	UNOMIG mandate extended for six months
Korea, R - Korea, PDR	-	-	-
Mexico (Chiapas)	-	-	-
Myanmar	-	-	-
Turkey (PKK)	-	-	-
Western Sahara	1394	27-2	MINURSO mandate extended for two months
	1406	30-4	MINURSO mandate extended for three months
	1429	30-7	MINURSO mandate extended for six months, with the expression of its willingness to examine any proposal relating to the right to free determination

Note: It should be noted that there have only been resolutions relating to 4 of the 11 cases.

Table G9. Models for negotiation

Armed conflicts		I-E (1)
Burundi	Mediation by South Africa and facilitation from southern African countries (South Africa, Tanzania and Gabon) and the UN. Multi-track negotiations (one route/country for each group)	E
CAR	Mediation by CAEMC, which has deployed an Inter-African Observer Force, with support from France	E
Colombia	Multi-track negotiation managed directly by the government, which has requested the UN's involvement in relation to the FARC	E
DR Congo (Inter-Congolese dialogue)	Mediation by the UN and the AU, conditioned by regional interests. Facilitation by European countries and South Africa.	I-E
DR Congo - Rwanda	Mediation by South Africa and the UN, with the participation of other African nations	E
Ivory Coast	Mediation by ECOWAS with regional participation and the presence of France	E
India-Pakistan (Kashmir)	Non-resolutional presence of the UN and informal mediation by the USA. Indian refusal of international mediation	I
Indonesia (Aceh)	Mediation by a Swiss humanitarian organisation and facilitation by the USA	E
Iraq	UN attempts at facilitation	E
Israel-Palestine	Many proposals (UN, EU, USA, Arab countries, etc.) halted by spiral of violence. Diplomatic four (USA, Russia, EU, UN)	I-E
Liberia	Mediation by ECOWAS, with the presence of the UN and the active participation of civil and religious groups. Regional approach	I-E
Philippines	Initial mediation by Libya interrupted	E
Russia (Chechnya)	Facilitation by the OSCE, without results	E
Senegal (Casamance)	Direct contacts	E
Somalia	Mediation by IGAD, with facilitation from the UN and the intervention of civil groups	I-E
Sri Lanka	Mediation by Norway	E
Sudan	Mediation by IGAD, with facilitation from the UN and the participation of various African countries. Observer nations (USA, United Kingdom, Norway and Italy)	I-E
Uganda	Facilitation by civil and religious groups	I-E
Unresolved conflicts		
Armenia-Azerbaijan	Official direct talks under the auspices of the OSCE and the Minsk Group (France, Russia and USA)	I-E
China-Taiwan	Preliminary economic trust-building measures as a prelude to negotiation	I
China-Tibet	Indirect contacts	I
Cyprus	Official direct talks with UN mediation	I-E
Georgia (Abkhazia)	Mediation by the OSCE and the UN, without results. Facilitation by Russia	I
India (Andhra Pradesh)	Ceasefire and internal facilitation by a group of intellectuals	I
Korea, R -Korea, PDR	Official direct talks	I
Mexico (Chiapas)	Facilitation of dialogue through a parliamentary commission and an intermediary committee	I
Myanmar	Direct dialogue between government and opposition, with facilitation from the UN	I
Western Sahara	Mediation by the UN, without results	E

Note: (1) I/E: interior or exterior negotiations.

3. Post-war rehabilitation and peace-building

In this last part of the section dealing with situations of conflict and peace-building, we analyse 11 cases that were in a post-war phase during 2002 after having signed a peace or cessation of hostilities agreement during the previous eight years (indicator no. 35). By **post-war rehabilitation**,⁸⁰ this report means the coordinated actions of various primary, secondary and tertiary agents, with or without an international mandate or leadership, aimed at tackling: 1) resettlement and demilitarisation; 2) the physical reconstruction of basic institutional services; 3) the resolution of fundamental incompatibilities; 4) reconciliation; and 5) normalisation and re-entry to international forums. In addition, **peace-building** is understood to be a concept that embraces all the processes, approaches, actions, tools and resources required to convert the original conflict, and the risk that it may erupt into violence, into a situation of stable, just and lasting peace.⁸¹

The implementation of peace agreements or the cessation of hostilities usually involves a long and complex process that is full of uncertainty, particularly in cases in which war has been very costly in human, political, social or economic terms.

It is usual to consider the starting point for post-war rehabilitation and peace-building to occur with the signing of a peace accord or an agreement for the cessation of hostilities, since although this does not in itself mean the end of the conflict, it does establish a framework, regulations, undertakings and the agendas that should be followed in order to tackle post-war rehabilitation and peace-building. In this regard, in some areas (e.g. Angola) agreements were signed in 2002, while in others they date from earlier. In Sierra Leone, Afghanistan and Macedonia, for example, agreements were signed in 2001; Eritrea signed an agreement with Ethiopia in 2000; Timor-Leste and Yugoslavia (in relation to Kosovo) signed agreements in 1999; Tajikistan in 1997; Guatemala in 1996; and Bosnia and Herzegovina in 1995. In the case of Rwanda, the starting point for the purposes of this analysis is 1994, the year in which the genocide was brought to a halt.

In addition, the implementation of peace agreements or the cessation of hostilities usually involves a long and complex process that is full of uncertainty, particularly in cases in which war has been very costly in human, political, social or economic terms, and it is therefore particularly important to monitor these cases with the aim of evaluating whether rehabilitation is heading in the right direction, i.e. whether the reasons which originally caused violence to erupt are being confronted and transformed (see Table G 10).

80. A specific analysis is made of those situations in which the existence of a conflict has led to a Complex Political Emergency (CPE). In turn, a CPE is understood to be a situation in which the violence caused by particular armed agents is a response to multi-dimensional precedents, leading to a high death rate and notable levels of enforced movement of people, along with much physical, economic, political and psychological damage to the affected population. It also tends to involve a massive and multidimensional humanitarian response from several aid agencies. Finally, the fact that such crises are essentially of a political nature leads to a great polarising of positions, both politically and militarily, and sometimes also along ethnic cultural or religious grounds.

81. It is also useful to differentiate between three separate and approximate time periods (not necessarily always consecutive to one another), which establish three complementary forms of approach: 1) the short term (crisis management); 2) the medium term (post-war rehabilitation), and 3) the long term (transformation of the context and conflict).

Table G10. Countries in a recent post-war situation, peace and cessation of hostilities agreements and the main international bodies involved

Country	Agreement and year	Some international bodies involved
Afghanistan	Bonn Accords (2001)	UNAMA, ISAF
Angola	Memorandum of Understanding (2002) and the Lusaka Agreements (1994)	UNMA
Bosnia and Herzegovina	Dayton Agreements (1995)	OHR, UNMBIH, ICC Yugoslavia Stability Pact (SPSEE)
Eritrea	Agreement for the Cessation of Hostilities or Algiers Agreement (2000)	UNMEE, AU
Guatemala	Agreement on a Firm and Lasting Peace (1996)	MINUGUA
Macedonia	Ohrid Agreement (2001)	EUMM, NATO (Amber Fox and subsequently Allied Harmony), OSCE, Stability Pact (SPSEE)
Rwanda	End of genocide and assumption of power by the FPR (1994). Arusha Agreements (1993).	ICC Rwanda
Sierra Leone	Ceasefire Agreement Abuja II (2001) and Lomé Agreement between the government of Sierra Leone and the Sierra Leone United Revolutionary Front (1999)	UNAMSIL, UNDP
Tajikistan	Cessation of Hostilities Agreement (1997)	OSCE, EU, UNTOP
Timor-Leste	Agreement between Indonesia and Portugal for Timor to hold a referendum on self-determination and the establishment of UNAMET (1999).	UNMISSET
Yugoslavia (Kosovo)	UN Security Council Resolution 1244 (1999)	UNMIK, OSCE, EU, Stability Pact (SPSEE)

On the continent of Africa, the following four contexts have been analysed: Angola, Eritrea, Rwanda y Sierra Leone. **Angola**, in the first place, signed a peace agreement in April 2002 after 27 years of war that left more than a million dead, 3.5 million people displaced internally (IDPs) and 470,000 refugees. The agreement provided for the settlement and subsequent disarmament of some 80,000 members of UNITA, of which 5,000 would have to join the Angolan armed forces. The United Nations created a Monitoring Committee to assist and supervise demobilisation, a committee which also comprised representatives from the USA, Russian and Portugal. August saw the establishment of the United Nations Mission in Angola (INMA), whose mandate consisted of implementing the bases of the Lusaka Agreements, assisting the government in the protection of human rights, facilitating the provision of humanitarian aid and the reintegration of demobilised troops, promoting economic recovery and offering assistance to the government in the run-up to elections. In November, the Monitoring Committee declared the demobilisation process to be complete and was dissolved, a fact which gave rise to a certain reticence on the part of UNITA, whose members did not trust the government. In addition, there were still several thousand demobilised soldiers and their families who had reintegrated and were continuing to rely on international aid. Apart from the extreme humanitarian situation already mentioned in section F, reconstruction work had to deal with the mines scattered about the country, estimated at between 6 and 20 million. At the same time there was a significant risk that government corruption, linked in particular with the trade in diamonds and oil, would impede progress in the implementation of the Agreements. In December, the governing MPLA party and UNITA signed a Memorandum of Understanding relating to outstanding matters included in the Peace Agreement, agreeing the text of a new constitution that granted broad powers to the President and established a single-chamber parliamentary system. The proposed constitution was approved by the parliament.

For its part, **Eritrea** signed an Agreement for the Cessation of Hostilities with Ethiopia in Algiers in 2000. In 2002, the main problem continued to be the humanitarian situation, worsened by the drought, and the situation of people that had been internally displaced or become refugees. The lack of security continued to be notable due to the existence of anti-personnel mines and unexploded munitions. In April, the Ethiopia and Eritrea Borders Commission established the boundary lines between both countries. It is expected that once demarcation is complete it will be easier to deal with outstanding matters such as the removal of mines

and the rehabilitation of areas affected by the war, along with the return of refugees and displaced people. Nevertheless, relations between the two countries remain tense. At the end of the year, the government of Asmara (Eritrea) accused Addis Ababa (Ethiopia) of forming a «subversive axis» with Yemen and Sudan in order to attack Eritrea, while the Ethiopian government called on Eritrea to drop its aggressive stance. The UN Security Council extended the United Nations mission (UNMEE) until 15 March 2003.

As regards **Rwanda**, the transition process established in the Arusha (Tanzania) Agreements should end in 2003 with a constitutional referendum and multi-party elections. However, in 2002, eight years after the genocide in 1994, significant challenges remained. The government was accused on a number of occasions of restricting civil and political rights. The poor collaboration between the government and the International Criminal Court for Rwanda has impeded the Court's investigation and trial process, as well as coordination with the ordinary courts. A system of traditional justice, Gacaca, was implemented in order to cope with the more than 100,000 cases awaiting trial in relation to responsibility for the genocide. Finally, at a regional level, stability continued to be threatened by the tensions with the Democratic Republic of Congo.⁸²

Finally, in 2002 **Sierra Leone** held presidential elections against a background of relative normality, and these were won by A.T. Kabbah. After ten years of war, the signing in 2001 of the Abuja II Agreement for the Cessation of Hostilities between the government and the Revolutionary United Front (RUF) armed opposition group marked the beginning of a process in which the fundamental challenge is two-fold: a) carrying out post-war rehabilitation and b) reducing the high level of poverty in which 80% of the population currently lives. The disarmament programme set out in the Agreements was completed in 2002 under the supervision of the United Nations peace-keeping operation (UNAMSIL), whose mandate consists of maintaining security and helping the government to restore its legal authority over the territory. This mandate should have ended in September, but it was extended for a further six months (until March 2003). As regards questions relating to the courts, mention should be made, on the one hand, of the creation in January of a Special Court for Sierra Leone, which is expected to begin sitting at the beginning of 2003,⁸³ and on the other, to the establishment of the *Truth and Reconciliation Committee*, which was inaugurated in July and began to hear evidence in October. In spite of all of this however, there remained many unresolved issues, such as arranging the complete demobilisation and reintegration of between 21,000 and 54,000 former combatants to prevent them from becoming embroiled in the war in neighbouring Liberia and Ivory Coast, as well as arranging for the return of the thousands of displaced people or refugees that still remain. At the end of the year, the United Nations launched a joint strategy to support recovery and peace-building, based on a Strategy for National Recovery designed by the government. In December, the Security Council extended sanctions on the direct or indirect importation of Sierra Leonean diamonds until May 2003, with the exception of those carrying a government certificate.

As regards America, mention should above all be made of the case of **Guatemala**, where, in spite of the Peace Agreements signed in 1996, implementation continued to show significant shortcomings in 2002, particularly in terms of respect for human rights. Broad sections of the population continue to live in conditions of extreme poverty. For many Guatemalans, particularly members of the indigenous communities, women and peasants, the benefits of the peace agreements have not gone much beyond ending internal armed confrontation. Throughout the year there was a notable increase in murders, attacks and crimes of various types (including lynchings), attributed to the maras (gangs) or other organised violent groups. Many of the threats and acts of intimidation were directed against defenders of human rights. In addition, many of the former counter-insurgency paramilitary structures (PAC and military commissioners) regrouped, though some had not in fact been completely dismantled. Furthermore, no progress was made in the five court actions against the people considered as being mainly responsible for instigating and committing acts

82. See subsections G1 and G2 on conflict and peace processes respectively.

83. It is not an international criminal court like those relating to Yugoslavia and Rwanda. The most significant feature is that for the first time people will be tried for inciting children to commit crimes. It will also not be called a "Criminal Court" (in contrast to those relating to Rwanda and the former Yugoslavia) because the judges will mainly be Sierra Leonean, though they will be assisted by international judges. It is not, therefore, a process that lies outside Sierra Leone's own judicial system, but instead forms part of this system. See UN, letter dated 15/03/02 at <http://www.un.org/Docs/sc/letters/2002/sglet02.htm>

of genocide, such as E. Rios Montt and R. Lucas García. Access to land continued to generate serious tensions and the occupation of properties by peasants increased, as did the repressive response from the armed forces. In April 2002, the government signed an agreement with the IMF aimed at strengthening macro-economic, monetary and fiscal development, defending social spending and cleaning up the financial system.⁸⁴ Finally, on several occasions MINUGUA expressed regret at the delays shown by local parties in complying with implementation of the agreements (rescheduled in 2000). The Secretary General requested that the mission's mandate, due to end on 31 December 2002, be extended once again, due in particular to the constant human rights violations.

In eastern Asia, the situation in **Timor-Leste** was rather different. Following the victory by supporters of independence in the 1999 referendum, Timor-Leste began the process of creating an independent state. February saw the first meeting of the members of the Truth and Reconciliation Committee in Timor-Leste. The Timorese parliament, in which the Fretilin party has a significant presence, approved a new constitution in March. In April, X. Gusmao was elected President, and on 20 May Timor-Leste finally became the 191st member state of the United Nations. From this moment on, the interim administration that had until then been managed by the United Nations was replaced by a new mission, UNMIST, whose mandate consisted of providing this new state with powers of self-government and of progressively handing control of the process over to the relevant local parties within a period of two years. In spite of this, some outbreaks of violence were recorded at the end of the year, leading the government to declare a curfew. Some important matters also remained outstanding, such as reform of the judicial system and the existence of several thousand refugees in Indonesia. Finally, however, it is important on a regional level to underline the efforts that the governments of both Timor and Indonesia have made in order to repair their poor relations.

In the Balkans, it was once again necessary in 2002 to mention the cases of Bosnia and Herzegovina, Macedonia and Yugoslavia (especially as regards the situation in Kosovo). Implementation of the Dayton Agreement of 1995 in relation to **Bosnia and Herzegovina** continued its slow but gradual progress during 2002. New presidential and legislative elections were held in October, being won by parties with a nationalist tendency.⁸⁵ Another relevant fact was that B. Plavsic admitted to the International Criminal Court for the Former Yugoslavia that she was guilty of crimes against humanity, committed during the armed conflict while she was a member of the collective presidency of the self-proclaimed Republic of Bosnia Herzegovina between November 1990 and April 1992. However, many of the people named by the Court as defendants remain at liberty, among them R. Karadzic and R. Mladic. As regards the international bodies involved, the Security Council extended the mandate of UNMIBH until the end of the year, while at the same time preparing the handover of powers to the UN mission and the new EU policing mission in January 2003. Finally, W. Petrisch, the UN's Chief Representative for Bosnia and Herzegovina was replaced in May by P. Ashdown.

As far as **Macedonia** is concerned, a huge percentage of the population voted in the elections held on 15 September, voting for a government that is favourable to the Framework Agreement proposed by the EU, NATO and the USA and signed in Ohrid in 2001. The winning social-democrat coalition, led by prime minister B. Crvenkovski, accepted the offer by the Albanian leader A. Ahmeti to draw up a power-sharing agreement. Other aspects to be pointed out in 2002 were the rise in organised crime, the proliferation of light weapons, and the fact that a large area of Macedonia remained outside the law. The lack of trust between the different communities continues to be evident. The local institutions responsible for security (the police and the army) have still not been reformed and their methods increasingly feed tensions among the people. For its part, the presence of NATO's *Amber Fox* mission maintained an atmosphere of relative security which aided the return home of 90% of the displaced population. This mission has facilitated the work of other

84. This agreement also restricted the government's capacity to borrow money. In relation to this agreement, the Republic's Congress approved four initiatives: the Banking Act, the Financial Groups Act, the Financial Supervision Act, the Organic Law of the Bank of Guatemala and the Monetary Act.

85. Up to this time, the new joint presidency had been held by the leader of the SDA Bosnian Muslim party, S. Tihic, the leader of the SDS Serb party, M. Sarovic, and the leader of the HDZ Croatian party, D. Covic.

agents, such as the EU Monitoring Mission (EUMM) and the OSCE. *Amber Fox* ended on 15 December and was replaced by *Allied Harmony*, at least until February 2003, when its mandate will be reviewed and an evaluation will be made as to whether the EU should take over and carry out the first peace-keeping mission in the territory.

As regards the situation in the region of **Kosovo, Yugoslavia**, in 2002, two years after the adoption of Security Council resolution 1244, the main problem continued to be one of security. Tensions between the Serb and Albanian communities were constant, and only the presence of KFOR forces succeeded in keeping the situation reasonably stable. In this regard, it should also be pointed out that, at the end of the year, UNMIK assumed control of the city of Mitrovica, which had been controlled by the Serbs since the arrival of the UN in 1999. The humanitarian situation continued to be delicate in many ways (see section F on humanitarian crises). Indeed, although the United Nations decided not to make a Consolidated Appeal for Emergency Humanitarian Aid for Yugoslavia, since it considered that the situation had already stabilised sufficiently, it did retain its exceptional appeal for Kosovo. Likewise, although around 1,000 displaced people returned to their homes, the flow of people abandoning the province due to the tensions between the two communities remained significant, and the legal immunity and lack of procedural guarantees continued to result in pressure for reforms of the judicial system. Municipal elections took place in Kosovo in October, which once again highlighted the polarisation in the country and the difficulty of establishing plural institutions. A new donors' conference was held in Brussels in November, at which a medium-term programme for new financial aid was established.

Lastly, we turn to Central Asia and **Afghanistan** and Tajikistan. In accordance with the contents of the Bonn Accord (2001) a Loya Jirga (Grand Council) was formed in 2002. This elected H. Karzai as President and established an interim administration to govern the transition to elections planned for 2004. The presence of the International Security Assistance Force (ISAF) in Kabul kept the situation relatively stable in the capital, though the lack of security in both the North and the West of the country continued to be notable, due above all to the heavy confrontations between so-called «warlords». These resulted in dozens of deaths, in spite of the many attempts by the United Nations to seek a negotiated solution that would stop these confrontations. In addition, L. Brahimi, Head of the United Nations Mission in Afghanistan expressed his anger in August at the attitude and behaviour of the US troops in Afghanistan. They had caused several major incidents in which hundreds of people had died and he asked them to have more respect and take more care in their actions. As regards the international aid promised in Tokyo (Japan) at the beginning of the year (5 billion dollars between 2002 and 2006), this arrived very slowly and not in the amounts promised. With the exception of some roads, the majority of the country's infrastructure remained to be reconstructed. The hundreds of thousands of people returning (both refugees and IDPs) continued to be without the most basic conditions of subsistence, and many fled once again.⁸⁶ There were many international voices that signalled an urgent need to review the justice system. At the end of the year, another donor conference was held in Bonn, at which H. Karzai stated his intention to create an army of 70,000 soldiers who would be drawn from all the country's ethnic groups and, according to the USA, would cost around US\$ 350 million during the first two years.

As regards **Tajikistan**, 2002 saw the fifth anniversary of the signing of the Peace Accords. However, in spite of the fact that both the dissolution of the Committee for National Reconciliation (CNR) and the ending of the United Nations mission (UNMOT) —both of which occurred in 2000— signalled the end of the process for the implementation of the Accords, certain important questions remained unresolved in 2002, such as the reintegration of many former combatants and the return of certain refugee groups. In addition, the country had to deal with a series of natural disasters, particularly droughts, which created new problems on the humanitarian side. As far as the reconstruction of infrastructure was concerned, particularly relevant was the inauguration in November of the road linking Tajikistan with Afghanistan. In the institutional arena, there continued to be significant problems as regards governance, and questions such as the restructuring of the judicial system became ever more pressing (particularly in order to deal with the numerous complaints

86. See section H relating to humanitarian crises.

of human rights violations), along with the fight against corruption, the development of policies to combat the proliferation of arms and drug-trafficking, and the demarcation of borders that had been outstanding since the break up of the Soviet Union. Finally, it should be remembered that Tajikistan is located in a region in which there remain significant tensions that could affect the dynamics of the country itself. In this connection, it is important to make a positive mention of the UNPD initiative to promote the Ferghana Valley Development Programme, which is aimed at bringing the various communities in the region together and allowing all the countries in the Valley (Kyrgyzstan, Tajikistan and Uzbekistan, though this last country has not yet formalised its adhesion) to receive the collective benefits that result from the maintenance of good relations, developing common projects, which include the promotion of a shared business area and the editing of history books to be used in all three countries.

Table G11. Security Council resolutions approved in 2002 in relation to post-war contexts

	N°	Date	Subject
Afghanistan	1388	15/1/02	Excludes Afghan Airlines from the embargo on the Taliban as it considers that the company does not belong to them
	1390	28/1/02	Establishes an arms and military material embargo on O. Bin Laden, Al-Qaida and the Taliban
	1401	28/3/02	Establishes, for an initial period of 12 months, the United Nations Assistance Mission in Afghanistan (UNAMA), with the mandate and structure set out in the Secretary General's report of 18 March 2002 (S/2002/278)
	1413	23/5/02	Extends for six months from 20 June 2002 the authorisation granted to the International Security Assistance Force (ISAF), as defined in resolution 1386 (2001).
	1419	26/6/02	Requests that the donor countries who promised to provide financial aid at the Tokyo Conference fulfil their promises, and asks the international community to offer more assistance, more quickly, to refugees and displaced people. It also asks the Afghan groups to support access by humanitarian aid organisations.
	1444	27/11/02	Extends the ISAF's mandate until 20/11/2003.
	1453	24/12/02	Approves and supports the Kabul Declaration on good neighbourly relations (S/2002/1416), signed on 22 December 2002 in Kabul by the Transitional Administration in Afghanistan and the governments of China, Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan, all of which border Afghanistan.
Angola	1404	18/4/02	Extends the mandate of the supervision mechanism for six months, until 19 October 2002
	1412	17/5/02	Suspends the travel ban on the heads of UNITA and the obligation to close their offices for a period of 90 days (which may be extended after further evaluation).
	1432	15/08/02	Suspends the travel ban on the heads of UNITA and the obligation to close their offices for a period of 90 days.
	1433	15/08/02	Authorises the establishment of a monitoring mission known as the Office of the United Nations in Angola as part of the UN Mission in Angola (UNMA) for a period of six months to 15 February 2003, with the mandate set out in the Secretary general's report (S/2002/834).
	1439	18/10/02	Extends the supervision mechanism for two months more (until 19/12/02), subject to examination by the Security Council. Asks the supervision mechanism to present the committee with an action plan for the future.
	1448	9/12/02	Removes the embargo on UNITA (relating to arms (dating from 1993), movement (1997) and access to financial resources (1998)), dissolves the committee established under paragraph 22 of resolution 864 (1993), and asks the Secretary General to close the trust fund established under resolution 1237 (1999) and proceed to refund the donor states.
Bosnia and Herzegovina	1396	5/3/02	Asks UNMIBH, the European Union and its High Representative to coordinate their activities in order to ensure the handover, without setbacks, of the duties of the UN's International Police Force

	1411	17/5/02	Amends Article 12 of the Statutes of the International Criminal Court for the former Yugoslavia, relating to the composition of its Chambers.
	1418	21/6/02	Extends the provisions of resolution 1357 (2001), and particularly the mandate of the UN mission (UNMIBH) until 30 June 2002.
	1420	30/6/02	Extends the provisions of resolution 1357 (2001), and particularly the mandate of the UN mission (UNMIBH) until 3 July 2002.
	1421	3/7/02	Extends the provisions of resolution 1357 (2001), and particularly the mandate of the UN mission (UNMIBH) until 15 July 2002.
	1423	12/7/02	Extends the UNMIBH mandate, including the International Police Force, until 31 December 2002.
	1431	14/08/02	Amends Articles 13 bis and 14 of the Statutes of the International Criminal Court for the former Yugoslavia, replacing them with the provisions shown in Appendix II to the resolution.
Eritrea	1398	15/3/02	Extends the UNMIEE mandate until 15 September, with the forces (soldiers and observers) authorised in resolution 1320 (2000).
	1430	14/8/02	Incorporates the removal of mines in the UNMIEE mandate in support of demarcation, along with administrative and logistic support on the ground for the offices of the Borders Commission.
	1434	6/9/02	Extends the UNMIEE mandate until 15 March 2003, with the forces (soldiers and observers) authorised in resolution 1320 (2000).
Guatemala	-	-	-
Macedonia	1411	17/5/02	Amends Article 12 of the Statutes of the International Criminal Court for the former Yugoslavia, relating to the composition of its Chambers.
	1431	14/08/02	Amends Articles 13 bis and 14 of the Statutes of the International Criminal Court for the former Yugoslavia, replacing them with the provisions shown in Appendix II to the resolution.
Rwanda	1411	17/5/02	Amends Article 11 of the Statutes of the International Criminal Court for Rwanda, relating to the composition of its Chambers.
	1431	14/8/02	Establishes a body of ad item judges for the International Criminal Court for Rwanda and, to this end, amends Articles 11, 12 and 13 of the Statutes of the International Criminal Court for Rwanda, replacing them with the provisions set out in Appendix I to the resolution.
	1449	13/12/02	Establishes the list of candidates to become permanent judges at the International Court for Rwanda
Sierra Leone	1389	16/1/02	Establishes that the UN Mission in Sierra Leone (UNAMSIL) will perform duties relating to the elections, within the parameters established in paragraphs 48 to 62 of the Secretary General's report of 13 December 2001 (S/2001/1195). Also authorises an increase in the number of UN civilian police.
	1400	28/3/02	Extends the UN Mission in Sierra Leone (UNAMSIL) for a further six months, until 30 September 2002.
	1436	24/9/02	Extends the UN Mission in Sierra Leone (UNAMSIL) for a further six months, until 30 February 2003.
	1446	47/12/02	Extends for a further six months the ban on buying raw diamonds directly or indirectly from Sierra Leone, in accordance with resolution 1306 (2000), although it decides that raw diamonds controlled by the government of Sierra Leone under the system involving certificates of origin will continue to be exempt from these measures.
Tajikistan	-	-	-
Timor-Leste	1392	31/1/02	Extends the current mandate of UNTAET until 20 May 2002.
	1410	17/5/02	Creates the United Nations Mission in Support of East Timor (UNMISET) for an initial period of 12 months from 20 May 2002. Over a period of two years, UNMISET must fully hand over all its responsibilities to the Timorese authorities as quickly as possible, without endangering stability.
Yugoslavia (Kosovo)	1411	17/5/02	Amends Article 12 of the Statutes of the International Criminal Court for the former Yugoslavia, relating to the composition of its Chambers.
	1431	14/08/02	Amends Articles 13 bis and 14 of the Statutes of the International Criminal Court for the former Yugoslavia, replacing them with the provisions shown in Appendix II to the resolution.

H. International Humanitarian Law

Finally, this report contains an analysis of two indicators relating to International Humanitarian Law (IHL). IHL is understood to refer to a group of international regulations intended for application in areas engaged in both international and domestic armed conflicts. The aim is to protect people who may become the victims of acts of war (whether they are actual combatants or not) and to restrict the means and methods of war

Of all the United Nations member states, only the Marshall Islands, Nauru and Timor-Leste are not parties to the Four Geneva Conventions.

used. The regulations of IHL have both moral and political force (giving rise to international responsibility), and their incorporation in a country's internal legislation involves legal responsibilities that affect all governments as signatories to the different Conventions and Protocols.⁸⁷

IHL was born in 1864 with the 1st Geneva Convention. At that time it represented a series of rules aimed at regulating hostilities between states.⁸⁸ This first document continued to evolve until it resulted in the Four Geneva Conventions of 1949 and the additional Protocol on the protection of victims in international armed conflicts (Protocol I) of 1979. All of these texts refer to conflicts in which at least two states are in conflict.⁸⁹ Of all the United Nations member states, only the Marshall Islands, Nauru and Timor-Leste⁹⁰ are not parties to the Four Geneva Conventions, while the 1st Protocol has been signed by 160 countries. In any case, the fact that armed conflicts are increasingly occurring within a single state and not between states (see section G, relating to situations of conflict) in which the civilian population is the group that suffers most (see section F, relating to humanitarian crises), and in which there are serious violations of human rights and fundamental freedoms (see section D),⁹¹ this has meant that IHL has had to continue to develop in order to adapt to new circumstances. This new type of armed conflict has also reawakened the debate on the recognition of non-state bodies and armed opposition groups involved in these conflicts, and the responsibilities that apply to them.

For this reason, the first indicator taken into account when preparing this section was constructed on the basis of the number of ratifications of the **Additional Protocol to the Geneva Conventions** of 12 August 1949, **relating to the protection of victims of non-international armed conflicts** (Protocol II, 1979)⁹² (indicator no. 36). In 2002, this 2nd protocol had been ratified by a total of 154 states (only two more than the previous year, the Cook Islands and Mozambique). All the countries that are party to this Protocol II have ratified Protocol I and the Four Geneva Conventions.

However, although IHL is essentially contained in the four Geneva Conventions, supplemented by the two additional Protocols I and II, there are other legal instruments whose fulfilment has clear consequences for the application of IHL itself. This is the case, for example, with the regulations prohibiting the use of certain weapons or military tactics, such as the Ottawa Treaty on Anti-personnel Mines or the International Crimi-

87. IHL only applies in the event of armed conflict. It does not cover situations involving tension and internal disturbance, such as isolated acts of violence. It is only applicable when a conflict has broken out and it applies equally to all parties.

88. There are texts that date from as far back as 1108 regulating the treatment of prisoners of war and the sick, but these involve specific proposals that were generally bilateral and so did not represent a framework for international application.

89. Geneva Convention (I) for the amelioration of the condition of the wounded and sick in armed forces in the field; Geneva Convention (II) for the amelioration of the condition of the wounded, sick and shipwrecked members of armed forces at sea; Geneva Convention (III) relating to the treatment of prisoners of war, and Geneva Convention (IV) relating to the protection of civilians in times of war.

90. It should be remembered that, as mentioned earlier, although Timor-Leste recently became a member of the United Nations, its constitution as an independent state was not completed until the end of 2002, and it has not therefore had time to sign many of the Treaties and Conventions set out in international law.

91. In contrast to IHL, many of the provisions relating to human rights and fundamental freedoms may be suspended in a situation of internal armed conflict.

92. Non-international armed conflicts are understood to be those in which the regular armed forces are in conflict with armed opposition groups, or armed groups are fighting each other, within the boundaries of an individual state. In these cases, a more restricted series of regulations applies, in particular the provisions of article 3, which are common to all four Geneva Conventions and the second additional protocol. Article 3 regulated armed conflicts within states until the publication of Protocol II.

nal Court (see indicator no. 1), and this even extends to laws protecting certain categories of people or goods. These last regulations have been particularly borne in mind in the preparation of this section, specifically the legal provisions relating to children and their participation in armed conflicts.

Indeed, the 4th Geneva Convention and the two additional Protocols I and II make specific provisions in favour of particular protection for children. This was supplemented by the Convention on the Rights of the Child in 1989 (see indicator no. 1) and the Optional Protocol to the Convention on the Rights of the Child on participation in armed conflicts (2000). This Optional Protocol considers a child soldier to be any «person under the age of 18 who voluntarily or forcibly joins the armed forces or armed opposition groups and participates directly in combat».⁹³ The signatory states undertake to impose criminal sanctions on such practices. On 12 February 2002, the Optional Protocol came into force and was ratified by 45 countries.

The second and final indicator examined indicates those **countries or armed groups that recruit children as soldiers** (indicator no. 37) according to the list presented by the Coalition to stop the use of child soldiers to the UN Security Council in November 2002.⁹⁴ According to this report, armed forces and armed opposition groups recruit child soldiers in 19 countries and one territory, while armed opposition groups in a further six countries recruit children. Of these 25 countries, only five have ratified the Optional Protocol (Democratic Republic of Congo, Rwanda, Sierra Leone, Sri Lanka and Uganda) and in all of these, with the exception of Sri Lanka, there have been reports of the abduction of children by the armed forces.

However, at the end of November 2002 the Secretary General presented a list of countries involved in armed conflicts in which the use of child soldiers had been reported, a list which *Amnesty International*, *Human Rights Watch* and the *Coalition to Stop the Use of Child Soldiers* have all criticised for not being sufficiently complete.⁹⁵ The list includes five countries in which the abduction of children by the armed forces and other armed groups has been reported. These countries are: Afghanistan, Burundi, Liberia, Democratic Republic of Congo and Somalia. There are two further lists: a) seven countries involved in armed conflicts in which the use of child soldiers has also been reported, though these are not countries that form part of the Security Council agenda (Colombia, the Philippines, Myanmar, Nepal, the United Kingdom [Northern Ireland], Sudan, Uganda and Sri Lanka); and b) five countries in a phase of post-war rehabilitation in which there are programmes for the demobilisation and reintegration of child soldiers (Angola, Congo, Guinea-Bissau, Sierra Leone and Yugoslavia [Kosovo]).

As well as the differences between the list of countries indicated, mention should be made of three countries that only appear in the Secretary General's report: the Philippines, the United Kingdom and Congo.

Finally, in spite of the fact that a list of the countries indicated has not been given in this section, it should be pointed out that the Council of Europe's 2002 report on human rights (indicator no. 16) warned of the existence of serious breaches of IHL in some war environments, such as Colombia, Israel and the Democratic Republic of Congo (in this last case, the participation of Rwanda and Uganda was also reported).⁹⁶ In these five countries, the armed forces and other armed groups all recruit children as soldiers.

Existence of serious breaches of IHL in some war environments, such as Colombia, Israel and the Democratic Republic of Congo (in this last case, the participation of Rwanda and Uganda was also reported).

93. See Articles 2 and 4 of the Optional Protocol of 2000. Until the adoption of this Protocol, a child was considered to be a boy or girl of 15 or under (including in the International Criminal Court). In accordance with a report from UNICEF, *Adults Wars, Child Soldiers*, in September 2002, there are currently more than 300,000 child soldiers. The majority of these are to be found in African and Asian countries. <<http://www.unicef.org>>

94. Report (see description of this indicator in Appendix I) presented during the debate on the updating of resolution 1379 on the participation of children in combat.

95. See S/2002/1299 of 26 November 2002.

96. Of the five countries indicated, neither Israel nor the Democratic Republic of Congo have signed Protocol II.

Table of countries and indicators

The following table has been prepared on the basis of a group of 37 indicators, which are in part based on the EU's Code of Conduct on Arms Exports. The table shows data for the 191 member states of the United Nations plus a further 17 states and territories and is provided on the basis of these indicators, arranged into eight categories relating to conduct in relation to the international community, arms embargoes, militarisation, human rights, development, humanitarian crises, confrontation and International Humanitarian Law.⁹⁷ Thus, it is possible to make several different readings of the same table, observing how a country behaves on the basis of an individual indicator or looking at the global situation for each of the countries in terms of development, for example. To make it easier to read, the attached bookmark gives the titles of the 37 indicators so that the reader can easily identify which indicator refers to which number. Alternatively, the reader can consult the list of indicators at the beginning of this report.

As may be observed, various symbols are included in the table. The majority of indicators differentiate between what are considered «serious situations» (indicated with a white dot) and «very serious situations» (indicated with a black dot). In the case of indicators relating to human rights, other symbols have also been used (square, triangle and black diamond) to indicate situations also considered to be «very serious».⁹⁸ Numerical data is also provided with the symbol on some occasions, since it is considered that in these cases the figure provides information that is of interest (see Appendix I). In addition, there are three cases in which the indicator has another meaning, a circumstance that has been indicated in a distinctive way. The first refers to the group of Least Developed Countries, marked with the initials LDC, since we wanted to emphasise their internationally recognised position of vulnerability and recall the undertaking that exists to prioritise strategies for the reduction of poverty in these countries. The other two cases are indicators in the section relating to situations of conflict and refer to peace processes (marked with the initials PN) and areas of post-war rehabilitation (PR), in order to show situations that require special attention from the international community. Finally, given the fact that the information sources used do not always offer data from every country, a dash (-) has been used to indicate those countries for which information is lacking and, where used with indicators relating to conduct in respect of the international community, to point out those countries or territories that do not have the capacity to ratify international treaties as they do not form part of the United Nations.

97. See description of indicators (Appendix I).

98. Idem.

	Conduct in relation to the international community							Embargoes							Militaryisation							Human Rights							Development							Humanitarian crises							Conflict							IHL	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37														
Haiti	○	○			●	○	○				-	-	-	●	▲	■			●	-					LDC	●	●	○	7.248						▲		●														
Honduras					○	○					-	-										○	95	●		●																									
Hungary						○														○	235																														
Iceland						○					-	-	-	-																																					
India	○	○			○		○						○	-12	●	●		■	●	1.785	○		●			●	○	11.603	○	650.000	●	▲				●	○														
Indonesia	○	●		●		○	○				-				●	●		●	○	662	●		●	●	●	●	○	8.982	○	1.100.000	●		NP			●	●														
Iran, Islamic Rep.	●	○				○	○		○	46,6			○	-3	■	●	■	●	●	139	●		●				○	92.398																							
Iraq	●	○			○	○	○	●	●	●	-	-	○	1,96	●	●	●	●	●	17.968	-	●	-		●	●	●	●	●	530.112	●	700.000		▲				●	●												
Ireland																																																			
Israel	○				●		○		●				●	2,72	●	●	●		○		●	○							●	200.000	●	▲	NP			●	●														
Italy																																																			
Jamaica	○	○				○	○				-				●			■		-			●																												
Japan	○	○																●	-																		●														
Jersey (UK)	-	-	○		-	-	-				-	-	-	-																																					
Jordan	○	○							●		●	●	○	-6	■			●		●		●											▲																		
Kazakhstan	○	○			○				●	52,3					■			●	○	106			●																												
Kenya	○	○				○	○								■	◆		○	■	239	○	○	62		●	●	●	○	200.000		▲																				
Kiribati	○	●			○	○	○		-	-	-				-							●		LDC													●														
Korea, Rep. of	○						○						○	-17	-			■		○																■															
Korea, DPR	●	○			○	○	○		●		-	●	4,52		●	●		●		-		-			●	●	●									■	●														
Kuwait	○	○				○	○		●		-				■			●		●																															
Kyrgyzstan	●				●	○	○				-				■	■	▲	■				●	150											▲																	
Lao, PDR	○	●				○	○				-				■	■		●	○		●	●	150	LDC			●	○	12.630																						
Latvia	○												○	-14				○																																	
Lebanon	●	○			○	○			●	60		●	2,05	○	■	■		■	○	302	●		●				○	8.734	●	300.000		▲																			
Lesotho						○	○				-		○	-21				○			●		●	LDC	●	●																									

	Conduct in relation to the international community Embargoes									Militarisation					Human Rights					Development					Humanitarian crises					Conflict				IHL			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37
Liberia	○	○	●		●	○	○	●	●	○	-	-			●	▲			○	●	-	-	○	-	LDC	●	●	●	●	●	▲						●
Libia, Arab jamahiriya	○	○			○	○	○	●	○	-	-				■				■	○	236	-	-	-		●											
Liechtenstein	○		●			○				-	-	-																									
Lithuania	●					○								●	-																						
Luxembourg														○	-																						
Macedonia, FRY	○										●	3,5		○	○	●											●		○	○					RP		○
Madagascar	○	○			●	○	○				-	-			-				○	-	○	●	●	124	LDC	●					▲						
Malawi		○			○	○	○								■				○	-			●	164	LDC	●	●										
Malaysia	○	●												○	■	●		○	●		○			●												●	
Maldives	○	●				○	○			●	-	-	-						○			○			LDC												
Mali					○	○	○				-				-			○	○		●		●	131	LDC												
Malta		○	○			○								○	-																						
Man Island (UK)	-	-	○		-	-	-				-	-	-	-																							-
Marshall, I.	○	●	●		●	○	○				-	-	-																								
Mauritania	○	●			○	○	○								■			○	■	○	538		●	●	275	LDC	●	●		●	●						
Mauritius		○	○			○								●	-										●												
Mexico	○													○	●	▲		●	○	○	312			●				●							■	●	
Micronesia, Fed. States	○	●			●	○	○				-	-	-																								
Moldova, Rep. of	○				○	○					○	20,7	-		○	■				○	123			●												○	
Monaco	○		●			○					-	-	-																								
Mongolia	○	○				○													■									●									
Montserrat (UK)	-	-	○		-	-	-																														
Morocco	○				○	○	○			○				○	■			○	■		○			●											■	●	
Mozambique	○	○			○	○	○				○	26,5			●								●	198	LDC	●	●										
Myanmar	○	●		●	●	○	○		●					●	●	●		■	●	2.207	○		○	-	LDC	●		●	○	○				■		●	●
Namibia	○				○	○	○				○	0,71		○	■			●				○	○	●	-		●		○	○							

Appendices

Appendix I. Description of indicators

A. Conduct in respect of the international community

A1. Conduct in relation to the Millennium Declaration

1. Countries which have not ratified the main United Nations legal instruments included in the Millennium Declaration

SOURCE: United Nations, <<http://untreaty.un.org/English/millennium/law/index.html>> (on 31/12/02); Social Watch, Report 2002 <<http://www.socialwatch.org>>

This indicator shows how States have behaved in respect of the 25 legal instruments included in the Millennium Declaration. These 7 treaties are considered to be of vital importance in international legislation, and the institution Social Watch therefore monitors all the signings and ratifications made in relation to them. The indicator was prepared on the basis of the total number of ratifications of these international legal instruments, which are as follows:

- The Rome Statute of the International Criminal Court (1998).
- The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction, or the Ottawa Treaty (1997).
- The Kyoto Protocol on Climate Change (1997).
- The Rio de Janeiro Convention on Biological Diversity (1992).
- The Convention to Combat Desertification (1994).
- The Convention on the Elimination of all forms of Discrimination against Women (1979).
- The Convention on the Rights of the Child (1989).

- Has ratified fewer than half of these instruments: between 0 and 3.
- Has ratified half or more of these instruments, but not all of them: between 4 and 6.

A2. Conduct in relation to the protection of Human Rights

2. Countries which have not ratified the main United Nations legal instruments on human rights

SOURCE: UNHCR, <www.unhcr.ch> (on 31/12/02).

This indicator has been calculated on the basis of the sum total of ratifications of the 6 main legal instruments put forward by the United Nations. These instruments are:

- Covenant on Civil and Political Rights (1966).
- Covenant on Economic, Social and Cultural Rights (1966).
- Convention against Torture and other Cruel, Inhumane or Degrading Treatments and Punishments (1984).
- International Convention on the Elimination of all forms of Racial Discrimination (1966).
- Convention on the Prevention and Punishment of the Crime of Genocide (1948).
- Convention on the Status of Refugee (1951).

- Has ratified less than three instruments: between 0 and 2.
- Has ratified three instruments: 3.

A3. Conduct in terms of financial transparency

3. Countries acting as tax havens

SOURCE: OECD, Forum on Harmful Tax Practices, *Towards Global Tax Cooperation, Report to the 2000 Ministerial Council Meeting and Recommendations by the Committee on Fiscal Affairs, Progress in Identifying and Eliminating Harmful Tax Practices* <<http://www.oecd.org/pdf/M000014000/M00014130.pdf>>, *The OECD's project on Harmful Tax Practices: The 2001 Progress Report* <<http://www.oecd.org>>; Advance Commitment Letters <<http://www.oecd.org>> (on 18/04/02)

In 1998, the OECD created the Forum on Harmful Tax Practices, which established Guidelines for Dealing with Harmful Preferential Regimes in OECD Member Countries. There are four determining factors for qualification as a tax haven: a) a tax on capital does not exist or is not applied; b) there is no effective exchange of information between different jurisdictions and between financial institutions; c) there is no transparency on the part of the judiciary; and d) there is no monitoring of financial operations. In its monitoring report from 2001, the OECD reduced to two the undertakings that State and territories had to make in order to be considered cooperative: financial transparency and the exchange of information.

- Tax havens that have not adopted the directives.
- Tax havens that have undertaken to adopt the directives.

4. Countries which do not cooperate with the Financial Action Group (GAFI) on money-laundering

SOURCE: GAFI, <http://www1.oecd.org/fatf/NCCT_en.htm> (on 07/01/03).

GAFI, established by the G-7 in 1989, has unified criteria at an international level for the prevention, detection and punishment of money-laundering, based on 40 recommendations. It publishes an annual report on countries and territories that do not cooperate with these recommendations (Non-Cooperative Countries and Territories, NCCT).

- Non-Cooperative Country or Territory.

A4. Conduct in terms of military security

5. Countries which have not signed the Non-proliferation agreements

SOURCE: United Nations.

Criterion 1 of the EU Code of Conduct on Arms Exports makes special mention of international conduct in relation to the Nuclear Non-proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention.

- Countries that have not ratified 2 or more of these agreements.
- Countries that have not ratified any of these agreements.

6. Countries which have not given information to the UN Register of Conventional Weapons.

SOURCE: UN Register of Conventional Weapons (A/57/221, 17 July 2002)
<www.un.org/Depts/dda/CAB/register.htm>

Pursuant to the terms of General Assembly resolution 46/36 L, the UN Secretary General established the Register of Conventional Weapons in 1992, under which all member States are invited to give information each year regarding their imports and exports of conventional weapons in the seven categories set out in the Register (combat tanks, armoured combat vehicles, large calibre artillery systems, combat

aeroplanes, attack helicopters, warships and missiles and missile launchers). Although offering such information is a voluntary act, it indicates the willingness of each of the member States in terms of their level of transparency.

- Has not provided information to the Register of Conventional Weapons in 2001.

7. Countries which have not given information to the UN Military Expenditure Report

SOURCE: UN Military Expenditure Report (A/57/263, 26 July 2002) <www.un.org/Depts/dda/CAB/military.htm>

In resolution 56/14 of 29/11/01, the General Assembly called on member States to inform the Secretary General each year of their military spending, in accordance with the model recommended in resolution 35/142 B of 12/12/80. Although offering such information is a voluntary act, it indicates the willingness of each of the member states in terms of their level of transparency.

- Has not provided information to the Military Expenditure Report in 2001.

B. Arms embargoes

8. Countries with arms embargoes from the United Nations Security Council

SOURCE: Resolutions by the United Nations Security Council, <<http://www.un.org/documents/>> up to 31/12/02.

The fact that the United Nations Security Council has imposed or recommended an arms embargo is recognised to be an acknowledgement of an exceptional situation in the country affected. As a result, and under the terms of this study, no differentiation is made between binding and voluntary embargoes. The voluntary embargoes of the United Nations take the form of non-binding «calls» or «emergencies» in relation to the supply of arms. The date on which a voluntary embargo from the United Nations ends is difficult to establish, because there is generally no formal expiry date and its lifting is not announced.

- Embargoed countries. *Armenia* (S/RES/853 of 29/07/93); *Azerbaijan* (S/RES/853 of 29/07/93); *Iraq* (S/RES/661 of 06/08/90); *Liberia* (S/RES/1343 of 07/03/01); *Somalia* (S/RES/733 of 23/01/92); *Yemen* (S/RES/924 de 01/06/94).
- Sanctions imposed on armed opposition groups. In the case of Afghanistan, this is a sanction imposed on the *Taliban*, which remains in force in spite of the change in the country's situation (S/RES/1333 of 19/12/00); *Sierra Leone* (S/RES/1299 of 19/05/00, except for UNAMSIL forces and the government of Sierra Leone, provided that arms are used within its borders); *Rwanda* (S/RES/1011 de 16/08/95), where restrictions are placed on the transfer of arms, though the embargo is lifted at certain points of entry, and the embargo is maintained for non-governmental forces operating in the country, as it is for Uganda, Tanzania, Burundi and the Democratic Republic of Congo in the event that arms may be used in Rwanda.

9. Countries with arms embargoes from regional bodies

SOURCES: European Union, <<http://www.ue.eu.int>>, and Committee of Senior Officials, Journal No. 2, Annex 1, Seventh Committee on Senior Officials meeting, Prague, 27-28 February 1992.

- By the EU (from the most binding to the least binding: Regulations (R), Common Positions (CP) and Declarations (D): *Bosnia Herzegovina* (CP 96/184/PESC of 13/03/96, confirmed in CP 98/240/PESC of 19/03/98; except for the transfer of light arms to the police from 19/07/99); *China* (Declaration of 27/06/89); *Democratic Republic of Congo* (Declaration 33/93 of 07/04/93); *Iraq* (Declaration 56/90 of 04/08/90); *Jamahiriya Arabe Libia* (Declaration of

27/01/86); *Liberia* (CP 2001/357/PESC of 07/05/01); *Myanmar* (Declaration of 29/07/91 confirmed by CP 96/635/PESC of 28/10/96); *Sudan* (CP 94/165/PESC of 16/03/94); *Zimbabwe* (R no. 310/2002 of 18/02/02).

By the OSCE: *Armenia* (28/02/92), *Azerbaijan* (28/02/92).

- Sanctions imposed on armed opposition groups. In the case of Afghanistan, this refers to deliveries to territories run by the *Taliban* (CP 2001/771/PESC of 05/11/01); in the case of Sierra Leone this relates to sanctions imposed on the *armed opposition forces* operating in the country (CP 98/409/PESC of 29/06/98).

C. Militarisation

10. Countries with military spending in excess of 4% of GDP

SOURCES: SIPRI, *SIPRI Yearbook 2002*; IISS, *The Military Balance 2002-2003*, and the World Bank, *World Development Indicators 2002*.

Military spending is considered to include the Defence Ministry budget plus all items of a military nature spread throughout other ministries. Given that, on many occasions, a complete calculation is not made, information from various sources has been used in order to obtain a more reliable result. The economic situation in some places, particularly if they are subject to fluctuations in the exchange rate, represents an added difficulty when converting the calculated amount into US\$.

- Very serious situation: military spending in excess of 6% of GDP.
- Serious situation: military spending between 4% and 6% of GDP.

11. Countries with an annual increase in military spending of more than 20%

SOURCE: SIPRI, *SIPRI Yearbook 2002*

This indicator reflects the change in military spending between 2001 (or the last available year) and 2002 in local currency, at current prices and for each year analysed. The figures reflect the annual change.

- Very serious situation: increase in military spending in excess of 50%.
- Serious situation: increase in military spending of between 20% and 50%.

12. Countries with imports of heavy conventional weapons exceeding 0.5% of GDP

SOURCES: SIPRI, *SIPRI Yearbook 2002*, and the World Bank, *World Development Indicators 2002*. (data from 2001)

The calculation of this indicator was based on imports relating to the six categories of conventional heavy weapons usually used by SIPRI: warplanes, armoured vehicles, artillery, radar and surveillance systems, missiles and warships. Other types of weapons, i.e. conventional light weapons and weapons of mass destruction (nuclear, chemical and biological) have not been included because there are no statistical sources available. The figures indicate the percentage of conventional heavy weapons imports against GDP.

- Very serious situation: heavy weapons imports in excess of 1% of GDP.
- Serious situation: heavy weapons imports between 0.5% and 1% of GDP.

13. Countries where the number of soldiers exceeds 1.5% of the population

SOURCES: IISS, *The Military Balance 2002-2003* (data from 2001) UNDP, *Human Development Report 2002*.

This definition only includes members of the official armed forces. Armed opposition groups and para-military forces have been excluded due to the difficulties involved in estimating their number in a large number of cases. The figures indicate the number of soldiers as a percentage of the whole population.

- Very serious situation: number of soldiers in excess of 2% of population.
- Serious situation: number of soldiers between 1.5% and 2% of population.

14. Militarised countries according to the BIC3D Index

SOURCE: Bonn International Centre for Conversion, *Conversion Survey 2002*, Nomos Verlagsgesellschaft, Baden-Baden, 2002.

The BIC3D is calculated by combining four sets of data: military spending, arms reserves, armed forces personnel and people employed in arms production. Values in the BIC3D index vary between +100% and -100%, and they are interpreted on the basis of the difference between the current BIC3D figure and the average since the end of the Cold War. A positive value indicates a process of demilitarisation while a negative one indicates militarisation.

- In a highly significant process of militarisation: BIC3D index equal to or exceeding -30.
- In a process of militarisation: BIC3D index between -1 and -29.

D. Human Rights

15. Countries with serious and systematic violations of human rights according to non-governmental sources

SOURCES: Amnesty International, *Report 2002*, <<http://www.amnesty.org>>; Human Rights Watch, *World Report 2002*, <<http://www.hrw.org>>, and the authors' own monitoring of the current international situation (the classification of each country is the responsibility of the authors of this study, not Amnesty International or Human Rights Watch, who do not make classifications in this regard).

Very serious violations of human rights are considered to be those systematic abuses that relate to the right to life and personal safety and are originated by the actions or omissions of the state, particularly cases of extra-judicial execution, forced disappearance, death in custody, torture, arbitrary detention and general immunity. Serious violations of human rights are considered to be the frequent occurrence of the abuses mentioned above, along with abuses that threaten personal, political and civil rights, particularly courts without the minimum procedural guarantees or the existence of political prisoners and prisoners of conscience, based on the methodology used by the PIOOM (in Schmid, Alex P.; Jongman, Albert J. (eds.), *Monitoring Human Rights Violations*, Centre for the Study of Social Conflicts, Faculty of Social Sciences, Leiden University, Leiden, 1992).

- Situation considered very serious in terms of violations of human rights and fundamental freedoms.
- Situation considered very serious in terms of violations of human rights.
- Situation considered very serious in terms of violations of fundamental freedoms.

16. Countries with serious violations of human rights and fundamental freedoms according to the EU

SOURCE: Council of the European Union, *European Union annual report on human rights 2002*, 12747/1/02 Rev 1, Brussels, 16 October 2002 <<http://ue.eu.int/pressdata/en/misc/73020.pdf>>.

This indicator refers to countries which, given their human rights situation, gave rise to concern for the Council of Europe during the period between 1 July 2001 and 30 June 2002. The EU made declarations relating to the human rights situation in different parts of the world at the 58th session of the Human

Rights Commission and at the Third Commission in the 56th session of the General Assembly. Complaints by both the Belgians and Spanish during their Presidential terms have also been taken into account.

- Complaints of serious human rights violations in the Annual Report.
- ▲ Complaints by the different presidencies of serious human rights violations that were not included in the Annual Report. (The Belgian presidency (Appendix 3) and the Spanish presidency (Appendix 7) point to the following countries: Angola, Algeria, Burundi, Cameroon, CAR, Chad, Congo, Côte d'Ivoire, Croatia, Ethiopia, Guatemala, Equatorial Guinea, Haiti, Liberia, Mexico, Nigeria, Peru, Rwanda, Sierra Leone, Somalia and Uganda).
- Complaints of serious violations of fundamental freedoms in the Annual Report.
- ◆ Complaints by the different presidencies of serious violations of fundamental freedoms that were not included in the Annual Report. (The Belgian presidency (Appendix 3) and the Spanish presidency (Appendix 7) point to the following countries: Cuba, Eritrea, Gambia, Guinea, Guinea-Bissau, Kenya, Swaziland, Togo, Tunisia and Zambia).

17. Countries with serious violations of human rights according to the reports and resolutions of the UNHCR SOURCE: UNHCHR. <www.unhcr.ch>

This indicator refers, within the «Special Procedures» of the United Nations Human Rights Commission, to the «country mandates» performed by Special Rapporteurs, Special Representatives or Independent Experts and conferred by the Secretary General. The aim of this system is to promote compliance by the authorities with the agreed regulations on human rights, by means of a series of surveillance duties and the presentation of reports. In addition, this indicator shows the countries that were subject to condemnatory, negative or critical resolutions from the United Nations Human Rights Commission in its 58th session period, based on prior reports from rapporteurs or special representatives, or at the request of other individuals (the Secretary General, the High Commissioner for Human Rights, etc.). The resolutions relating to Croatia («The human rights situation in some parts of south-eastern Europe» in E/CN.4/RES/2002/13) and Western Sahara («The Western Sahara Question» in E/CN.4/RES/2002/4) acknowledge certain progress.

- Negative or critical reports from the Rapporteur or Special Representative and a negative or condemnatory resolution based on the UNHCHR's report. Afghanistan (E/CN.4/2002/43; «The human rights situation in Afghanistan» in E/CN.4/RES/2002/19); Bosnia Herzegovina and the Yugoslavia (E/CN.4/2002/41; E/CN.4/2002/41/Add.1, «The human rights situation in some parts of South-eastern Europe» in E/CN.4/RES/2002/13); Burundi (E/CN.4/2002/49, «The human rights situation in Burundi» in E/CN.4/RES/2002/12); Cambodia (E/CN.4/2002/118, «The human rights situation in Cambodia» in E/CN.4/RES/2002/89); *Democratic Republic of Congo* (E/CN.4/2001/40; E/CN.4/2001/Add.1, «The human rights situation in the Democratic Republic of Congo» in E/CN.4/RES/2002/14); Iraq (E/CN.4/2002/44, «The human rights situation in Iraq» in E/CN.4/RES/2001/15); Myanmar (E/CN.4/2002/45, «The human rights situation in Myanmar» in E/CN.4/RES/2002/45); Somalia (E/CN.4/2002/119, «The human rights situation in Somalia» in E/CN.4/RES/2002/88); Sudan (E/CN.4/2002/46, «The human rights situation in Sudan» in E/CN.4/RES/2002/16); Palestinian territories occupied since 1967 (E/CN.4/2002/19; E/CN.4/2002/32; E/CN.4/2002/184, «The situation in occupied Palestine» in E/CN.4/RES/2002/1; E/CN.4/RES/2002/3, «The question of human rights violations in the occupied Arab territories, including Palestine» in E/CN.4/RES/2002/8; «Israeli settlements in occupied Arab territories» in E/CN.4/RES/2002/7; E/CN.4/2002/30, «Human rights in occupied Syrian Golan» in E/CN.4/RES/2002/6; E/CN.4/2002/34, «The human rights situation of Lebanese prisoners in Israel» in E/CN.4/RES/2002/10). Negative or condemnatory resolutions. Cuba («The human rights situation in Cuba» in E/CN.4/RES/2002/18); Russian Federation (E/CN.4/2002/38, «The situation in the Federal Russian Republic of Chechnya» in E/CN.4/RES/2001/24); Sierra Leone («The human rights situation in Sierra Leone» in E/CN.4/RES/2002/20).

- Negative or critical report, though the Commission's resolution is neither negative nor condemnatory. *Equatorial Guinea* (E/CN.4/2002/40, «The human rights situation in Equatorial Guinea and assistance in the area of human rights» in E/CN.4/RES/2002/11); Haiti (E/CN.4/2002/106); Islamic Republic of Iran, (E/CN.4/2002/42, «The human rights situation in Iran»).
- ▲ Negative or condemnatory resolutions referring to specific matters presented to the UNHCHR. *Australia* (E/CN.4/2002/106, «The question of racism, racial discrimination, xenophobia and intolerance, mission to Australia»); Colombia (E/CN.4/2002/106/Add.2, «The situation of defenders of human rights»); Kyrgyzstan (E/CN.4/RES/2002/106/Add.1, «The situation of defenders of human rights»); Uganda (E/CN.4/2002/86, «The abduction of children in northern Uganda»).

18. Countries with negative or critical reports from the Special Rapporteur on the human rights and fundamental freedoms of indigenous people

SOURCE: UNHCHR and the Special Rapporteur on Indigenous People, based on the latter's report (E/CN.4/2002/97) and its *addendum* (E/CN.4/2002/97/Add.1), <<http://www.unhchr.ch>> (on 04/02/02 and 06/03/02 respectively).

This indicator reflects the two reports by the Rapporteur covering the period from August 2001 to January 2002. The Rapporteur uses the definition for indigenous people established by the UNHCHR (E/CN.4/Sub.2/1986/7/Add.4, para. 379): «Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.»

- Countries in which indigenous people are discriminated against and suffer serious human rights violations.
- Countries in which indigenous people are discriminated against.

19. Countries that apply or maintain the death penalty

SOURCE: Amnesty International, *Report 2002* and <<http://web.amnesty.org/rmp/dplibrary.nsf/index?openview>>

This indicator refers to countries in which executions have taken place and/or death sentences have been approved, along with those that retain the death penalty on their statute books, it being specified whether they are retentionist (countries in which the death penalty is retained for common offences), abolitionist in practice (countries that retain the death penalty for common offences but in which there has been no execution in the last 10 years, and countries that have undertaken not to apply the death penalty) and abolitionist for common offences (countries that retain the death penalty for exceptional offences, i.e. under military law or in the context of armed conflict). The figures relate to the number of executions confirmed by Amnesty International during 2001.

- Retentionist countries in which executions have taken place and death sentences have been approved. (31 countries. These include Botswana and the Peoples' Democratic Republic of Korea, countries in which executions were carried out but no death sentences were approved in 2001).
- Countries that are retentionist and abolitionist in practice, though death sentences have been approved. (33 retentionist countries and 6 countries that are abolitionist in practice, namely: Brunei Darussalam, Central African Republic, Yugoslavia, Grenada, Sri Lanka and Turkey).
- Countries that retain the death penalty on their statute books but did not carry out any executions in 2001. Retentionist, 20 countries: Antigua and Barbuda, Bahrain, Barbados, Benin, Dominica, Equatorial Guinea, Eritrea, Gabon, Lesotho, Liberia, Malawi, Syria, Laos, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone and Tunisia; countries that are abolitionist in practice, 16 countries: Bhutan, Burkina Faso, Congo, Gambia, Madagascar, Maldives, Mali, Nauru, Niger, Papua New Guinea, Russian Federation, Samoa, Senegal, Surinam,

Togo and Tonga. Abolitionist for common offences: 15 countries: Albania, Argentina, Bolivia, Bosnia Herzegovina, Brazil, Chile, Cook Islands, Cyprus, El Salvador, Fiji, Greece, Israel, Latvia, Mexico and Peru.

20. Countries of origin of people who have obtained asylum

SOURCE: UNHCR, 2001 UNHCR population statistics (provisional). *Asylum and refugee status determination*, <<http://www.unhcr.ch>> (on 07/06/02)

This indicator is based on provisional data on the grant of political asylum. The figures indicate grants of asylum status during 2001 that number more than one hundred.

- Have given rise to more than one thousand grants of asylum status.
- Have given rise to between one hundred and one thousand grants of asylum status.

E. Development

21. Countries that spend less on public health and/or education than on military spending

SOURCES: SIPRI, *SIPRI Yearbook 2002* (the data on military spending against GDP refer to 2000, or where this is found, the most recent year available); World Bank, *World Development Indicators 2002* (the data on public health spending against GDP refers to the most recently available figure between 1995 and 1999; the figure for public education spending against GDP refers to 2000); *Social Watch 2002* (the significant reverse in health and education spending refers to the change between 1990 and 1997/98).

The fact that public spending on health and/or education is less than military spending indicates a country's budgetary priorities, considering militarisation to be more important than satisfying the basic needs of the population through the financing of public services.

- Public spending on health and education is less than military spending.
- Public spending on either health or education is less than military spending.

22. Countries failing to fulfil the social development goals established in Copenhagen

SOURCE: *Social Watch Report 2002. The social impact of globalisation in the world*, at <<http://www.socialwatch.org>>

At the World Summit on Social Development held in 1995 in Copenhagen, 115 heads of State and Government made a series of ten commitments in respect of social development. Since then, Social Watch have each year monitored compliance with 12 goals relating to the commitments which they consider most relevant and which can be quantitatively measured. This data is combined in a summary table in which any advances and setbacks in compliance with the Copenhagen goals are classified according to the following six areas:

- basic education (children who reach the fifth year of primary school and complete their primary education),
- child health (mortality at less than 12 months, mortality at less than 5 years and children under 12 months who have been inoculated),
- food safety and child nutrition (daily calorie supply and children under 5 with serious or moderate malnutrition),
- reproductive health (pregnancies and births attended by specialised personal),
- health and life expectancy (life expectancy at birth and access to health services),
- drinking water and sanitation (access to sanitation and drinking water).

- Reverses in half or more of the goals established.
- Significant reverse in one goal or a certain reverse in two.

23. Countries with a total amount of foreign debt in excess of their GNP And heavily Indebted Poor Countries (HIPC)

SOURCE: World Bank, *Global Development Finance 2002*

<<http://www.worldbank.org/prospects/gdf2002/>> and <<http://www.worldbank.org/hipc>> (data from 2000).

This indicator relates a country's foreign debt with its annual capacity to generate wealth. The fact that debt exceeds GNP in a country is evidence of the serious difficulties that it faces in paying this debt, meaning that the financing of its development is impeded and, as a result, its future is mortgaged. In addition, the Initiative for Heavily Indebted Poor Countries (HIPC), approved by the World Bank and the IMF in 1996, is the first debt reduction plan that allows the debtor to cancel its loans without endangering its economic growth and without once again accumulating backlogs in the payment of debt in the future. The initiative's aim is to reduce debt (multilateral, bilateral and private) in 41 countries within a period of six years, until it has reached a level that allows repayment. The figures indicate the amount of foreign debt as a percentage of GNP.

- Countries with foreign debt exceeding GNP. Of these, the following are HIPC: Angola, Burundi, Cameroon, Congo, Côte d'Ivoire, Democratic Republic of Congo, Gambia, Ghana, Guinea-Bissau, Guyana, Honduras, Laos, Madagascar, Malawi, Mali, Mauritania, Mozambique, Nicaragua, Sierra Leone, Sao Tome and Principe, Sudan, Togo and Zambia.
- Heavily Indebted Poor Countries (HIPC) with foreign debt that is less than GNP.

24. Countries whose foreign debt repayments exceed the amounts received in official development aid

SOURCES: World Bank, *World Development Indicators 2002* and the OECD's Development Aid Committee at <<http://www.oecd.org>>.

This indicator relates the amount a country pays each year to service its total debt, i.e. in the form of amortisation and interest on the capital borrowed, with the amount received in Official Development Aid (ODA). It thus shows the countries that are paying more to their creditors than they receive in ODA, in spite of being poor countries.

- Total debt service exceeds ODA received.

25. Countries belonging to the group of Least Developed Countries (LDC)

SOURCE: United Nations, <<http://www.unctad.org/ldcs>>

Every three years, ECOSOC updates the list of countries classified as Least Developed Countries (LDC) on the basis of three variables: low income (GNP per capita), low level of human resources (low standard of living based on life expectancy, calories per capita, schooling and literacy) and a low level of economic diversification (an index based on several macroeconomic indicators). 49 countries currently belong to the LDC group.

LDC Group of Least developed Countries.

26. Countries with poor governance according to the World Bank

SOURCE: World Bank, *GRICS II: Governance Research Indicator Country Snapshot* at <<http://info.worldbank.org/beeps/kkz/gov2001map.asp>>

This aggregated governance indicator from the World Bank calculates the median value of six components relating to governance. These are the presentation of accounts, political stability and the absence of violence, governmental effectiveness, procedural guarantees, the rule of law and the control of corruption.

- Poor governance.

F. Humanitarian crises

27. Countries facing food emergencies

SOURCE: FAO, *Food crops and shortages no. 5, November 2002* <<http://www.fao.org/WAICENT/faoinfo/economic/gjews/english/fs/fstoc.htm>>

The alerts put out by the FAO indicate countries facing food emergencies, whether due to drought, flooding, civil disturbance, the displacement of the population, economic problems or sanctions. Countries are considered to have food emergencies when the prospects for the coming harvest are unfavourable and/or there is an uncovered food supply shortage which requires exceptional foreign aid.

- Food emergency.

28. Countries receiving humanitarian aid from the European Union (ECHO)

SOURCE: ECHO at <http://europa.eu.int/comm/echo/en/index_en.html> (the figures indicate 2002 aid in millions of euros).

The mandate of the European Union's Humanitarian Aid Office is that of providing emergency humanitarian aid to the victims of natural disasters or armed conflicts in countries not belonging to the European Union, taking action for rehabilitation and short-term reconstruction and promoting and implementing programmes for the prevention of disasters. ECHO does not intervene directly, but instead works on the basis of framework agreements with NGOs and United Nations agencies. The fact that a country is the recipient of humanitarian aid from the EU, regardless of the amount, means acknowledgement of a state of emergency.

- Recipient of humanitarian aid from ECHO.

29. Countries of origin in which at least 1 person in every 1,000 is a refugee.

SOURCES: UNHCR, *Statistical Yearbook 2001. Refugees, Asylum-seekers and Other Persons of Concern - Trends in Displacement, Protection and Solutions* <<http://www.unhcr.ch>> (in October 2002), and the United Nations Population Division for the total number of inhabitants in 2000.⁹⁹

This indicator shows the number of refugees as a percentage of the total population of the country of origin. The figures correspond to the absolute number of people who were refugees during 2001 (provisional data).

- Situation considered very serious: at least 1 person in every 100 is a refugee.
- Situation considered serious: at least 1 person in every 1,000 is a refugee or, if this percentage is not reached, at least 5,000 are refugees.

30. Countries in which there are internally displaced people

SOURCES: Global IDP Project of the Norwegian Refugee Council (NRC), *World IDP map by the global IDP project* en Internal Displacement Unit <http://www.idpproject.org/images/website_maps/IDP_world-map.gif> (December 2002) and United Nations Populations Division for the total number of inhabitants in 2000.

This indicator shows the number of displaced people as a percentage of the total population of the country, and the figures correspond to the absolute number of people who were displaced, as updated

in September 2002. In the case of countries for which the NRC does not provide information, UNHCR data from 2001 has been used (a reference is made to the report in the description of the preceding indicator for refugees).

- Situation considered very serious: at least 1 person in every 100 is internally displaced.
- Situation considered serious: a part of the population is internally displaced.

G. Conflict and peace-building

31. Countries engaged in armed conflict

SOURCE: The authors' own monitoring of the international situation, based on information prepared by the United Nations, international news agencies and the following bibliography: Balencie, Jean-Marc; de La Grange, Arnaud, *Mondes rebelles. Guérillas, Milicies, Groupes Terroristes. L'Encyclopédie des Acteurs, Conflits & Violences Politiques*, Éditions Michalon, Paris, 2001; Centre for International Development and Conflict Management, University of Maryland. *Peace and conflict 2001. A global survey of armed conflicts, self-determination movements and democracy*, Peace Research Institute of Oslo (PRIO), *Journal of Peace Research*, vol. 39, no. 5, Oslo, September 2002; Stockholm International Peace Research Institute (SIPRI), *SIPRI Yearbook 2002*, Oxford University Press Inc., New York, 2002.

Armed conflict is considered to mean any confrontation involving groups of various kinds, such as regular or irregular military forces, guerrillas, armed opposition groups, paramilitary groups or ethnic or religious communities which, using arms and other destructive methods, claim more than 100 lives per year. This figure of 100 deaths is merely an indicator, and it should be seen in relation to other elements, such as the total population of the country and the geographical extent of the armed conflict, the level of destruction caused and the enforced displacements created.

- Armed conflict.

32. Countries with high-risk tensions and disputes

SOURCE: The authors' own monitoring of the international situation, based on information prepared by the United Nations, international news agencies and the following bibliography: Balencie, Jean-Marc; de La Grange, Arnaud, *Mondes rebelles. Guérillas, Milicies, Groupes Terroristes. L'Encyclopédie des Acteurs, Conflits & Violences Politiques*, Éditions Michalon, Paris, 2001; Centre for International Development and Conflict Management, University of Maryland. *Peace and conflict 2001. A global survey of armed conflicts, self-determination movements and democracy*, Peace Research Institute of Oslo (PRIO), *Journal of Peace Research*, vol. 39, no. 5, Oslo, September 2002; Stockholm International Peace Research Institute (SIPRI), *SIPRI Yearbook 2002*, Oxford University Press Inc., New York, 2002.

Situations of heightened tension and **high-risk disputes** are understood to be those contexts in which serious situations of social and political tension and polarisation arise, with confrontations between political, ethnic or religious groups or between these groups and the state, which involve alterations in the operation of the state's own institutions (coups d'état, curfews and states of emergency),¹⁰⁰ and in which violence leads to the deaths of no more than 100 people in one year, a figure which is, however, viewed in relation to the country's total population and the geographical scope of the tension, along with the level of destruction generated and the enforced displacements that may be caused.

- ▲ Situations of heightened tension and high-risk disputes.

100. In this report, state of emergency is used to mean situations in which constitutional order is altered and certain fundamental freedoms are restricted. This term is used differently in each country's legislation, such as, for example, a state of exception, interior disturbance, national disaster, etc.

33. Countries engaging in peace processes or formal negotiations

SOURCE: The authors' own study of the international situation.

PN Countries engaged in peace processes or formal negotiations.

34. Countries with unresolved conflicts

SOURCE: The authors' own monitoring of the international situation, based on information prepared by the United Nations, international news agencies and the following bibliography: Balencie, Jean-Marc; de La Grange, Arnaud, *Mondes rebelles. Guérillas, Milicies, Groupes Terroristes. L'Encyclopédie des Acteurs, Conflits & Violences Politiques*, Éditions Michalon, Paris, 2001; Centre for International Development and Conflict Management, University of Maryland. *Peace and conflict 2001. A global survey of armed conflicts, self-determination movements and democracy*, Peace Research Institute of Oslo (PRIO), Journal of Peace Research, vol. 39, no. 5, Oslo, September 2002; Stockholm International Peace Research Institute (SIPRI), *SIPRI Yearbook 2002*, Oxford University Press Inc., New York, 2002.

A conflict is considered to be unresolved when it has in the past been an armed conflict and the original dispute has not yet been completely resolved, or has reached a state of ceasefire, negotiation or impasse, but with the potential risk that a political or diplomatic failure may mean a return to armed confrontation.

■ Countries with unresolved conflicts.

35. Countries in a situation of post-war rehabilitation

SOURCE: The authors' own monitoring of the international situation

Post-war rehabilitation is understood to mean the coordinated actions of various primary, secondary and tertiary agents, with or without an international mandate or leadership, aimed at tackling: 1) resettlement and demilitarisation; 2) the physical reconstruction of basic institutional services; 3) the resolution of fundamental incompatibilities; 4) reconciliation; and 5) normalisation and re-entry to international forums. It is usual to consider the starting point for post-war rehabilitation and peace-building to occur with the signing of a peace accord or an agreement for the cessation of hostilities, since although this does not in itself mean the end of the conflict, it does establish a framework, regulations, undertakings and the agendas that should be followed in order to tackle post-war rehabilitation and peace-building.

PR Countries in a state of post-war rehabilitation.

H. International humanitarian law

36. Countries that have not ratified the 2nd Protocol of 1977 on armed conflicts between states in relation to the Four Geneva Conventions of 1949

SOURCES: ICRC, <<http://www.icrc.org>> (on 31/12/02) and UNHCR, www.unhcr.ch.

The Four Geneva Conventions of 1949 (the first Convention deals with the treatment of the wounded in war, the Second with shipwreck, the Third with prisoners of war and the Fourth with the protection of civilians in times of occupation) and the 1st Protocol legislate for and regulate armed conflicts between states. This indicator relates to failure to ratify the 2nd Protocol, given that the majority of armed conflicts are currently taking place within a single state.

● Countries that have not ratified the 2nd Protocol.

37. Countries that recruit both boys and girls for their armies and have not ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts.

SOURCE: *Child Soldiers: 1379 Report by Coalition to stop the use of child soldiers*, <<http://www.child-soldiers.org>> (on 07/11/02) the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, <<http://www.unhcr.ch>> (on 27/09/02).



Child soldier has been defined in its most restrictive sense, i.e. any person younger than 18 who either voluntarily or forcibly forms part of the official armed forces and participates directly in combat.

- Countries that have ratified the Protocol in which the official armed forces and armed opposition groups include child soldiers.
- Countries that have not ratified the Protocol in which the official armed forces and armed opposition groups include child soldiers (includes Guinea-Bissau, though there is only evidence that the official armed forces use child soldiers).
- Countries in which armed opposition groups include child soldiers (in this case, only Sri Lanka has ratified the Protocol).

Appendix II. Maps


The following maps have been drawn from the country tables indicated in each theme subject, that is, behaviour towards world society, embargoes, militarisation, human rights, development, humanitarian crises and conflict situations. A table on IDH has not been included. The maps complement both the reading of sections and the information included in country tables and indicators.


Description



Map A: Behaviour towards world society. Shows those States which have ratified less than half of the basic UN legal instruments included in both the Millennium Declaration (light grey) and in human rights instruments (dark grey) -see section A, tables A2 and A4-. X represents States which have ratified less than half of the instruments in both instances. With regard to financial transparency,  represents countries which do not cooperate with the OCDE and  countries which do not cooperate with GAFI in terms of capital laundering.

Map B: Arms embargoes: Indicates embargoed countries and embargoed armed groups (see section B, table B3). Countries have been coloured in dark grey and armed groups are represented by X

Map C. Militarisation. Shows countries with high military expenditure (see section C, table C1) which are coloured in dark grey. In addition, a soldier sketch identifies States with a high percentage of soldiers over the whole population, and a tank sketch has been used to identify countries with important arms imports.

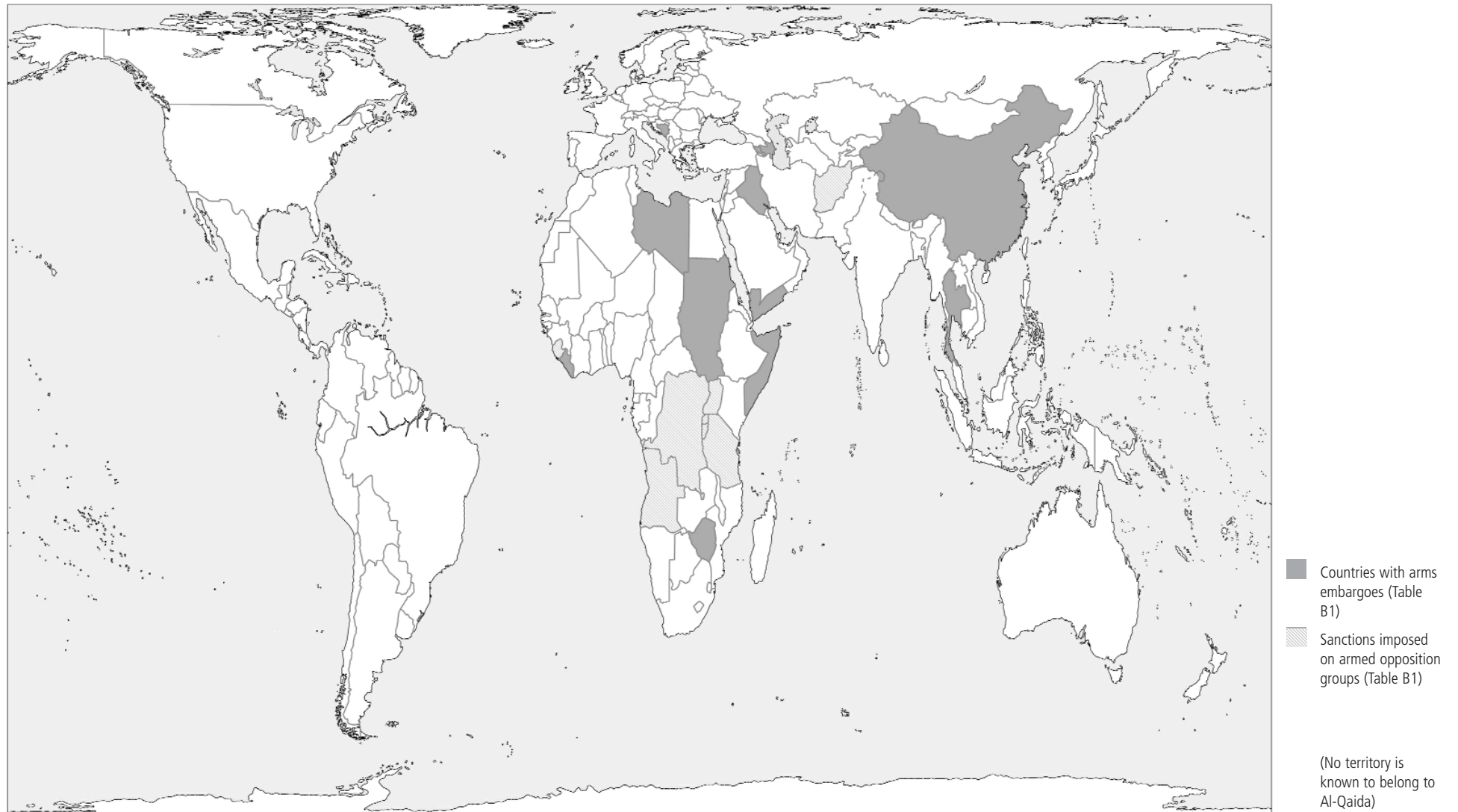
Map D. Human rights situation. Shows countries with alleged grave human rights violations and lack of fundamental freedoms (see section D, table D4). The map is coloured in light grey. Countries with grave violations of fundamental freedoms (see table D5) are coloured in dark grey. Symbol  shows instances where serious restrictions to freedom of press have been reported. (see table D2)

Map E. Development. Shows LDC countries with governmental malpractice as regards social development. Countries are coloured in dark grey (see section E, table E1). In addition, countries whose foreign debt payment is higher than their AOD income are represented by .

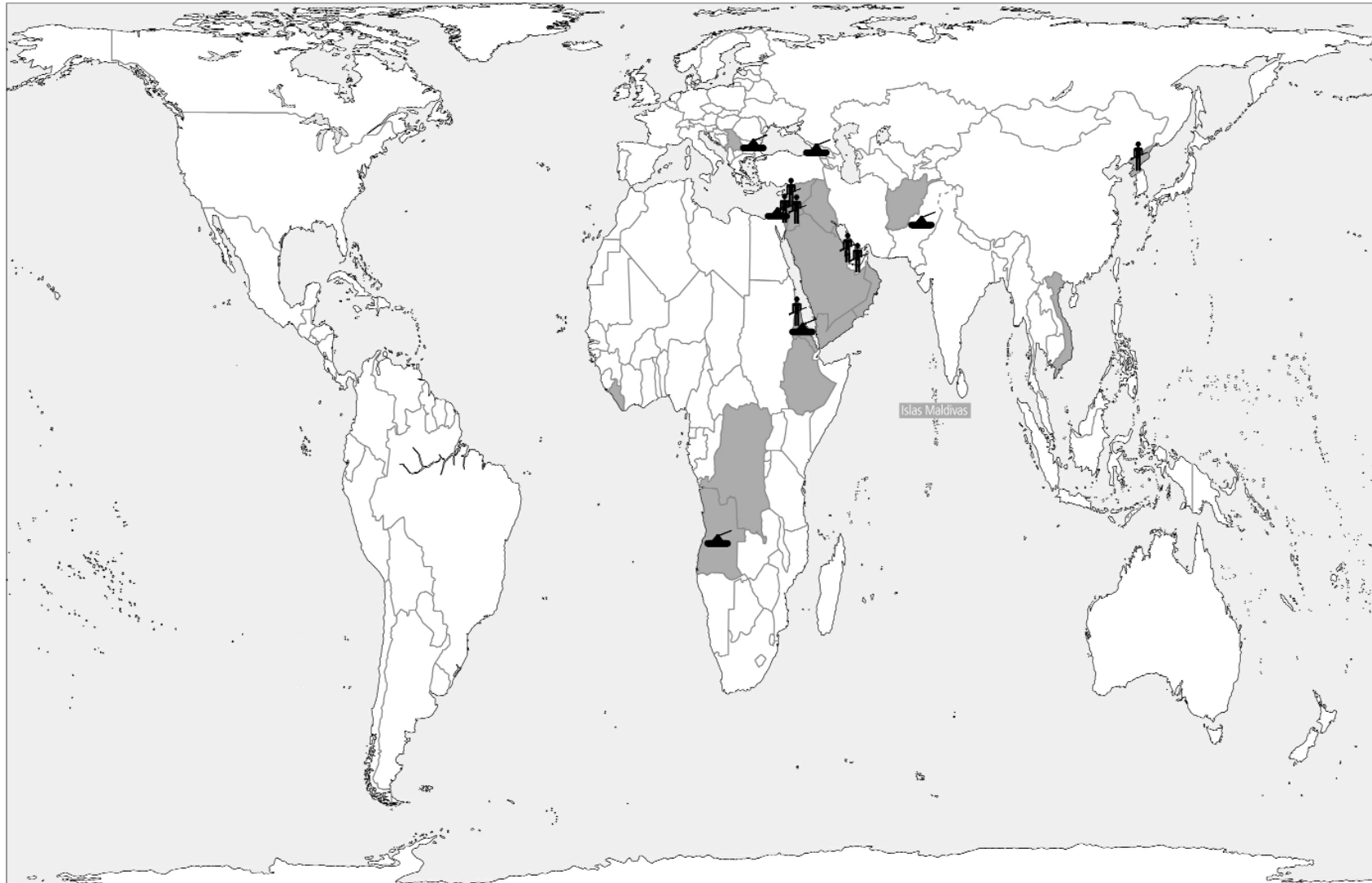
Map F. Humanitarian crises. Shows countries that go through a humanitarian crisis (see section F, table F1). They are coloured in dark grey. Furthermore, specific food emergency situations are indicated by , whereas  represents countries which produce a large number of both refugees and IDP.

Map G. Conflict situations. States and territories with armed conflicts (see section G, table G1.1) are coloured in dark grey, whereas  represents high level tension building situations (see table G 1.3), and areas where conflict has not yet been resolved are coloured in light grey. Countries with peace negotiation processes underway (see table G 2.1) are represented by  and  depicts those where armed conflict has been overcome and are presently undergoing post-war rehabilitation.

Map B. Arms embargoes

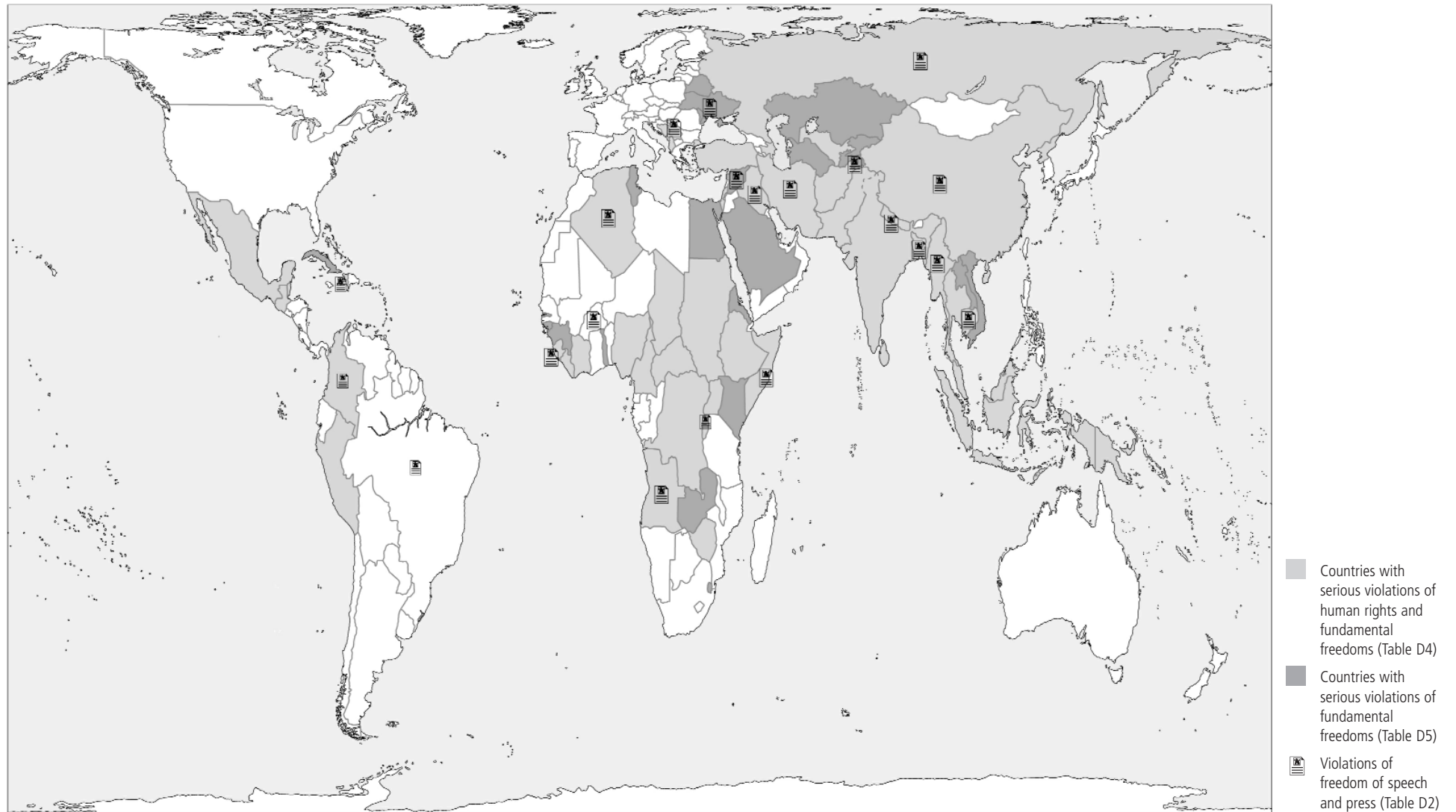


Mapa C. Militarisation

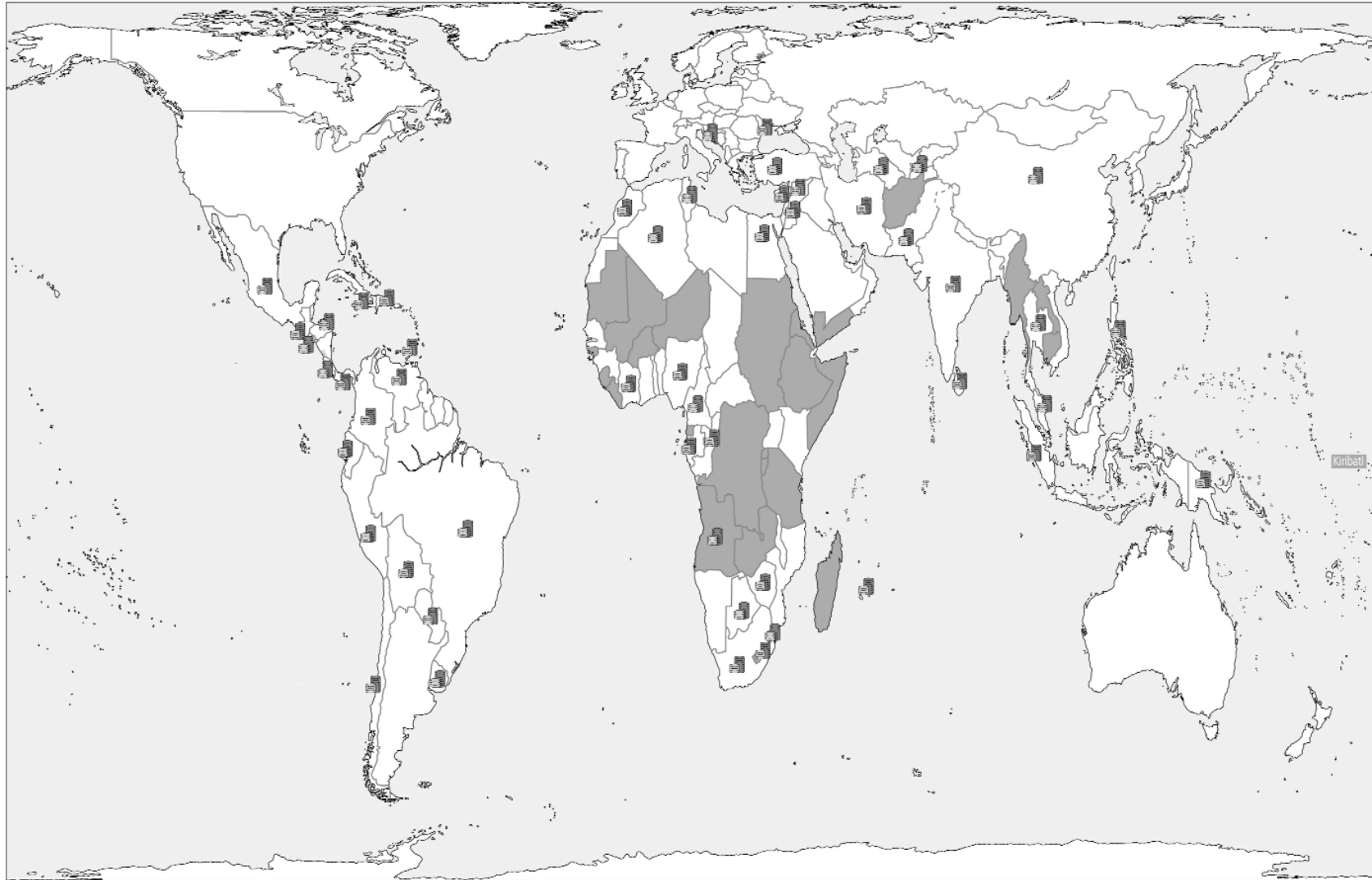


- Countries with high military spendings
- ♟ Countries where the number of soldiers exceeds 2% of the population
- 🚛 Countries with imports of heavy conventional weapons exceeding 1% of GDP

Mapa D. The human rights situation

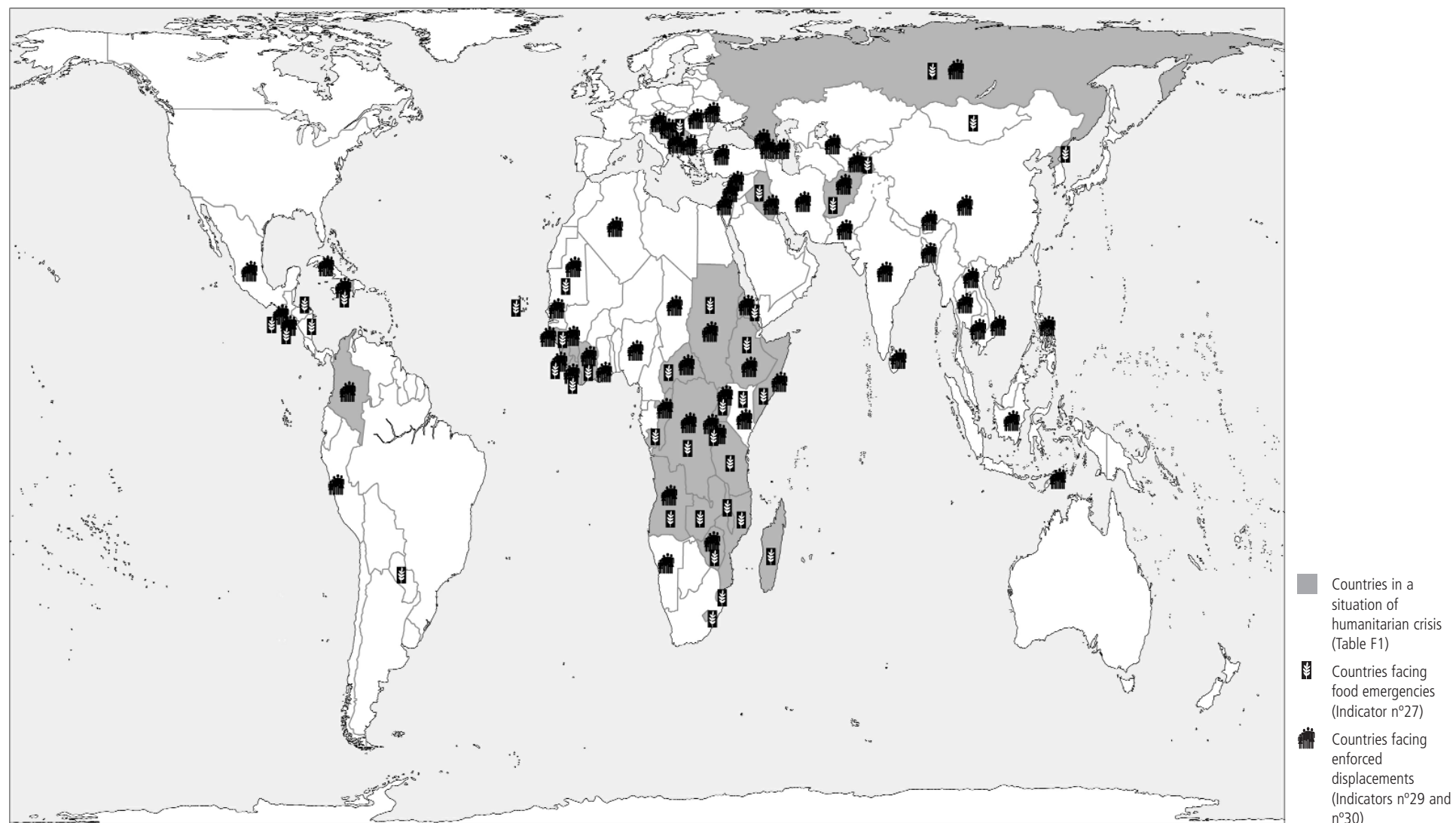


Mapa E. Development

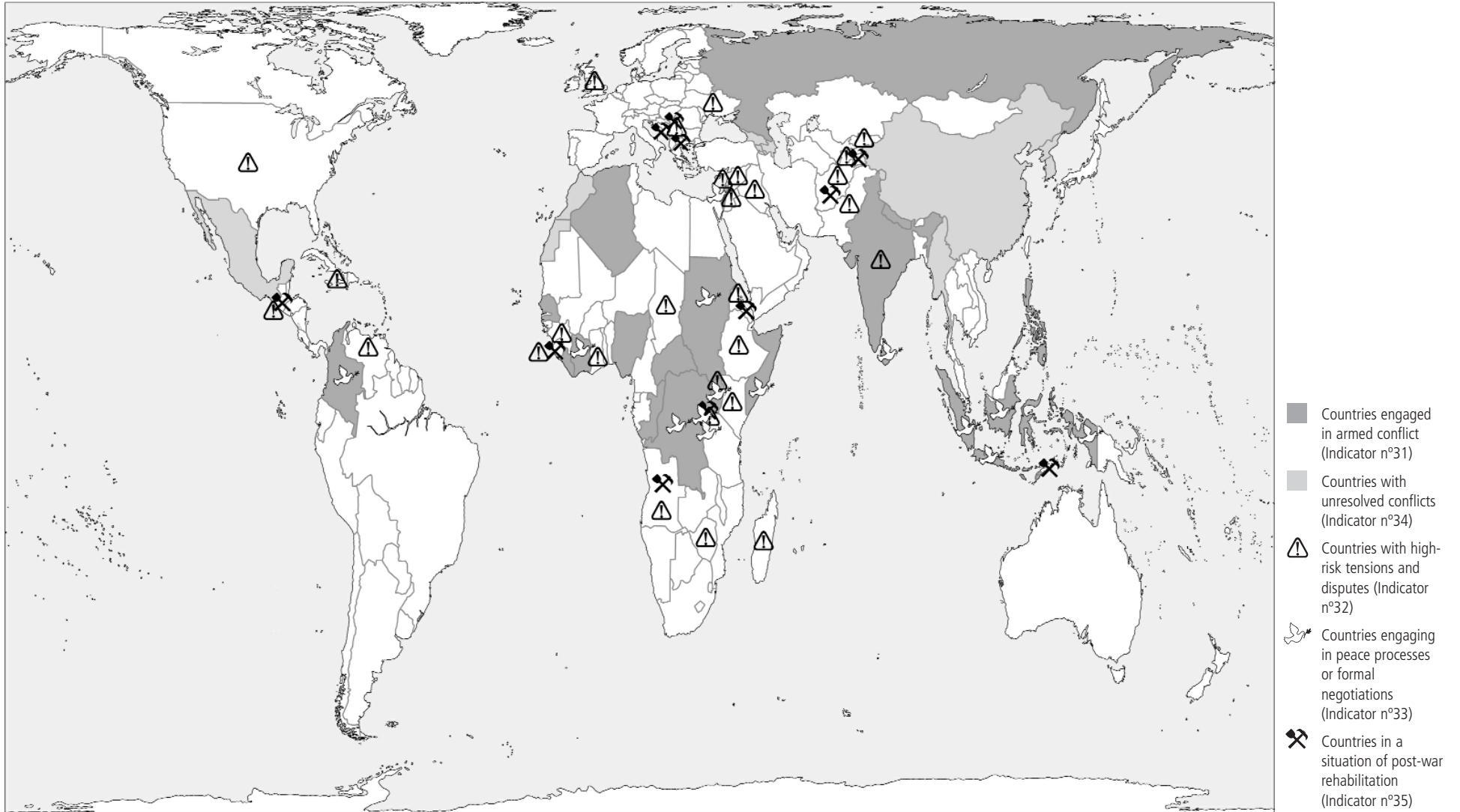


- LDC countries shown to have poor government practices in relation to social development (Table E1)
- ☰ Countries whose foreign debt repayments exceed the amounts received in official development aid (Indicator n°24)

Mapa F. Humanitarian crises



Mapa G. Areas of conflict



Appendix III. The Millennium Declaration and the millennium development goals

At the Millennium Summit held in New York in September 2000, 189 States adopted the Millennium Declaration, which summarised the great global challenges and lines for its agenda in a series of legal instruments. Of these, the seven main instruments have been considered, along with the eight Millennium Development Goals, whose target year is 2015.

GOAL 1: Eradicate extreme poverty and hunger

Target 1: halve the proportion of people whose income is less than one dollar a day

Target 2: halve the proportion of people who suffer from hunger

GOAL 2: Achieve universal primary education

Target 3: ensure that children everywhere, boys and girls alike, will be able to complete a full course of primary schooling

GOAL 3: Promote gender equality and empower women

Target 4: eliminate gender disparity in primary and secondary education

GOAL 4: Reduce child mortality

Target 5: reduce by two-thirds the under-5 mortality rate

GOAL 5: Improve maternal health

Target 6: reduce by three quarters the maternal mortality ratio

GOAL 6: Combat HIV/AIDS, malaria and other diseases

Target 7: halt and begin to reverse the spread of HIV/AIDS

Target 8: halt and begin to reverse the incidence of malaria and other major diseases

GOAL 7: Ensure environmental sustainability

Target 9: integrate the principles of sustainable development into country policies and programmes and reverse the losses of environmental resources

Target 10: halve the proportion of people without sustainable access to drinking water

Target 11: achieve a significant improvement in the lives of at least 100 million slum dwellers

GOAL 8: Build a global partnership for development

Target 12: develop a rule-based, non-discriminatory trading and financial system

Target 13: address the special needs of the LDC

Target 14: address the special needs of land-locked countries and small island developing states

Target 15: deal comprehensively with debt problems through national and international measures

Target 16: provide youth with decent and productive work

Target 17: provide access to essential drugs in developing countries

Target 18: make available the benefits of new information and communications technologies

Sources: United Nations, <http://www.un.org/millenniumgoals/>; World Bank <http://www.developmentgoals.org/>

Description of the 7 main legal instruments included in the Millennium Declaration

	AIM (date of entry into force)	Achievements during 2002
Rome Statute of the International Criminal Court (1998)	The Statute establishes the International Criminal Court to hear crimes of genocide, war crimes and crimes against humanity. It is an instrument that is intended to put an independent and permanent end to immunity in relation to these types of human rights violations (1st July 2001).	The USA and Israel withdrew their signatures from the Statute. In addition, the USA began an international campaign to seek bilateral agreements to avoid US citizens being subject to the jurisdiction of the court (agreements signed by Colombia, Honduras, India, Israel, Marshall Islands, Mauritania, Palau, Dominican Republic, Rumania, Tajikistan, Timor Leste, Uzbekistan and the member States of the European Union).
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction, or the Ottawa Treaty Ottawa (1997)	This Convention prohibits the use, stockpiling, production and transfer of anti-personnel mines. It also obliges its signatories to destroy any mines that they may have stockpiled within a maximum of 4 years from the date on which the convention comes into force for the country in question, and to remove any minefields on its territory within a maximum of 10 years. This convention was supported by an international campaign (ICBL) that grouped together 1,400 NGOs in 90 countries (1st March 1999).	In spite of the ratification of this instrument by Afghanistan, Angola and Democratic Republic of Congo, 49 countries have still not signed, and these include the largest producers and stockpilers of mines in the world (China, USA, India and Pakistan). Moreover, as the ICBL has reported, 2002 was the first year in which a global decrease (set at around 4 million US\$) in financing for activities directed at action against mines was detected.
Kyoto Protocol on Climate Change (1997)	This Protocol, whose ultimate aim is the stabilisation of gas concentrations in the atmosphere, plans a reduction in gas emissions of 5% from 1990 levels in industrialised states. It has not yet come into force. The Protocol establishes that in order to come into force the total level of carbon dioxide emissions in countries that have given their ratification must exceed 55% of total worldwide emission.	At the 7th UN Conference on Climate Change (Delhi, October 2002) no commitment was achieved among industrialised countries in order to achieve this objective, in spite of the fact that a large number of countries had ratified the Protocol, including the member states of the European Union. In 2002, ratifications amounted to 43.9% of worldwide carbon dioxide emissions. The USA's threat in 2001 to withdraw its signature at the end of 2002 has not yet become a reality.
Rio de Janeiro Convention on Biological Diversity 1992)	This Convention establishes the conservation of all aspects of genetic biodiversity: genetic resources, species and ecosystems.(29th December 1993).	The enormous number of ratifications of this Convention indicates the concern of the majority of governments and the United Nations that this matter should be given priority.
Convention to Combat Desertification (1994)	This Convention obliges countries to combat, in an integrated manner, all the physical, biological and socio-economic effects of desertification and drought, especially in the case of Africa. (26th December 1993).	According to the United Nations, desertification affects one sixth of the world's population and a quarter of the world's land.
Convention on the Elimination of all forms of Discrimination against Women (1979)	This Convention establishes the basic human rights framework for women, setting out binding obligations to end discrimination. The convention establishes equality between men and women in the enjoyment of civil, political, economic, social and cultural rights. (3rd September 1981).	Debate on the ratification of this instrument has begun in the US Congress, though by the end of the year ratification had still not occurred.
Convention on the Rights of the Child (1989)	This Convention is the basic treaty for the protection of the civil, political, economic, social and cultural rights of children. It is also aimed at protecting male and female children from discrimination, negligence and abuse, in times of both armed conflict and peace. (2nd September 1990).	The two additional protocols to this convention came into force at the beginning of 2002. These protocols are the Optional Protocol to the Convention on the Rights of the Child relating to the participation of children in armed conflicts, and the Optional Protocol to the Convention on the Rights of the Child relating to the sale of children, child prostitution and the use of children in pornography.

Appendix IV. Countries and indicators relating to human rights (indicators 16, 17, 18 and 23)¹⁰¹

The following table was prepared on the basis of a breakdown of the three indicators relating to civil and political rights analysed in section D (Human Rights) and a further indicator relating to Economic, Social and Cultural Rights analysed in section E (Development). The table gives data for each state or territory on the basis of these indicators, in spite of the fact that each indicator deals with a number of specific states. In this way, one can make several readings of the same table, whether observing a country's behaviour in terms of the four indicators or looking at the situation in respect of one particular aspect on a worldwide scale. However, the lack of information, particularly as regards the Economic, Social and Cultural Rights indicators that indicate a reversal in social development goals, means that one must make a restricted reading of this data. In other words, breaches and reverses in development have been recorded, and the fact that a country is not mentioned does not mean that its situation should be positively regarded, given that data is either restricted or not available.

Of the indicators relating to the human rights situation, two were prepared on the basis of reports by Amnesty International and Human Rights Watch in 2002 (indicator no. 16) and the reports and resolutions resulting from the 58th session of the United Nations Human Rights Commission (indicator no. 18). These have been broken down on the basis of recorded human rights violations (extrajudicial executions, summary disappearances, torture, arbitrary detentions and the restriction of fundamental freedoms) and the groups that are discriminated against and most suffer these violations (women, children, ethnic and/or religious minorities and displaced people).¹⁰² In the case of the violations included in the EU report (indicator no. 17), these have been divided into two groups: human rights violations and the violation of fundamental freedoms, since the report does not offer any more specific information. Finally, as regards ESCR, attention has been paid to the reverses in compliance with the development action targets adopted at the World Summit on Social Development in Copenhagen in 1995, on the basis of information provided annually by Social Watch.¹⁰³ This is divided into six areas: basic education, child health, food safety and child nutrition, reproductive health, health and life expectancy and drinking water and sanitation

As regards the group of indicators on civil and political rights, countries in which violations have been recorded are marked with a black dot (●). Three symbols have been used in the case of the group of indicators relating to ESCR, in order to distinguish between cases in which there has been a significant reverse in compliance with the Copenhagen goals (●), cases in which there has been some form of reverse (○) and cases that had met the goals in 1990 but are currently in reverse (■).

101. For more information on the indicators mentioned, see Appendix I, Description of Indicators.

102. These violations are defined on the basis of a report by the United Nations in 2001 (for more information, see Office of the High Commissioner for Human Rights, Training Manual on Human Rights Monitoring, Professional Training Series no. 7, United Nations, New York and Geneva, 2001).

103. See Social Watch Report 2002. The social impact of globalisation in the world, at <http://www.socialwatch.org>.

Appendix V. Summary of armed conflicts and United Nations missions during 2002

Tabla G8. Security Council Resolutions on unresolved conflicts during 2002

Country	Beginning and end of conflict	Presence and type of mission ¹⁰⁴	Personnel ¹⁰⁵	Special Representative / head of mission (S.R.)
Afghanistan	1979-2002	UNAMA (PO) from 28/03/02 to 28/03/02	2(+4)+167+269	S.R. Lakhdar Brahimi (Algeria)
Algeria	1992-	no		
Angola	1975-2002	UNMA ¹⁰⁶ (PO) from 15/08/02 to 15/02/03	8+67+48	S.R. Ibrahim Gambari (Nigeria) S.R. Eric de Mul (Netherlands)
Armenia-Azerbaijan	1991-(1994)	no		
Bosnia and Herzegovina	1992-1995	UNMIBH ¹⁰⁷ (PKO) from 12/95 to 12/02	848+297+890	S.R. Jacques Paul Klein (USA)
Bougainville-Papua New Guinea	1975-1997	UNPOB (PO) from 15/06/98 to 31/12/03	1+5+3	S.R. Noel Sinclair (Guyana)
Burundi	1993-	UNOB (PO) created on 25/10/93 until 31/12/03	1+28+27	S.R. Amadou Keita (Guinea)
CAR	(1996-2000) 2002-	BONUCA ¹⁰⁸ (PBO) from 15/02/00 to 31/12/03	6(+3)+18+32(+1)	S.R. Lamine Sissé (Senegal)
China-Taiwan	1949-	no		
China-Tibet	1950-	no		
Colombia	1964-	no		SG's Special Counsellor for International Aid, James Lemoyne (USA)
Congo	1998-	no		
Côte d'Ivoire	2002-	no		
Croatia-Yugoslavia (Prevlaka)	1991-1995	UNMOP (PKO) from 01/96 to 12/02	24+3+5	S.R. Rodolfo Sergio Mujica (Argentina)
Cyprus	1974-	UNFICYP (PKO) from 03/64	1203(+35)+42+105	Álvaro de Soto (Special Counsellor, Peru) and S.R. Zbigniew Włosowicz (Poland)
DR Congo	1998-	MONUC ¹⁰⁹ (PKO) from 12/99	4230(+51)+542+645	Mustapha Niasse (Special Envoy, Senegal) S.R. Amos Namanga Ngongi (Cameroon)
Ethiopia-Eritrea	1998-2000	UNMEE (PKO) from 07/00	4130+224+261	S.R. Legwaila Joseph Legwaila (Botswana)
Georgia (Abkhazia)	1992-1993	UNOMIG (PKO) from 08/93	106+91+175	S.R. Heidi Tagliavini (Switzerland)
Great Lakes Region	Various conflicts	Office of the SG's S.R. (PO) from 19/12/97 to 31/12/03	0+7+7	S.R. Berhanu Dinka (Ethiopia)
Guatemala	1962-1996	MINUGUA (PBO) from 19/09/94 to 31/12/03	4(+10)+069+139	S.R. Jean Arnault (France)

104. Peace-Keeping Operation (PKO), Political Operation (PO) and Peace-Building Operation (PBO)

105. Broken down as: 1st figure, military personnel (+2nd figure, civilian police) + 3rd figure, international civilian personnel (in brackets, experts) + 4th figure local civilian personnel (+ 5th figure, UN volunteers)

106. UNAVEM I (1988-1991), UNAVEM II (1991-1995), UNAVEM III (1995-1997), MONUA (1997-1999) (PKO) and UNOA (1999-2002) (PO). UNOA has become UNMA, with and extended mandate.

107. For the former Yugoslavia, UNPROFOR (1992-1995) (PKO). In December 2002, UNMIBH became a policing mission under the mandate of the EU.

108. MINURCA (1998-2000) (PKO)

109. ONUC (1960-1964) (PKO)

Guinea-Bissau	1998-1999	UNOGBIS (PBO) from 03/03/99 to 31/12/03	2(+1)+14+11	S.R. David Stephen (United Kingdom)
India (Assam)	1989-	no		
India (Kashmir)	1989-	no		
India-Pakistan	1946-	UNMOGIP ¹¹⁰ (PKO) from 01/49	44+21+48	S.R. Hermann K. Loidolt (Austria)
Indonesia (Aceh)	1976-2002	no		
Indonesia (Irian Jaya)	1963-	no		
Indonesia (Malaccans)	1998-	no		
Iraq-Kuwait	1990-1991	UNIKOM (PKO) from 04/91	1103+61+166	
Israel-Lebanon	1967,1982-(2000)	UNIFIL (PKO) from 03/78	2700+118+319	S.R. Staffan de Mistura (Sweden)
Israel-Palestine	1948-	UNSCO ¹¹¹ (PO) from 01/10/99 to 19/09/03	0+23+17	S.R. Terje Roed-Larsen (Norway)
Israel-Syria	1967, 1973	UNDOF (PKO) from 06/74	1035+39+86	S.R. Bo Wrangler (Sweden)
Kosovo (Yugoslavia)	1998-1999	UNMIK (PKO) from 06/99	39(+4442)+1068+3276	S.R. Hans Haekkerup (Denmark)
Liberia	1989-	UNOL ¹¹² (PBO) from 01/11/97 to 31/12/03	0+10+15	S.R. Bariyu Adeyemi (Nigeria)
Mexico	1994-	no		
Middle East	1948-	UNTSO (PKO) from 06/48	155+103+113	S.R. Carl A. Dodd (Ireland)
Morocco-Western Sahara	1975-	MINURSO (PKO) from 04/91	208(+25)+166+123	James Baker (Special Envoy, USA) and S.R. William Lacy Swing (USA)
Myanmar	1948-	no		Special Envoy Razzali Ismail (Malaysia)
Nepal	1996-	no		
Philippines	1969-	no		
R. Korea - PDR Korea	1950-(1953-)	no		
Russia (Chechnya)	1991-	no		
Senegal (Casamance)	1982-	no		
Sierra Leone	1991-2001	UNAMSIL ¹¹³ (PKO) from 10/99	17297(+35)+304+547	Oluyemi Adeniji (Nigeria)
Somalia	1988-	UNPOS ¹¹⁴ (PO) from 15/04/95 to 31/12/03	0+5+3	S.R. Winston A. Tubman (Liberia)
Sri Lanka	1983-2002	no		
Sudan	1983-	no		Tom Eric Vradsen (Special Envoy, Norway)Mohamed Sahnoun (Special Envoy, Algeria)
Timor-Leste	1975-1999	UNMISSET ¹¹⁵ (PKO) from 05/02	4541(+741)+ 439+819	S.R. Kamallesh Sharma (India)
Tajikistan	1992-1997	UNTOP (PO) from 01/06/00 to 31/05/03	0+7+19	Ivo Petrov (Bulgaria)
Uganda	1989-	no		
Western Africa	Various conflicts	Office of the SG's S.R. (PO) from 03/02 to 31/05/03	0+4+2	S.R. Ibrahima Fall (Senegal)

110. UNIPOM (1965-1966) (PKO).

111. UNEF I (1956-1967) (PKO) UNEF II (1973-1979) (PKO).

112. UNOMIL (1993-1997) (PKO).

113. UNOMSIL (1998-1999) (PKO).

114. UNOSOM I (1992-1993) UNITAF (1992-1993, USA with the mandate of the UN Security Council) UNOSOM II (1993-1995) (PKO).

115. UNTAET (1999-2002) (PKO).

Appendix VI. European Code of Conduct on Arms Exports

Approved by the Council of the European Union on 25 May 1998.
The Council of the European Union,

BUILDING on the Common Criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992,

RECOGNISING the special responsibility of arms exporting states,

DETERMINED to set high common standards which should be regarded as the minimum for the management of, and restraint in, conventional arms transfers by all EU Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency,

DETERMINED to prevent the export of equipment which might be used for internal repression or international aggression, or contribute to regional instability,

WISHING within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports,

NOTING complementary measures taken by the EU against illicit transfers, in the form of the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms,

ACKNOWLEDGING the wish of EU Member States to maintain a defence industry as part of their industrial base as well as their defence effort,

RECOGNISING that states have a right to transfer the means of self-defence, consistent with the right of self-defence recognised by the UN Charter, have adopted the following Code of Conduct and operative provisions:

Criterion one

Respect for the international commitments of EU member states, in particular the sanctions decreed by the UN Security Council and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations.

An export licence should be refused if approval would be inconsistent with, inter alia:

- a) the international obligations of member states and their commitments to enforce UN, OSCE and EU arms embargoes
- b) the international obligations of member states under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;
- c) their commitments in the frameworks of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement;
- d) their commitment not to export any form of anti-personnel land mine.

Criterion two

The respect of human rights in the country of final destination

Having assessed the recipient country's attitude towards relevant principles established by international human rights instruments, Member States will:

- a) not issue an export licence if there is a clear risk that the proposed export might be used for internal repression.
- b) exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the equipment, to countries where serious violations of human rights have been established by the competent bodies of the UN, the Council of Europe or by the EU;

For these purposes, equipment which might be used for internal repression will include, inter alia, equipment where there is evidence of the use of this or similar equipment for internal repression by the proposed end-user, or where there is reason to believe that the equipment will be diverted from its stated end-use or end-user and used for internal repression. In line with operative paragraph 1 of this Code, the nature of the equipment will be considered carefully, particularly if it is intended for internal security purposes.

Internal repression includes, inter alia, torture and other cruel, inhuman and degrading treatment or punishment, summary or arbitrary executions, disappearances, arbitrary detentions and other major violations of human rights and fundamental freedoms as set out in relevant international human rights instruments, including the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

Criterion three

The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts

Member States will not allow exports which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

Criterion four

Preservation of regional peace, security and stability

Member States will not issue an export licence if there is a clear risk that the intended recipient would use the proposed export aggressively against another country or to assert by force a territorial claim.

When considering these risks, EU Member States will take into account inter alia:

- a) the existence or likelihood of armed conflict between the recipient and another country;
- b) a claim against the territory of a neighbouring country which the recipient has in the past tried or threatened to pursue by means of force;
- c) whether the equipment would be likely to be used other than for the legitimate national security and defence of the recipient;
- d) the need not to affect regional stability adversely in any significant way.

Criterion five

The national security of the member states and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries

Member States will take into account:

- a) the potential effect of the proposed export on their defence and security interests and those of friends, allies and other member states, while recognising that this factor cannot affect consideration of the criteria on respect of human rights and on regional peace, security and stability;
- b) the risk of use of the goods concerned against their forces or those of friends, allies or other member states;
- c) the risk of reverse engineering or unintended technology transfer.

Criterion six

The behaviour of the buyer country with regard to the international community, as regards in particular to its attitude to terrorism, the nature of its alliances and respect for international law

Member States will take into account, inter alia, the record of the buyer country with regard to:

- a) its support or encouragement of terrorism and international organised crime;
- b) its compliance with its international commitments, in particular on the non-use of force, including under international humanitarian law applicable to international and non-international conflicts;
- c) its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control and disarmament conventions referred to in sub-para b) of Criterion One.

Criterion seven

The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions

In assessing the impact of the proposed export on the importing country and the risk that exported goods might be diverted to an undesirable end-user, the following will be considered:

- a) the legitimate defence and domestic security interests of the recipient country, including any involvement in UN or other peace-keeping activity;
- b) the technical capability of the recipient country to use the equipment;
- c) the capability of the recipient country to exert effective export controls;
- d) the risk of the arms being re-exported or diverted to terrorist organisations (anti-terrorist equipment would need particularly careful consideration in this context).

Criterion eight

The compatibility of arms exports with the technical and economic capacity of the recipient country, taking into account the desirability that states should achieve their legitimate needs of security and defence with the least diversion of human and economic resources for armaments

Member States will take into account, in the light of information from relevant sources such as UNDP, World Bank, IMF and OECD reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They will consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

Operative provisions

1. Each EU Member State will assess export licence applications for military equipment made to it on a case-by-case basis against the provisions of the Code of Conduct.
2. This Code will not infringe on the right of Member States to operate more restrictive national policies.
3. EU Member States will circulate through diplomatic channels details of licences refused in accordance with the Code of Conduct for military equipment together with an explanation of why the licence has been refused. The details to be notified are set out in the form of a draft pro-forma at Annex A. Before any Member State grants a licence which has been denied by another Member State or States for an essentially identical transaction within the last three years, it will first consult the Member State or States which issued the denial(s). If following consultations, the Member State nevertheless decides to grant a licence, it will notify the Member State or States issuing the denial(s), giving a detailed explanation of its reasoning.

The decision to transfer or deny the transfer of any item of military equipment will remain at the national discretion of each Member State. A denial of a licence is understood to take place when the member state has refused to authorise the actual sale or physical export of the item of military equipment concerned, where a sale would otherwise have come about, or the conclusion of the relevant contract. For these purposes, a notifiable denial may, in accordance with national procedures, include denial of permission to start negotiations or a negative response to a formal initial enquiry about a specific order.

4. EU Member States will keep such denials and consultations confidential and not to use them for commercial advantage.
5. EU Member States will work for the early adoption of a common list of military equipment covered by the Code, based on similar national and international lists. Until then, the Code will operate on the basis of national control lists incorporating where appropriate elements from relevant international lists.
6. The criteria in this Code and the consultation procedure provided for by paragraph 3 of the operative provisions will also apply to dual-use goods as specified in Annex 1 of Council Decision 94/942/CFSP as amended, where there are grounds for believing that the end-user of such goods will be the armed forces or internal security forces or similar entities in the recipient country.
7. In order to maximise the efficiency of this Code, EU Member States will work within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports.

8. Each EU Member State will circulate to other EU Partners in confidence an annual report on its defence exports and on its implementation of the Code. These reports will be discussed at an annual meeting held within the framework of the CFSP. The meeting will also review the operation of the Code, identify any improvements which need to be made and submit to the Council a consolidated report, based on contributions from Member States.
9. EU Member States will, as appropriate, assess jointly through the CFSP framework the situation of potential or actual recipients of arms exports from EU Member States, in the light of the principles and criteria of the Code of Conduct.
10. It is recognised that Member States, where appropriate, may also take into account the effect of proposed exports on their economic, social, commercial and industrial interests, but that these factors will not affect the application of the above criteria.
11. EU Member States will use their best endeavours to encourage other arms exporting states to subscribe to the principles of this Code of Conduct.
12. This Code of Conduct and the operative provisions will replace any previous elaboration of the 1991 and 1992 Common Criteria.

Appendix VII. The School of Peace Culture at *Universitat Autònoma de Barcelona*

The School of Peace Culture (*Escola de Cultura de Pau*) was formed in 1999, with the aim of organising different academic and research activities related to peace culture, the prevention and transformation of conflicts, disarmament and the promotion of human rights.

The School is essentially financed by the Government of Catalonia, through its Department for Universities, Research and the Information Society, and through its Foreign Relations Secretariat. It also receives support from other departments of the Catalan Government, as well as from local councils, foundations and other institutions. The School is directed by Vicenç Fisas, who also holds the UNESCO Chair on Peace and Human Rights at Universitat Autònoma de Barcelona.

The main activities of the School of Peace Culture are as follows:

- Diploma course in Peace Culture (230-hour post-graduate course with 70 places).
- Optional subjects «Peace culture and conflict management» and «Educating for peace and in conflicts».
- Initiatives for awareness and intervention in conflicts, to facilitate dialogue between the parties involved.
- Programme Colombia, dedicated to raising awareness of the peace initiatives in this country.
- International Citizens Meeting, held annually with the support of Barcelona City Council.
- Peace Education Programme.
- Disarmament Programme, which acts as a technical service for the campaigns carried out by various NGOs for the control of light weapons.
- Alert Unit on Conflicts, Peace and Human Rights. This programme carries out a daily monitoring of the international situation, particularly as regards conflicts and the human rights situation in all countries, the movement of displaced people and refugees, the peace processes currently underway, the stages of post-war rehabilitation and the dynamics of development, for the purposes of preparing this report, as well as quarterly bulletins and weekly reports.

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