

Millennial Campaign for Africa: Toward a just US policy

This issue of the *Washington Notes on Africa* provides details about each item on our Millennial Campaign agenda. Here is a summary, with the page where the item is treated in more detail. On page two our Executive Director writes about ways for us to move forward together. We invite you and welcome you to this initiative. **We seek**

Economic justice

✎ **Debt cancellation** for African nations. There is much left to do, not only continued funding but also the largely neglected issues of stolen wealth and odious debt. *Page 3.*

✎ **Fair trade** relationships between the US and Africa. This is more than a general statement of principle. The US and other industrialized nations are moving forward aggressively on international trade agreements that work to the detriment of Africa. In particular, African efforts to protect community rights and traditional practices against the strategy of multinationals to patent life forms need to be supported, and we seek to partner with African civil society efforts to have their governments adopt draft OAU legislation that counters the dominance of **intellectual property rights** over justice and human need. *Page 4.*

✎ **Just resolution** of conflicts around the continent. We seek to keep before us these human tragedies – especially the tragic impact of conflicts in the Sudan, the Congo and Sierra Leone upon Africa's children – and to advocate for policies that affirm both our common humanity and the integrity of African initiatives. *Page 8.*

Peace and reconciliation

✎ Meaningful legislation preventing the marketing of **"conflict diamonds"** whose sale funds the tragedies of Sierra Leone and Angola. We further recognize that the proliferation of arms throughout Africa undermine efforts for peace and justice. *Page 7.*

✎ Ratification of the **child soldiers protocol**, while securing meaningful culturally-appropriate support for the **rehabilitation** of those children caught up in a violent adult world. *Page 6.*

✎ Ratification of the **landmines treaty**, helping to reinvigorate a campaign to which faith communities especially have directed such energy in the past, while seeking broadened support for the removal of landmines that threaten African families every day. *Page 8.*

Health and human welfare

✎ Increased funding to address the **AIDS** pandemic in Africa, minimally \$1 billion annually, and advocacy for a US trade policy that accepts the need of African nations to obtain **affordable medicines** for both AIDS and opportunistic infections. *Page 9.*

✎ Increased **development aid** generally, and assistance for **health**

infrastructure and health programs beyond a single disease, holding up the vision of development aid as 0.7% of GNP (the US is at 0.1%, less than all other donor nations). We seek policies that enhance the role of **African civil society** in all aid programs, for decisions about planning, implementation and evaluation all deeply affect their lives. *Page 11.*

Solidarity in the Millennial Campaign for Africa

Solidarity is the key. Advocacy organizations like the Washington Office on Africa are not endowed with resources and staff to take on such an ambitious agenda as is reflected in our Millennial Campaign alone. Thus when our Board sought, during the past year, to prioritize our efforts, we set up several criteria: One was to identify themes key to any genuine search for justice and any serious commitment to addressing human need – thus our three categories of economic justice, peace and reconciliation, and health and human welfare. Two was to name specific actions under each of those headings that seemed to us to be fundamental, timely, and appropriate for a US policy agenda – thus our advocacy pieces of legislation on conflict diamonds, appropriations to confront the AIDS pandemic, and initiatives to take on international trade agreements that undermine the rights of African smallholder farmers and local communities to control their biological resources and traditional practices. And three – here is the important solidarity piece – was to name actions that embraced both those for which others have already taken the lead – Jubilee USA on debt, for example, and the US Campaign to Stop the Use of Child Soldiers – and those for which we might take key initiatives, but still in coordination and consultation with kindred spirits.

Here is what we plan to do: First, we want to highlight each of the actions on our Millennial Campaign document steadily over the next two years, regardless of what is happening in Washington. We plan to put together materials suitable for congregations and small groups to use, underscoring the human dimension of an issue, reviewing its evolution, perhaps providing a sample letter about it or encouraging varied other actions, and helping folks by naming additional resources. But second, we recognize that we do not control the timetable! Thus when developments within the Bush administration or on Capitol Hill put, say, conflict diamonds legislation high on the agenda, we will continue to issue timely action alerts to accord with those circumstances, regardless of whatever issue we may be highlighting at that time.

For this effort to be effective, we need our sponsoring churches and our broad WOA constituency to let us know of your interest in receiving these materials. We'd like for congregations to covenant with us, agreeing to focus on our Millennial Campaign as part of your ministry. Contact us – information appears below as to how – so that we can provide you with more details.

This issue of Washington Notes on Africa is a key first step for us to both name the issues and to provide a background briefing about each item on our action list. We have sought to be as up-to-date as possible on each issue without immediately making this a dated document. We hope it will prove useful to you not just now, but as our Campaign continues. If you need additional copies, we'll be glad to send them on to you. Above all, please give your involvement in this effort your serious thought. The issues are great – literally life and death in many instances – and real justice is still a long way off.

*In solidarity,
Leon Spencer*

WASHINGTON NOTES ON AFRICA is published three times a year by the WASHINGTON OFFICE ON AFRICA, 212 East Capitol Street, Washington, DC 20003. We are a not-for-profit ecumenical advocacy organization seeking to articulate and promote a just American policy toward Africa. We monitor Congressional legislation and executive policies and actions and issue action alerts to advance progressive legislation and policy. We seek to work in partnership with colleagues in Africa, the Africa advocacy community in the United States, and grassroots organizations concerned with various aspects of African affairs. Executive Director: The Revd Dr. Leon Spencer. Phone: 202/547-7503. Fax: 202/547-7505. Electronic mail: woa@igc.apc.org. Website: www.woafrica.org.

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Much remains on debt cancellation for Africa

by Naomi Senkeeto, WOA Intern

In 1999 many wealthy nations agreed to cancel the debts of countries that met the Highly Indebted Poor Countries (HIPC) Initiative criteria. The criteria was controversial, and the amount falls far short of complete debt cancellation. The burden of debt remains quite heavy.

Many sub-Saharan African governments still spend more on debt repayments than on health care and education combined. Obviously the effect has severe repercussions on Africa's human development. In particular the debt burden has undermined the efforts of African nations to deal with the AIDS pandemic.

At this stage it is multilateral debt that plagues African nations. Even after recent relief, the 22 HIPC-qualifying countries continue to pay annual debt services of \$215 million to the World Bank and \$287 million to the IMF. Given this reality, many NGOs concerned with Africa's debt crisis call for the World Bank and the IMF to unconditionally cancel the debts of these poor countries.

Without jeopardizing either their ability to function or their credit rating, both the IMF and the World Bank can manage to do so. According to the Drop the Debt working group (of which WOA is a part), the IMF and the World Bank could afford to cover the cost of 100% debt cancellation by using their own resources, not by using additional taxpayer dollars. The World Bank could utilize a small portion of its annual \$2 billion income, and the IMF could access reserves from its Poverty Reduction and Growth Facility.

Two pieces of legislation before the House speak to this issue. *Debt Cancellation for HIV/AIDS Response Act* (HR 1567), introduced by Rep. Barbara Lee, addresses debt issues in the context of the AIDS picture. This bill seeks to secure cancellation of multilateral debt held by these two international financial institutions using resources they already have. It also calls for a moratorium on debt servicing without accrual of interest and rejects user fees, which demand that an African nation build a major barrier to access to basic health care by charging those living in poverty to visit a clinic.

The second bill, *Debt Cancellation for the New Millennium Act* (HR 1642), from the office of Rep. Maxine Waters, also seeks to modify the HIPC Initiative of the international financial institutions so that 100% of debt owed these institutions would be cancelled. (See our comments on these bills in our AIDS article on p. 9.)

Meanwhile, the House Committee on Appropriations is moving ahead on funding HIPC relief in FY2002 for

\$224 million, which combined with \$16 million carried over, marks full funding for the year.

Given the focus upon funding, issues of odious debt and stolen wealth are often neglected in discussion on Africa's debt burden.

However, much of Africa's \$300 billion debt is considered questionable and illegitimate. A significant portion of Africa's loans were self-servingly made during the Cold War to repressive regimes and corrupt leaders, who used the

money to strengthen their rule or line their own pockets. Mobutu of the Congo and Abacha of Nigeria immediately come to mind.

Other loans were callously made without careful attention to the viability of planned projects or to the ability of the recipient country to make future repayments.

Still other debts were incurred to protect a nation from threats of illegitimate regimes. In its last 15 years, for example, the apartheid regime in South Africa accumulated more than \$18 billion in debt, while its destabilization policies forced its neighbors to incur more than \$26 billion in debt.

There have recently been various multilateral efforts made to secure the return of these debts. Representatives of Transparency International from eleven African nations adopted the Nyanga Declaration in March, launching a campaign for the recovery and repatriation of Africa's stolen wealth. (Transparency International is a Berlin-based NGO dedicated to increasing government accountability and curbing both international and national corruption.)

The Jubilee campaign, instrumental in last year's success to cancel the debts owed to the G-7 countries, continues the struggle. (WOA serves on its Network Council.) Our action plan focuses on complete cancellation of debt held by the World Bank and IMF without the condition of structural adjustment programs, support for continued appropriations for debt reduction, the dropping of user fees, links between debt relief and AIDS initiatives, and heightening attention to odious debt issues.

Debt is tearing down schools, clinics, and hospitals, and the effects are no less devastating than war.

✦ Adebayo Adedeji, African Center for Development Strategy, Nigeria



Economic justice

Seeking to support the rights of African smallholder farmers and local communities over agricultural resources

You are a farmer in East Africa.

You cultivate on five acres of land, providing most of the food for your husband and children throughout the year.

Your homestead produces plantain, millet, beans, groundnuts, sweet potatoes, cassava, and corn.

You also grow tomatoes, avocados, onions, paw-paw melons and mangoes. You and your neighbors cultivate pineapples and sugar cane on communal plots nearby. Your livestock consists of chickens, some goats and a few cattle.

Your family's income derives from a small stand of coffee trees, for which your husband has responsibility, and from selling some of your crops and chickens in the local market. Occasionally you butcher a goat for sale. Your earnings pay for school fees for your children, medicine, salt, clothing, hoes and pangas, and a bicycle.

Adapted from a draft by

Larry Goodwin of the Africa Faith and Justice Network

The world is changing for smallholder farmers in Africa. Global trade regulations are leading to monopoly control of seeds, crop and plant genetic resources through an expanding system of patents over living organisms. For staple food crops, at issue are both genetically modified seeds and plants, engineered by inserting genes from non-related species into their genetic make-up, and varieties created from more conventional crossbreeding methods. Genetically modified organisms (GMOs) are often bred to resist chemical herbicide applications or insect pests.

Promoted by the World Trade Organization (WTO) with support from many industrialized nations led by the United States, Trade Related Intellectual Property Rights, popularly known as TRIPS, permit individuals and corporations to claim exclusive rights over life forms, genes, microorganisms and the micro-processes by which they perform their functions. In fact, the WTO actually requires its member countries to patent plants as an integral part of the global trade and market-based framework it obliges them to follow. This is a radical break from the customary practice of centuries in which people exchanged, saved and used their seeds and crop materials as resources that belonged to the entire community.

The situation is complicated by the fact that other international agreements are at odds with TRIPS policies. For example, the UN's Convention on Biological Diversity and the Food and Agricultural Organization's (FAO) International Undertaking on Plant Genetic Resources both uphold the principle that plant genetic resources belong to humankind's common heritage and should stay within the public domain. These conventions, however, do not have enforcement mechanisms; the WTO does. Thus WTO policies predominate in the conflict over private and public control of plant and agriculture genetic resources.

Individuals and corporations are claiming monopoly rights over resources and traditional knowledge that indigenous farmers have developed and used for generations. For example, in 1997 the US issued a patent to RiceTec, a Texas-based company, for basmati rice, a strain grown in India for centuries. The Indian government challenged the patent, and in April 2001 the US Trademark and Patent Office (USTPO) rejected 13 of the company's 16 claims. In a comparable 1999 case, Larry M. Proctor obtained a US patent for the traditional yellow *enola* bean from Mexico. The International Center for Tropical Agriculture has filed a formal request for re-examination of this patent. A US company has also laid claim to an indigenous bean cultivated by generations of farmers in the Andes.

In Africa, foreign interests have claimed rights over a number of African indigenous resources.

- ☛ The US Plant Variety Protection office (PVP) issued a certificate on a variety of *teff*, the grain used to make "injera" bread, which is a staple of the Ethiopian diet.
- ☛ The PVP also certified *Kunde Zulu*, an African cowpea variety.
- ☛ The US has issued two patents on genetic material derived from a West African cocoa plant.
- ☛ The US has also issued two patents on *Endod*, known as African soapberry, which has been cultivated and used by African women for centuries.
- ☛ The US awarded a patent for a sweetener called *Brazzein*. The plant from which the sweetener is derived originates in Gabon and has a long history of use there.
- ☛ The *Hoodia* cactus plant, which has been used for untold generations by the San people of the Kalahari Desert to stave off hunger on long journeys, has been patented by a British company and licensed to a US company as an appetite suppressant.

Economic justice

In the rhythm of your daily life, your family depends on rain for your crops and seed from your harvest for the next planting season. You do not earn much income according to formal standards of measurement, but you are largely self-sufficient in food and housing. Your lifestyle and livelihood is based on agriculture and a close-knit extended family for emotional and financial support. Your way of life extends back many generations.

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- ☛ Patents and certificates have also be issued on varieties of African sweet potatoes, millet, rice, melons, sorghum and cassava.

What are the implications for smallholder farmers of the rush by commercial interests to acquire monopoly rights over African agricultural resources?

- ☛ Food security – farmers’ historic right to save, exchange, use, breed and sell seeds, plants and crops is threatened.
- ☛ Development – the likelihood of having to buy expensive seeds each year could deal a blow to farmers’ limited incomes.
- ☛ Land ownership – pressure to adopt a more industrialized model of agriculture based on large-scale commercial production would threaten smallholder farmers, for paying for expensive seed and inputs would make it difficult to secure a return on their investment on the small acreage most African farmers own or use.
- ☛ Biodiversity – use of patented seeds for commercial agriculture engenders mono-cropping - growing a single crop over an extensive area - which results in clearing large expanses of flora and fauna and abandoning local crop varieties.

Agribusiness promotes GMO and other patented seeds and plants as a solution to hunger in the developing world. Proponents often use the one-dimensional argument that biotech agriculture is good and necessary for impoverished people because it increases yields, thus providing more food for hungry people. Critics contend otherwise, asserting that contemporary organic agriculture matches and in some cases bests yields from biotech crops. When coupled with natural technologies like Integrated Pest Management, they argue that a regenerative approach to agriculture actually enhances both food security and biodiversity.

But there is more to the issue than a question of yields. Of fundamental importance is the fact that monopoly control of agricultural genetic resources involves fundamental ethical and practical questions about food security, development, social and economic justice, communal and farmers’ rights, environment and biodiversity. These questions revolve around the principle of public versus private control of humanity’s basic life-support systems – food crops, air, water.

In grappling with the question of their agricultural and biological heritage, Africans have staked out clear positions in favor of protecting communities’ rights over their resources. The African Group of ministers at the 1999 WTO Third Ministerial in Seattle took the lead in opposing the patenting of life in any of its forms. They continue to push this position as the WTO prepares for its Fourth Ministerial in November 2001 in Qatar.

For its part, the Organization of African Unity (OAU) has drafted African Model Legislation for the Protection of the Rights of Local Communities, Farmers and Breeders, and for the Regulation of Access to Biological Resources. Its aim is to ensure the conservation and sustainable use of biological and agricultural genetic resources and traditional knowledge systems and technologies, and to maintain public and communal control and rights over these resources. The OAU is urging individual African governments to enact this legislation into national law.

Among the main principles enunciated in the model legislation are:

- ☛ Local communities have the rights over their biological resources, traditional knowledge and technologies. These rights are of a collective nature and take precedence over rights based on individual and corporate interests.
- ☛ African states and people have the right to ensure the conservation, evaluation and sustainable use of their biological resources, traditional knowledge and technologies, and to govern access to them.
- ☛ Local communities have the inalienable right to access, use, exchange or share their biological resources in sustaining their livelihood systems as regulated by customary law and practice.
- ☛ African states and people have the right to protect community intellectual property rights and farmers’ rights according to customary practices and laws.

The Washington Office on Africa is joining with colleagues in our Africa Trade Policy Working Group, under the leadership of the Africa Faith and Justice Network, to support these African initiatives. We have prepared a Declaration of Support, which many organizations have already endorsed. We anticipate presenting this in several international fora, and we look toward a legislative vehicle to address US policy.



Peace and reconciliation

US ratification sought on the child soldier protocol

*We must not close our eyes to the fact that child soldiers
are both victims and perpetrators.
They sometimes carry out the most barbaric acts of violence.
But no matter what the child is guilty of,
the main responsibility lies with us, the adults.
There is simply no excuse, no acceptable argument for arming children.*

✎ Archbishop Desmond M. Tutu

by Belinda Lamptey, WOA Intern

There is no international law prohibiting the use of children under 18 years in armed conflicts, though the UN Convention on the Rights of the Child prevents the use of child soldiers under the age of 15. This age limit was found to be unacceptable, and the United Nations General Assembly unanimously adopted an “optional protocol in May 2000 that seeks to raise the age of recruitment, conscription, and participation in armed conflict to 18. As of March 2001, 79 countries, including the US, have signed the protocol; four have ratified it. It will come into force only when 10 countries have done so.

The United States has neither ratified the UN Convention on the Rights of the Child nor the optional protocol. Last year, after six years of vigorous opposition to eighteen as the minimum age for participation in armed conflict, the US agreed for the first time to end the deployment of under 18s in direct hostilities. Currently, the US accepts children under the age of 18 as voluntary recruits, with parental permission, into the military provided “strict safeguards” are in place. According to the Defense Department, children under 18 make up less than one-half of one percent of active US troops. Despite these minimal figures, these recruits, together with Pentagon-sponsored JROTC programs for some 400,000 high school boys and girls, are taught to march, shoot, act, and think like soldiers. They remain children.

Ratification by the US, however, is far more than an issue of US military policy. Rather it is a sign that the US cares about the fate of the estimated 300,000 children who are serving in 30 different conflicts throughout Africa, Asia, Latin America, and Europe. These children are recruited and sometimes kidnapped by governments as well as opposition forces and given perhaps two or three weeks training before being sent to fight. Save the Children in

Sweden estimates that during the last decade over two million children have been killed in armed conflicts, six million have been maimed or permanently disabled, one million orphaned, and ten million psychologically traumatized.

Although the use of children as combatants is a world-wide occurrence, Africa seems to be the worst hit. Statistics from the International Coalition to Stop the Use of Child Soldiers show that more than 120,000 children under the age of 18 are fighting in African conflicts. Angola, Burundi, Congo-Brazzaville, the Democratic Republic of Congo, Liberia, Mozambique, Rwanda, Sierra Leone, Sudan, and Uganda record large numbers of child soldiers.

Recently, several countries have responded positively to the atrocities and traumatizing effects of letting children fight wars. At the beginning of this year, UNICEF assisted with the demobilization of child soldiers in Sudan. Over 2,600 children, aged between 8 and 18, were removed from conflict zones there. UNICEF has made similar efforts in Angola and the Congo. And yet in late May, Human Rights Watch reported that the major rebel group in Eastern Congo, the RCD-Goma, and the Rwandan army troops who support it continue to conscript children in conflicts, in contravention of the 1999 Lusaka Accords. “Children are being abducted and sent to battle by the very soldiers who are supposed to protect them,” an adviser of their Africa Division commented.

The reluctance of a Republican-led Senate Foreign Relations Committee to ratify international agreements has meant that no immediate movement on the protocol was likely. With the recent dramatic change in the Senate, there may be grounds for hope for ratification. An aggressive advocacy strategy should help to place ratification on the agenda.



Conflict diamonds fund rebels in Sierra Leone

by Belinda Lamptey, WOA Intern

Diamonds may still be a symbol of love, but we should pause to imagine how many women suffered rape, how many limbs were dismembered, how much blood was spilled, and how many lives paid for those diamonds. These are “conflict diamonds” – diamonds that originate from areas controlled by rebels to fund military action against legitimate governments.

The stimulus for the conflict diamonds campaign has been Sierra Leone, but the issue applies to Angola and the Congo (DRC) as well. During the past decade, over 6.5 million people from these African countries have been chased out of their homes and villages by wars of greed.

Conflict diamonds have funded rebel leader Foday Sankoh’s Revolutionary United Front (RUF) in Sierra Leone since 1991, enabling his men to wage war against the government of Tejan Kabbah. They intimidated civilians, especially in the north-east of the country, and early on turned to cutting off the hands of civilians. Their crude amputations later spread to feet, lips, ears and noses.

In Angola, conflict areas produced diamonds worth about \$150 million in 1999, despite UN Security Council sanctions against their export the previous year. A Security Council report indicates that “diamonds had a uniquely important role within UNITA’s political and military economy.” In the DRC too, diamonds have been a key source of funding of the brutal regional war.

Conflict diamonds, the industry says, account for less than four percent of the world’s \$7 billion trade in uncut stones; human rights advocates estimate the figure to be closer to 25%. In either case, the inhumanity and atrocities associated with these

diamonds are stunning. Thus, any steps to prevent conflict diamonds from reaching the US, which purchases 65% of the world’s supply, would undermine the capacity of rebel forces to fund their brutal wars.

Last year participants in a working group consisting of governments, industry and NGOs from some 38 countries – part of what has become known as the Kimberly Process – met in Belgium to seek ways to establish an international certification system that would keep all conflict diamonds from reaching the world market, while protecting those legitimate diamond producing countries like Botswana, Namibia and South Africa. This July, in Moscow, they approved the basics of such a system.

In the last Congress industry and advocates worked together on legislation that essentially prohibited the entry of conflict diamonds into the US by banning the importation of diamonds originating from countries that had not adopted an international system of rough diamond controls, but at the last minute the diamond industry withdrew its support of this Clean Diamonds Act, introduced in the House by Rep. Tony Hall.

This Congress began with both an industry bill and an advocacy bill. In late June, however, faith-based advocates and NGOs reached a compromise with the diamond industry that addresses most of our concerns with current legislation. The status this summer is that Senators Dick Durbin, Russ Feingold and Michael DeWine have introduced the Clean Diamonds Act (S 1084). The legislation will create a system to prohibit the US import of conflict diamonds and impose serious penalties upon those who trade in them. Given the endorsement by both the World Diamond Council and NGOs, this

bill will likely render the industry bill (the Conflict Diamonds Act, S 787), sponsored by Sen. Judd Gregg, dead.

The House counterpart (HR 918, also entitled the Clean Diamonds Act) remains an active bill. Introduced by Reps. Hall and Frank Wolf, it was countered by a weak industry version known as the Conflict Diamond Act. The key bones of contention were that (1) the industry wanted to exclude jewelry, which worried advocates because it seemed to allow the possibility that RUF rebels in Sierra Leone might simply attach a cheap stud or ring to a diamond and thereby avoid these restrictions; (2) there was no time line for implementation in the industry bill; and (3) penalties were weak in their legislation.

The Senate compromise bill includes jewelry, provides a deadline (while allowing the President to grant extensions), and subjects violators to strong civil and criminal penalties, including confiscation of diamonds and the blocking of US assets. It spells out details of the certification system, while allowing for that system to be superseded by an international agreement if the US is a party to it. The bill authorizes \$5 million to aid countries that have financial difficulties implementing the system of controls. It creates a presidential advisory commission, with equal membership to NGOs and the diamond industry.

Despite these encouraging developments, WOA and our colleagues believe conflict diamonds must remain a focus for advocacy. Only when the international certification is in place can we be sure that the diamonds purchased around the world are worth *their* value, not the life and limbs of innocent human beings.



Peace and reconciliation

Still pressing for the US to repudiate landmines

by Belinda Lamptey, WOA Intern

March 1, 2001 marked the second anniversary of the entry into force of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. To date, 139 states have signed, and 110 have ratified the Mine Ban Treaty, including all American NATO allies, and all other countries in the Western hemisphere except Cuba.

A landmine is a device designed to kill or injure anyone that comes into contact with it through a purpose-designed feature such as a direct pressure switch or a trip-wire. It makes no distinction between the "footfall of a soldier and that of the child." Landmines claim 20,000 victims and take 2,000 lives each month. Roughly three people every hour come into contact with an anti-personnel mine. Additionally, landmines hamper economic development. They destroy livestock and prevent the cultivation of arable land, making some of the world's poorest countries even poorer.

Landmines remain a serious threat to the lives of many Africans, especially in Angola, Burundi, Mozambique, Sudan and Somalia. Efforts at de-mining – searching for and removing landmines – continue, but they are time-consuming, dangerous and expensive. To its credit, the US contributes substantially to mine clearance projects. Appropriations are expected to be \$40 million for FY2002.

Unfortunately, however, the US had declined to ratify the Mine Ban Treaty. Pres. Clinton accepted the Pentagon's argument that no actions should be taken until 2006, by which time they predicted "alternatives" to landmines could be found. The U.S. Campaign to Ban Landmines has questioned both the justice and necessity for such a delay for some time, but most recently, eight retired generals, including those who had served in Korea – Korea being the key setting where the Pentagon argues the US must use landmines – signed a letter to Pres. Bush urging him to endorse the Mine Ban Treaty now. These senior officers declared that "military, diplomatic, and humanitarian advantages of speedy US accession far outweigh the minimal military utility of these weapons." The US owns the fourth largest stockpile of landmines in the world.

Various NGOs and humanitarian and religious groups continue to urge the US government to accede to the Mine Ban Treaty, pressing Pres. Bush for support. We endorse the *Landmine Elimination and Victim Assistance Act*

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Search for a just peace in Sudan continues

by Belinda Lamptey, WOA Intern

Sudanese have faced civil war for 34 of the last 45 years. It is the longest-running civil war in the world. It pits the main armed opposition group, the Sudan People's Liberation Army (SPLA) and its allies against the government and its proxies. It pits north against south, and, in general, African Christians and followers of African traditional religions against Muslims (though it is simplistic, as some Americans are doing, to characterize the conflict in those terms alone). Since 1983, some two million people have died from war-related causes. More than four million people, mostly civilians, have been forced to flee their homes into the bush or seek refuge in neighboring countries.

WOA's commitment is to be a voice for a just resolution of conflicts around the continent. We are well aware of Angola's 26-year-old civil war, where a similar number of people have also been forced from their homes. The US has much to answer for in its Angola policy over the years. We have much to answer for, too, in our long-standing support for Mobutu, the legacy of which we can see in the ongoing regional war in the Congo. Images from Sierra Leone are wrenching; our piece on conflict diamonds (*see p. 7*) speaks in part to that, indeed to all three.

But Sudan has, for a variety of reasons, secured priority in the US, and within Sudan, human rights issues have received increasing attention. Although all parties to the conflict commit human rights abuses on a daily basis, the government of Sudan remains by far the greatest perpetrator. Abuses include flogging, torture, looting of cattle and grain, wholesale destruction of villages, extrajudicial executions, and the abduction of women and children. Evidence of slavery is indisputable.

The government engages in a campaign of indiscriminate aerial bombing, terrorizing the civilian population and forcing them into areas controlled by the regime or into neighboring countries. Relief sites and hospitals are often bombed. The government has used helicopter gun ships to depopulate areas in and around the oil fields.

The dislocation of so many, combined with drought, has left Sudanese in desperate need of humanitarian relief, and yet the government in Khartoum has used its "right" to veto international relief flights, preventing delivery of essential relief to areas affected by war and famine. The UN, which maintains its Operation Lifeline Sudan program of relief, predicts that three million people will require emergency food assistance this year.

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Confronting the AIDS pandemic in Africa

More than 36 million people in the world today are living with HIV/AIDS. Of those, some 95% live in the Global South; sub-Saharan Africa alone is home to over 25 million, or about 70% of the world's cases. Some twelve million African children are counted as AIDS orphans. Fifty-five percent of the HIV-positive people in sub-Saharan Africa are women; six out of seven children who are HIV-positive are girls. An estimated seventeen million Africans have died from AIDS-related causes.

In the midst of these tragic figures, there are hopeful signs. African leadership – political, NGO, and faith-based – have increasingly directed attention to the pandemic. Senegal and Uganda have been notable in the effectiveness of their prevention campaigns. Advocacy efforts from within and outside of Africa have led to dramatic declines in costs of AIDS medications. And in Congress, an array of legislation has been put forward to address various aspects of the pandemic, reflecting a growing concern and commitment within the United States to share responsibility for confronting this tragic disease.

The key to AIDS initiatives is money: How much,

The global HIV/AIDS epidemic, through its devastating scale and impact, constitutes a global emergency and one of the most formidable challenges to human life and dignity...

Declaration of Commitment on HIV/AIDS, UN General Assembly Special Session, June 2001

for what purpose, and how administered. The figures most widely accepted in recent months have been a total of \$7-10 billion annually to confront AIDS globally. A June 22, 2001, report in *Science* concluded that the world's poorest countries will need \$9.2 billion annually – \$4.4 billion for treatment, and \$4.8 billion for prevention. Sub-Saharan Africa, the report suggests, will need half of that. Current spending only totals about \$1.8 billion.

It is now projected that total HIV/AIDS assistance from the US during this fiscal year will be about \$235 million, a proportion of the global appropriations for FY2001 of \$315 million. President Bush budgeted for \$329 million for global HIV/AIDS programs for FY2002, and has since pledged an "initial" \$200 million for the global fund. The Senate Appropriations Committee recently reported out a FY2001 supplemental bill calling for \$100 million to the global fund. Many Africa advocates in the US, including the Washington Office on Africa, have called for a minimum US appropriation of \$2.75 to \$3 billion divided between total AIDS-specific funding, new funds for global health issues, and new Africa-specific development aid.

There is an ongoing debate about the purpose of such funds, with the USAID administrator recently advocating that US funding be used almost exclusively for prevention, not treatment. It seems patently clear, however, that prevention and treatment are both required, not simply because of the ethical demand to care for those suffering with AIDS, but also because the availability of treatment provides strong incentive to risk stigma and job loss by undergoing testing. The Hyde bill – the major Republican vehicle on AIDS – makes only a minor gesture toward treatment.

Within this debate is a further one, over whether or not US funds could and should be used to purchase "generic" AIDS medications. Virtually all antiretroviral medicines are under patent. Under WTO rules, African nations may engage in two practices – either compulsory licensing, where they make their own "generic" drugs, despite the fact that the drug remains under patent, or parallel imports, which simply involves shopping around for the best price of drugs which, still under patent, are sold at dramatically different prices from one country to another. While an executive order currently prohibits the US from retaliating against a

country that follows such practices, the order does not mean that the US could not still insist that any funds it appropriates for treatment must be used to purchase patented medications from US pharmaceutical companies.

The call for a global fund has gained momentum, though there continues to be intense debate as to under whose auspices the fund should rest. Last year's Global AIDS and Tuberculosis Relief Act called for the creation of a World Bank AIDS Trust Fund, and Congress appropriated an initial \$20 million. It seems unlikely that it will come into being, however. Instead, the debate is focused upon whether a global fund should be directly under the United Nations or be an independent and potentially more efficient fund. There is further concern about the fund's decision-making processes and participation by people living with AIDS and by recipient as well as donor nations.

This multilateral approach will not, and should not, replace bilateral appropriations, principally through USAID, the Centers for Disease Control (CDC), and the Department of Defense and Department of Labor.

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Health and human welfare

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While appropriations are critical, other bills and the values they represent remain important. Given the Republican majority in the House, the *Global Access to HIV/AIDS Prevention, Awareness, Education, and Treatment Act* (HR 2069) introduced by Rep. Henry Hyde, chair of the International Relations Committee, is the focus of current debate. Democrats successfully increased funding in the bill in Committee in late June. It now calls for \$560 million to USAID, \$750 million for the global fund, and \$50 million for a pilot treatment program. Amendments to increase the global fund on the House floor are expected, with the hope that the figure will reach one billion.

Many other bills raise crucial points and deserve serious consideration if our response to the global pandemic is to be just.

One issue to watch very carefully is affordable access to medicines. Health care and AIDS treatment are not an economic commodity, the preserve of the wealthy, yet US trade policy shows greater concern for the protection of intellectual property than for the lives of those suffering with AIDS. WOA considers that, at a minimum, the US should not retaliate against African nations that seek to use legitimate international trade provisions to secure affordable medicines. We should, further, agree to an international bulk procurement structure obtaining drugs at the world's best prices, generic or otherwise. Bills include:

- ☛ *The Global Access to AIDS Treatment Act* (S 463), introduced by Sens. Dianne Feinstein and Russell Feingold, increases access to pharmaceuticals and seeks to build a better health care infrastructure.
- ☛ *The Affordable HIV/AIDS Medicines for Poor Countries Act* (HR

933), re-introduced by Rep. Maxine Waters, makes it illegal for the US government to use the WTO's intellectual property rights (TRIPS) agreement to challenge any developing country law that promotes access to HIV/AIDS medicines and prohibits the US government from using federal funds to seek to revoke any law of a developing country that promotes access to HIV/AIDS medicines.

- ☛ *The Export-Import Bank HIV/AIDS Medicine Access Promotion Act* (HR 1690), also from Rep. Waters, prohibits the Bank from guaranteeing, insuring or extending credit to any company that has challenged efforts by any nation to secure affordable medicines through compulsory licensing or parallel imports.

A second concern is the global fund, its nature and the sufficiency of its funding. African nations should not be merely the recipients of whatever Western nations decide they want to do. The fund needs to honor broad-based participation, to work through culturally-sensitive structures, and to move quickly.

The key bill in this regard is *the International Infectious Diseases Control Act* (S 1032), introduced by Sen. Bill Frist. It calls for negotiations to reach agreement on the fund; defines the fund and its board; requires that the fund provide only grants, thus preventing the accumulation of further debt; and advocates support for both prevention and treatment. The bill authorizes \$200 million for FY2002 and \$500 million for FY2003.

A third concern is that HIV/AIDS responses are related to other health needs, that health care infrastructure is related to broader development needs, and that human development is related to thoughtful commitments to poverty reduction. In that context, US commitments to

support AIDS programs should not be made at the expense of other development assistance and health concerns, but should draw upon "new" resources from our undeniable wealth as a nation. Bills directed toward these issues include:

- ☛ *The Global Health Act* (HR 1269), re-introduced by Rep. Joseph Crowley, seeks a \$1 billion increase in aid for global health programs, including an additional \$275 million for HIV/AIDS.
- ☛ *The Global AIDS Research and Relief Act*, introduced by Sens. Barbara Boxer and Gordon Smith, urges that our foreign aid program give HIV/AIDS prevention priority, and authorizes increasing appropriations by \$600 million in both FY2002 and FY2003. Priority is to be given to sub-Saharan Africa, with special attention to AIDS orphans and mother-to-child transmission.

Debt cancellation is obviously related to the capacity of African nations to respond to the pandemic. Two bills address that concern, the *Debt Cancellation for HIV/AIDS Response Act* (HR 1567), introduced by Rep. Barbara Lee, encourages African nations to direct a "significant proportion" of savings from debt relief to AIDS and other health priorities. *Debt Cancellation for the New Millennium Act* (HR 1642), from Rep. Waters, notes that savings from such debt relief may then be invested in HIV/AIDS treatment and prevention, health care, education, and poverty reduction. (See our article on debt, on p. 3, for further details.)

Another bill of interest is *A bill to authorize assistance for mother-to-child HIV/AIDS transmission prevention efforts* (HR 684), from Rep. Juanita Millender-McDonald. It calls for the CDC to establish pilot programs in Africa to prevent such transmission.



Countering decreases in US development assistance

by Naomi Senkeeto, WOA Intern

Since the early 1990s there has been a progressive drop in worldwide aid to sub-Saharan Africa. The World Bank reports that overall development assistance to Africa (by member countries of the OECD, the Organization for Economic Cooperation and Development) has fallen dramatically. Leading the way in the decrease is the United States, which spends only 0.1% of its GNP on development assistance.

The US traditionally has been the second largest donor (after France) to Africa in terms of total dollars – Bread for the World reports that current USAID spending on poverty-focused development

assistance to Africa is currently approximately \$793 million – but in 1995 it dropped to fourth. Although by dollar amount the US remains the second largest donor of *worldwide* economic aid (after Japan, whose economy is less than half the size of ours), in 1998-1999 development aid, as a percentage of the economy, was three times greater in the typical OECD country than in the US.

Over the past decade, US development aid has steadily declined, and under the Bush budget, US aid will be only 0.1% of the US economy. This is the lowest in the entire post-World War II era. It would equal 0.56% of total federal expenditures in 2002. As the Center on Budget and Policy Priorities reports, this is lower than the share of the budget for development aid at any time on record. Aid under the Bush budget will decline further after 2002 by both standards.

Surprisingly, perhaps, to many members of Congress, where hostility to foreign aid has often been expressed, studies show that most Americans significantly overestimate the actual amount the US spends. And intriguingly, a recent poll conducted by the University of Maryland's Program on International Policy and Attitudes reports that 60% of Americans support using US foreign aid to ease hunger and spur economic development in the world's poorest countries, and 75% of Americans polled said that

they would be willing to contribute \$50 a year in taxes to cut hunger in half.

Nevertheless, development aid has been a controversial issue for many years, with debate centering heavily around corruption, ill-conceived projects, control of aid programs, and general effectiveness. Certainly there have been problems, but development assistance continues to address such issues as health and the HIV/AIDS pandemic, education (especially for girls), food security, micro-enterprise lending, child survival, and conflict resolution and peacekeeping. Poverty reduction is the ultimate focus, and there is little doubt that aid has helped to improve social indicators in Africa over the past thirty years.

Development aid is not always provided on a government-to-government basis; often it directs funds to NGOs and grassroots organizations. The African Development Foundation, for example, makes small grants and micro-finance loans to African NGOs, cooperatives, youth groups, women's organizations, and various self-help structures. The ADF is an excellent example of how the US is providing development assistance creatively.

The reckless tax cuts of the Bush administration dramatically reduce available funds, and render one need competing against another – taking money from the child survival line item to pay for increases in the budget to confront HIV/AIDS, for example. When we call for increases for AIDS or debt relief, we are often dealing with an established total figure, and we end up simply carving up a small pie in a different way. The answer is more funding – *significantly* more funding.

In 1972, the UN approved a resolution calling on all developed nations to spend 0.7% of GNP on development assistance. The US contribution of 0.1% of GNP falls desperately short of this goal.

This decline in US development spending is unacceptable. Bread for the World has launched a campaign calling for an increase of \$1 billion annually for the next ten years for development aid to Africa. We endorse that effort. And though the US never committed itself to the 0.7% goal, it remains an admirable one.

We need to keep before Congress and the administration – *every* Congress and *every* administration – that we firmly support development aid. Home to only 4% of the world's population yet consuming over 25% of the world's resources, the US needs to step up and accept its share of responsibility for the 291 million Africans living on less than a dollar a day.



Seeking landmines ratification

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(S 497), introduced by Sen. Patrick Leahy, and its companion bill (HR 948), introduced in the House by Rep. Lane Evans. This legislation sends a message to the President that Congress wants the United States to sign the Mine Ban Treaty, extends the current US prohibition on the export of antipersonnel landmines and anti-tank landmines, urges the military to field treaty-compliant alternatives to antipersonnel landmines, and provides support for landmine victim assistance projects.

The Bush administration is currently conducting a comprehensive landmines review, and a statement on their policy is expected this summer.

Innocent civilians continue to die as I write and even as we continue to advocate for US adoption of the Mine Ban Treaty. Every minute counts.



Justice and peace in Sudan

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Oil production has further complicated the situation. "Oil has brought death," Malony Kolang, a Nuer chief, told Christian Aid early this year. There is a direct correlation between oil revenues and increased military spending by the government of Sudan. In short, the right of foreign oil companies to exploit oil concessions has taken precedence over the right of the Sudanese to live peacefully.

Canada's Talisman Energy has been at the center of the controversy. In May Georgette Gagnon, a Canadian human rights lawyer who recently traveled in Sudan, told WOA's Board that Talisman's airstrips are being used on a regular basis for offensive military purposes, and many of the assaults have been directed against civilians as a further step toward depopulating oil concession areas.

There are now two peace initiatives, one by IGAD (a regional effort of the Inter-Governmental Authority on Development), the other by Egypt and Libya. Opposition groups to the Sudanese government met in Cairo in late June to try to coordinate the two efforts, but there are serious obstacles. The recent Egyptian-Libyan memorandum fails to mention the right to self-determination and freedom of religion, two principles noted in earlier IGAD declarations. Meanwhile, the important grassroots People-to-People Peace Process in the South, with invaluable support from the New Sudan Council of Churches, continues.

In June the House International Relations Committee passed the Sudan Peace Act (HR 2052). Introduced by Rep. Tom Tancredo, the bill condemns slavery and other human rights abuses and calls for an end to the Khartoum government's veto over relief flights. It also calls for an investigation into the practice of slavery, and for condemnation *every* time the Sudan government bombs civilian targets. It adopted wording clearly declaring that Sudan government practices constitute genocide and war crimes. It authorized funding for non-lethal aid in the south, a step WOA and others view with some apprehension.

What was especially noteworthy about the Committee action was the successful amendment from Rep. Spencer Bachus which explicitly denies US capital market access to oil companies operating in Sudan. Rep. Donald Payne, sharing this concern, has introduced a concurrent resolution (H Con Res 113) urging the same thing. These steps – which we support – are consistent with what we continually hear from Sudanese partners and advocates.

For Talisman Energy, this legislation would mean the de-listing of their shares from the New York Stock Exchange. Approximately 20% of Talisman shares are held in the US.

The Sudan Peace Act still has to make it through the Senate; there, as S 180, it was introduced by Sen. Bill Frist.



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