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## Rights-Based Approaches to Development: The African Union

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## The African Union

by Makaria Green

The African Union (AU) was established on July 8, 2001. Its predecessor was the Organization for African Unity (OAU)—established in 1963. The charter that created the OAU was the result of several multinational African conferences held in the 1950s and 1960s aimed at supporting Africans who were still under colonial rule to incite change through non-violent means. The OAU had just four organs: the Assembly of Heads of State and Government, the Council of Ministers, the General Secretariat and the Commission of Mediation, and Conciliation and Arbitration. On September 9, 1999, the Assembly of Heads of State and Government issued a Declaration (the Sirte Declaration) calling for the establishment of an African Union, with a view, *inter alia*, toward accelerating the process of integration in the continent, and also address the social, economic and political problems that derive from globalization. The main objectives of the OAU were, *inter alia*: to rid the continent of the remaining vestiges of colonization and apartheid; to promote unity and solidarity among African states; to coordinate and intensify cooperation for development; to safeguard the sovereignty and territorial integrity of Member States; and to promote international cooperation within the framework of the United Nations.

To address issues of development, the New Partnership for Africa's Development (NEPAD) was established in 2001 by the AU. According to NEPAD, their mission "is anchored on the determination of Africans to extricate themselves and the continent from the malaise of underdevelopment and exclusion in a globalizing world." The unity provided by the AU, and African leaders—increasingly being elected by democratic means—will likely provide more stability to the African continent, thus making it more appealing to foreign investment. According to NEPAD, Africa's natural and human resources could lead to equitable and sustainable growth if harnessed properly, reversing the impoverishment caused by slavery, economic mismanagement, and corruption. NEPAD is currently focused on the following sectors: agriculture; human development with a focus on health, education, science and technology and skills development; building and improving infrastructure, including information and communication technology, energy, transportation, water and sanitation; promoting diversification of products and exports, particularly with respect to agro-industries, manufacturing, mining, mineral beneficiation and tourism; accelerating intra-African trade and improving access to markets of developed countries; and improving the environment.

One of the key objectives of the AU is to defend the sovereignty, territorial integrity and independence of its Member States. Yet, the AU is currently having difficulty achieving this objective. The most pressing need for peacekeeping and security intervention exists in Darfur. More than two months ago, the AU's Peace and Security Council decided to send 120 military observers, and 270 troops to protect them, to Darfur, but the full contingent only arrived the last week of May, 2006. In early May the AU promised to send two thousand more troops to serve as peacekeepers. It also proposed the mission's mandate be extended to protect civilians, yet the government of Sudan, which is an AU member, rejected the proposal except to protect the observers. The Sudanese government has yet to produce sufficient evidence that it has disarmed the militia in Darfur.

The AU does intend to have an African Standby Force by 2010. In fact, written into the AU Constitutive Act is a clause granting it the right to impose sanctions on member governments

should they not comply with the Act, to include infractions of not paying dues, or other actions deemed as violations. Despite advances and marks of progress, the Organization of African Unity continues to face difficult obstacles as it strives to provide a better life for all African people.

### General Resources

2005. "A Continent Reflects." *Africa Research Bulletin: Political, Social & Cultural Series*. 42(6): 16241-16242.

*Abstract: Focuses on the current issues highlighted in the African Peer Review Mechanism report involving Rwanda and Ghana. Firm and concrete actions sought by the very least donor countries to stop fiscal indiscipline or impropriety and human rights violation; Aim of Ghana President John Kufuor to correct the path in terms of governance and good leadership for economic development; Optimism of Rwandan President Paul Kagame on working with others to carry out measures in identifying the country's weaknesses.*

2006. "Human rights leader to address conference audience." *Communication World*. 23(2): 5-9.

*Abstract: The article reports that Stephen Lewis, one of Canada's most respected commentators on social issues, international development and human rights, will deliver the general-session address at LABC's 2006 International Conference in Vancouver, British Columbia, on 6 June. Lewis, the director of The Stephen Lewis Foundation, which is dedicated to easing the impact of HIV/AIDS in Africa, has been a special United Nations envoy for HIV/AIDS in Africa since 2001. He is also a commissioner for the World Health Organization's Commission on the Social Determinants of Health. Last year, Time named him one of the "100 Most Influential People in the World," and in 2003 Maclean's chose him as its inaugural Canadian of the Year. From 1995 to 1999, Lewis was deputy executive director of UNICEF at its global headquarters in New York City, acting as a passionate spokesperson for the agency's advocacy for children, especially in the developing world. In 1997, he was appointed by the Organization of African Unity to a panel of eminent personalities to investigate the genocide in Rwanda. Lewis was the Canadian ambassador to the U.N. from 1984 through 1988.*

2005. "IN BRIEF." *Africa Research Bulletin: Political, Social & Cultural Series*. 42(5): 16234-16234.

*Abstract: Reports developments related to human rights issues in Africa. Interrogation on the death of French judge Bernard Borrel; Hostile demonstrations in Mauritania.*

2005. "Putting People First in Development." *U.N. Chronicle*. 42(1): 18-21.

*Abstract: The article presents information according to which the Third Committee of the United Nations deals with myriad topics related to social development, advancement of Women, international drug control and human rights issues. Delegates meet, discuss and debate these issues and work to forge resolutions that enjoy unanimous support. For if this is not possible can be voted upon. The United Nations Children's Fund estimates that more than 200,000 children are enslaved through cross-border smuggling in West and Central Africa. On the important issue of trafficking, the Assembly adopted by consensus the resolution on "Trafficking in women and girls." Since 1995 when the Philippines first led the tabling and negotiations on a draft on trafficking, the text has enjoyed the broadest support from U.N. Member States.*

Barber, James. 2005. "The new South Africa's foreign policy: principles and practice." *International Affairs*. 81(5): 1079-1096.

*Abstract: This article outlines principles, which, shortly before taking office in 1994, the ANC said would be the foundation for its future foreign policy. The ANC stated that its core concern was the pursuit of “human rights,” which were directly related to the promotion of democracy. Other principles included respect for international law, support for peace and disarmament, and universality. These were to be pursued in four settings. First, the global division between the First and Third Worlds as the government was concerned about economic inequality and unjust global trading systems. Second, international organizations such as these were seen as central to the search for human rights, peace and equality. Third, demilitarization resulting in South Africa’s forces being used for self-defense and peacemaking/keeping only. The government believed that this would produce savings that could be redirected into social development. Finally, supporting the rest of Africa, as the ANC believed South Africa could not flourish if surrounded by poverty. The article examines how far the ANC governments of Presidents Mandela and Mbeki have succeeded in implementing these principles, and how far they have fallen short. The article also includes a discussion of Mbeki’s policy towards Robert Mugabe of Zimbabwe.*

Alex de Waal. 2003. “Human rights organizations and the political imagination: how the West and Africa have diverged.” *Journal of Human Rights*. 2(4): 475-494.

*Abstract: Focuses on the evolution of human rights as an activity in the West and in Africa. Details on the ethical standing of a movement for peace, rights or socio-political emancipation; Development of an international human rights movement; Discussion of the principle and aspects of human rights.*

Central Intelligence Agency (CIA), US Government. 2006. The world factbook - appendix B: International organizations. <https://cia.gov/cia//publications/factbook/appendix/appendix-b.html>

*Abstract: Replaces Organization of African Unity (OAU); established - 8 July 2001; aim - to achieve greater unity among African States; to defend states' integrity and independence; to accelerate political, social, and economic integration; to encourage international cooperation; to promote democratic principles and institutions; members - (53) Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Republic of the Congo, Cote d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sabrawi Arab Democratic Republic (Western Sahara), Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.*

Chris Landsberg. 2005. “The U.N. High-Level Reports and Implications for Africa.” *Security Dialogue*. 36(3): 388-391.

*Abstract: Examines the implications of two United Nations’ (UN) reports on international security for Africa. “A More Secure World: Our Shared Responsibility,” from the High-Level Panel on Threats, Challenges and Changes; “In Larger Freedom: Towards Development, Human Rights and Security for All,” by U.N. Secretary-General Kofi Annan; Comments on the reports.*

El Hadj Mbodj. 2002. “Prospects for partnership among African cities.” *International Social Science Journal*. 54(172): 233.

*Abstract: Partnership has become such a hackneyed term that the question may legitimately be asked whether it is a fruitful concept or a mere slogan. However, the term is of interest not from the semantic but rather from the developmentalist standpoint, since the second United Nations Conference on Human Settlements (Istanbul) raised*

*it to the rank of a strategy in the context of its world action plan aimed at securing “adequate shelter for all” and “sustainable human settlements development in an urbanizing world.” In the final analysis, partnership serves to strengthen the legitimacy of public policy-making through a greater involvement by the agents of development in the definition and implementation of the policies that concern them. As such, it has undeniable heuristic values in Third World countries in general, and in Africa in particular, where the existence of economic, cultural, and social imbalances seriously jeopardizes the development policies being implemented. Only the under-developed states have in common certain ills, namely, extreme poverty, lack of economic and financial resources, the anarchic occupation of space and the spread of shantytowns that is blighting the habitat.*

John Mubangizi and Betty Mubangizi. 2005. “Poverty, human rights law and socio-economic realities in South Africa.” *Development Southern Africa*. 22(2): 277-290.

*Abstract: South Africa is a nation of immense variety. It has rich cultural diversity, an enviable climate and an abundance of natural resources. However, it is also a nation with vast economic disparities and a highly unequal distribution of income. Hence, in spite of abundant resources and a seemingly vibrant economy, South Africa still faces an enormous poverty problem that is fundamentally no different from that of other African countries. As in many other African countries this problem of poverty is compounded by the HIV/AIDS pandemic; by high levels of unemployment; by low levels of education; and by a number of other factors. Today, South Africa has one of the best constitutions in the world and a Bill of Rights that contains an array of justifiable socio-economic rights. The South African government has also attempted to alleviate poverty and mitigate its effects through progressively developing and expanding a social welfare system and other programs such as the Reconstruction and Development Program (RDP) and the Growth, Employment and Redistribution (GEAR) strategy. The purpose of this article is to analyze the role of human rights (specifically the Bill of Rights in the Constitution) and government efforts to alleviate poverty (through certain program and service delivery) in the face of adverse socio-economic realities in South Africa.*

Murray, R. 2004. *Human rights in africa: From the OAU to the african union*. United Kingdom: Cambridge University Press.

*Abstract: This work examines the role of the Organization of African Unity, now the African Union, and how it has dealt with human rights since its inception in 1963. It considers the role of its main institutions both under the OAU and its transformation recently into the African Union. The book is divided into chapters examining various themes including the rights of women, the rights of the child, the concept of democracy and the right to development. Written by a leading human rights scholar, this book is essential reading for lawyers acting for African states, and for foreign governments and NGOs active in Africa, as well as being of interest to international and comparative human rights scholars.*

Yanshuo Ni. 2006. “Cooperation Without Intervention.” *Beijing Review*. 49(8): 14-15.

*Abstract: This article presents an interview with Christopher Mutsvangwa, ambassador of Zimbabwe to China, about his views of China’s African Policy. Mutsvangwa answered criticisms of the China-Africa relationship by Western countries that tie cooperation to democracy and human rights. He expressed his views about the development of Sino-African cooperation.*

Janet Strachan and Maryse Roberts. 2003. “POVERTY, ENVIRONMENT AND SUSTAINABLE DEVELOPMENT.” *Round Table*. 371(1): 541-559.

*Abstract: The Johannesburg Plan of Implementation, adopted at the World Summit on Sustainable Development, speaks to many elements of the Commonwealth Secretariat's work, including substantial programmes on conflict prevention and resolution, governance, human rights, trade, finance for development, gender mainstreaming, health and education. More deeply integrated approaches addressing all three pillars of sustainable development are needed and these programmes will be reviewed in the light of priorities identified by the World Summit on Sustainable Development, and considered within relevant Commonwealth Ministerial fora. This article focuses on environment-related work that could be implemented by the Secretariat in response to the Summit, and reviews recent work linked to specific aspects of the Plan of Implementation across all three pillars of sustainable development.*

John P. Tuman and Ayoub S. Ayoub. 2004. "The Determinants of Japanese Official Development Assistance in Africa: A Pooled Time Series Analysis." *International Interactions*. 30(1): 43-57.

*Abstract: This study seeks to explain the variation in Japanese official development assistance (ODA) in 35 African countries for the period of 1979 and 1998. It tests for the effects of several new variables not examined previously in the quantitative aid literature on Africa, including human rights, democracy, and varied U. S. strategic and economic interests. The findings suggest that humanitarian interests, as measured by poverty, human rights, democracy, and food insecurity, figure prominently in Japanese aid decisions. In addition, we find that Japan's trade with recipient countries and some U. S. security interests have shaped the pattern of Japanese ODA in Africa, although U. S. economic reform initiatives and oil exports were found to have little effect. While previous studies have emphasized the importance of Japanese national economic interests as determinants of ODA disbursements, our results suggest that humanitarian concern and certain U. S. strategic interests are also important in understanding Japanese aid decisions in Africa.*

## Political Development

2004. "Well, a little." *Economist*. 370(8363): 45-45.

*Abstract: This article reports on a disappointing effort of the New Partnership for Africa's Development to improve African governments. Two years ago, when the African Union launched a plan to promote better governance in Africa, its centerpiece was a "peer review" mechanism, designed to force corrupt, incompetent, or authoritarian regimes to shape up. Unlike previous plans, the New Partnership for Africa's Development (Nepad), brainchild of South Africa's president Thabo Mbeki, was to have teeth. Last weekend, at a summit in Kigali, the Rwandan capital, those teeth were finally bared, and they were less than fearsome. The peer-review mechanism will consist of "panels" that will help countries conduct "self-assessments", which their rulers will "consider." Reviewers will not examine whether countries are meeting acceptable standards of clean government, democracy and human rights, but only whether they are moving towards these goals. Final reports will not necessarily be published.*

"Test of Governance': rights-based struggles and the politics of HIV/AIDS policy in South Africa." *Political Geography*. 24(4): 419-447.

*Abstract: Debates concerning democratisation and development increasingly engage with what are termed as "human rights-based approaches." As such, whilst critical accounts are correct in cautioning against Rights-Based Development (RBD) in an era of rampant neo-liberalism and donor-driven agendas, the paper proposes that not only are more progressive and political readings of RBD necessary, they already exist "on the ground." The*

*dramatic u-turn in the South African government's policy concerning HIV/AIDS treatment, for example, is, arguably, situated at the confluence of rights-inspired struggles and the politics of governance. The policy shift therefore provides an opportunity to assess how rights-based approaches to development (RBD) can, under specific conditions, widen critical political space and enable more inclusive governance. The key issues posed in the paper are, first, how the South African government's HIV/AIDS policy can only be properly understood when placed in the context of the broader rhythms of post-apartheid transition and discursive fault-lines underpinning understandings of the epidemic. Second, as embodied through the Treatment Action Campaign "a social movement in South Africa" the paper seeks to explore how human rights principles deployed in a context of social mobilisation and people-driven access to institutional channels, have the potential to impact upon policy-making. Third, setting out the guiding principles of one particular right, the right to health, allows better understanding of RBD more generally. Finally, and by way of conclusion, RBD's contribution to widening inclusive political space does not have to end at policy-making but can also impact upon rights-based approaches to service delivery. Above all, this case study offers more general theoretical and practical lessons for conceptualizing both RBD and the role of alternative social actors and movements in this.*

Barber, J. 2005. "The new south africa's Foreign Policy: Principles and practice." *International Affairs*, Vol. 81(5), p. 1079-1096.

*Abstract: This article outlines principles which, shortly before taking office in 1994, the ANC said would be the foundation for its future foreign policy. The ANC stated that their core concern was the pursuit of 'human rights', which were directly related to the promotion of democracy. Other principles included respect for international law, support for peace and disarmament, and universality. These were to be pursued in four settings. First, the global division between the First and Third Worlds as the government was concerned about economic inequality and unjust global trading systems. Second, international organizations as these were seen as central to the search for human rights, peace and equality. Third, demilitarization resulting in South Africa's forces being used for self-defence and peacemaking and keeping only. The government believed that this would produce savings which could be redirected into social development. Finally, supporting the rest of Africa as the ANC believed South Africa could not flourish if surrounded by poverty. The article examines how far the ANC governments of Presidents Mandela and Mbeki have succeeded in implementing the principles, and how far they have fallen short. The article also includes a discussion of Mbeki's policy towards Robert Mugabe of Zimbabwe.*

Beetham, D. (Ed.). 1995. "Politics and human rights: Political studies special issues series." University of Leeds.

This volume of specially commissioned articles is devoted to a consideration of how the subject of human rights impacts on contemporary politics and on the discipline of political science. It assesses the role of human rights in political theory, international law and international relations and in relation to the politics of different regions of the world. An international group of contributors includes political scientists, political philosophers, academic lawyers and those with experience of human rights campaigning.

Zein Kebonang. 2005. "African Peer Review Mechanism: An Assessment." *India Quarterly*. 61(2): 138-168.

*Abstract: The article examines the viability of the African Peer Review Mechanism for the African heads of state and government, the end product of the 2002 Summit of the African Union in Durban, South Africa.*

*African leaders and their government committed to adhere to international standards on democracy, good governance, peace, the rule of law and respect for human rights. The union agreed to hold each other accountable for the development of a socio-economic and political environment conducive for economic growth.*

Ishmael Lesufi. 2004. "South Africa and the Rest of the Continent: Towards a Critique of the Political Economy of NEPAD." *Current Sociology*. 52(5): 809-829.

*Abstract: The evolution and eventual adoption by African heads of states of the New Partnership for Africa's Development (NEPAD) in 2001 in Abuja, Nigeria, marked an important landmark development in the set of changes in South Africa's economic relations with the rest of the continent. As a development framework, NEPAD aims among others to: put Africa on a path of sustainable growth and development and thus halt its marginalization in the globalization process; eradicate poverty; promote the role of women in all spheres of society; as well as the promotion of peace, security, good governance, human rights and sound economic management. The evolution and eventual adoption of NEPAD by African heads of state have generated a lot of debates around its process, content as well as relevance for Africa's problems. Numerous reflections have emphasized the neoliberal character of the economic strategy underpinning NEPAD and its resemblance to the economic structural adjustment programmes of the International Monetary Fund and the World Bank.*

Mbaku, J. M., & Saxena, S. C. (Eds.). 2004. Africa at the crossroads: Between regionalism and globalization. London: Praeger Publishers.

*Abstract: Mbaku, Saxena, and their contributors examine the problems faced by Africa as it decides what to do to improve its ability to contribute to and benefit from the new globalization. Today, the continent stands at a crossroads; it must choose between joining the new global society and pursuing a process of internal self-reliance. The dilemma the continent faces is how to participate in and benefit from the new global economy as well as retain and also benefit from its emerging regional economic and political schemes.*

Bronwen Manby. 2004. "The African Union, NEPAD, and Human Rights: The Missing Agenda." *Human Rights Quarterly*. 26(4): 983-1027.

*Abstract: Can the transformation of the Organization of African Unity into the African Union and the adoption of the New Partnership for Africa's Development (NEPAD) really make a difference for human rights on the African continent? This article sets out the commitments of the new African continental instruments in relation to democracy and the rule of law and concludes that they are useful and important-but also that NEPAD in particular has significant deficiencies. The second half of the article sets out five themes that should receive greater attention if true effort is to be made to address Africa's problems.*

O'Connell, Mary Ellen, 2005. "The United Nations Security Council and the Authorization of Force: Renewing the Council Through Law Reform." in *THE SECURITY COUNCIL AND THE USE OF FORCE, THEORY AND REALITY - A NEED FOR CHANGE?*, Niels Blokker and Nico Schrijver, eds.. Martinus Nijhoff.

*Abstract: In 1999, NATO members used force in the Kosovo Crisis without Security Council authorization. In 2003, the United States led a small coalition against Iraq, again, without Security Council authorization. Some commentators have called these "failures" of the Security Council to act. This article argues they are examples of Security Council success. Using force against Serbia and Montenegro in the Kosovo Crisis and against Iraq was inappropriate. The aftermath of force in both cases makes that apparent. The Council's decision*



*not to authorize force in these cases should lead us to conclude that the Council's design remains sound. If we wish to improve the Council, it is not the design that should be changed but the level of Council adherence to the law of the Charter and general international law. Secretary-General Kofi Annan's High-level Panel on Threats, Challenges and Change has endorsed a view largely compatible with the one advocated here. The Panel wants no change in the role of the Security Council as the sole body to authorize the use of force in cases other than self-defense. The Panel does call for stricter adherence by the Council to such general international law principles as proportionality.*

## Economic Development

K. Y. Amoako. 2003. "NEPAD: Making Individual Bests a Continental Norm." U.N. Chronicle. 40(1): 25.

*Abstract: This article focuses on the endorsement of the New Partnership for Africa's Development program by the United Nations. The commitment of African leaders to creating an enabling environment for economic development, their responsibility for promoting and protecting democracy and human rights, and the capacity of Africa to enforce a legal framework are emphasized.*

Thomas James Hammon. 2006. "Status, Plans of Action, Further Developments, and Recommendations for Power Pools in Africa." *IEEE Transactions on Power Systems*. 21(2): 673-682.

This paper focuses on power pools in Africa: status, plans of action, further developments, and recommendations. First, the Southern African Power Pool (SAPP) formation, current status, and future challenges are addressed. Then the Central Africa Power Pool (CAPP), the economic community of Central African States (ECCAS), and the New Partnership for Africa's Development (NEPAD) is examined. CAPP is a new sub-regional institution, created in Brazzaville in April 2003, under the auspices of ECCAS that is presently the focal point for discussions on regional power markets, particularly as the Ingar hydropower complex when developed could generate close to 40 GW. Security issues of power system interconnections in Africa are then reviewed. Also discussed is the current status and developments of the West Africa Power Pool (WAPP) and the East Africa Power Pool (EAPP). Also considered is Hydropower and African Grid Development in relation to a rights-based perspective. Finally, the future of SAPP, CAPP, WAPP, and EAPP is examined.

Hussain, M. Nureldin and Bernhard G. Gunter. 2005. "External shocks and the HIPC initiative: Impacts on growth and poverty in africa." *African Development Review*, Vol. 17(3), p 461-492-32 pages.

*Abstract: The paper uses a simple macroeconomic model to estimate the impact of debt relief and terms of trade shocks on growth and poverty in African countries. For the 18 heavily indebted poor countries (HIPC) that reached the enhanced HIPC decision point by end-December 2000, the basic quantitative findings are that HIPC debt relief has boosted economic growth in these countries by an average of 2.9 percent per annum and that the computed result of this increase in growth is a reduction in poverty by an average of 2.2 percent per annum. However, the paper shows that recent deteriorations in the terms of trade have counter-balanced these positive effects by lowering growth by an average of 2.0 percent per annum and by increasing poverty by an average of 1.3*

*percent per annum. Clearly, much of the positive impact emanating from the HIPC Initiative has been eroded due to recent deteriorations in the terms of trade. The paper also estimates the net effect on growth and poverty of the recently agreed 100 percent multilateral debt relief. This is predicted to boost economic growth by an average of 5 percent per annum and reduce poverty by about 5.3 percent per annum for the group of all African HIPCs. The paper concludes that 100 percent debt relief is crucial for Africa, but that more aid and policies need to be focused on a long-term development strategy that fosters the necessary structural transformation.*

Ishmael Lesufi. 2004. "South Africa and the Rest of the Continent: Towards a Critique of the Political Economy of NEPAD." *Current Sociology*. 52(5): 809-829.

The evolution and eventual adoption by African heads of states of the New Partnership for Africa's Development (NEPAD) in 2001 in Abuja, Nigeria, marked an important landmark development in the set of changes in South Africa's economic relations with the rest of the continent. As a development framework, NEPAD aims to put Africa on a path toward sustainable growth and development and thus halt its marginalization in the globalization process, to eradicate poverty, to promote the role of women in all spheres of society, and to promote peace, security, good governance, human rights, and sound economic management. The evolution and eventual adoption of NEPAD by African heads of state have generated a lot of debates around its process, content, and relevance for Africa's problems. Numerous reflections have emphasized the neoliberal character of the economic strategy underpinning NEPAD and its resemblance to the economic structural adjustment programs of the International Monetary Fund and the World Bank.

Legal Erik B. Bluemel. 2004. "The Implications of Formulating a Human Right to Water." *Ecology Law Quarterly*. 31(4): 957-1006. <http://search.epnet.com/login.aspx?direct=true&db=aph&an=16457489>

*Abstract: This Comment explores the content, legal forms, and implications of recognizing an international human right to water. The concept of water as a human right developed from the recognition that treating the right to water as an economic good may result in an affordability problem for some communities, depriving them of access to water. To counter these effects, a human right to water is being developed. This human right to water, though not fully defined by existing international law or practice, has been protected as necessary to secure other human rights, such as those to health, well being, and life. Given the structure of international law. State obligations depend upon which human right a right to water is found to support or whether such a human right to water is ultimately found to be a separate and independent human right from other recognized human rights. Whether a human right to water is ultimately established as a right subordinate to other human rights or as an independent human right, recognition of a human right to water will have far-reaching effects. This Comment analyzes legal developments in South Africa, India, and Argentina to illustrate some of the ways in which States have implemented a legal right to water. The Comment then identifies some of the key challenges and development constraints in ensuring a right to safe water within reasonable distance for all persons. These challenges include modifying riparian and prior-appropriation systems of water rights, defining and limiting impacts upon other legal doctrines, and making economic adjustments associated with providing water to meet the "basic needs" of all persons. The Comment concludes that while recognition of a human right to water is necessary, its implementation is fraught with difficulties.*

Mary Hartnett. 2002. "The Need for International Woman's Human Rights Lawyers: Now More than Ever." *Human Rights: Journal of the Section of Individual Rights & Responsibilities*. 29(3): 21. <http://search.epnet.com/login.aspx?direct=true&db=aph&an=7201255>

*Abstract: The article focuses on the need for the trained lawyers who can use the women's human rights framework to ensure that women's rights are provided, protected, and promoted in the context of their own culture and society. International as well as internal pressure and support are making inroads on behalf of these women, who are slowly reasserting their rights, and are now assuming positions in the interim government. To foster true democracy and development, women's human rights lawyers must also play a significant role in the reconstruction process. It also describes the "Leadership and Advocacy for Women in Africa" (LAWA) program and recommends such in-depth human rights training programs as a key building block to ensure women's human rights. Important component of the program is to ground the training in practical legal approaches and include exposure to different methods of legal activism, so that fellows are able to use their training to successfully challenge women's rights violations.*

Mbaku, J. M., & Saxena, S. C. (Eds.). 2004. *Africa at the crossroads: Between regionalism and globalization*. London: Praeger Publishers.

*Abstract: Mbaku, Saxena, and their contributors examine the problems faced by Africa as it decides what to do to improve its ability to contribute to and benefit from the new globalization. Today, the continent stands at a crossroads; it must choose between joining the new global society and pursuing a process of internal self-reliance. The dilemma the continent faces is how to participate in and benefit from the new global economy as well as retain and also benefit from its emerging regional economic and political schemes.*

Mubangizi, John C. and Betty C. Mubangizi. 2005. "Poverty, human rights law and Socio-economic realities in south africa." *Development South Africa, Volume 22*, 277-290.

South Africa is a nation of immense variety. It has rich cultural diversity, an enviable climate and an abundance of natural resources. However, it is also a nation with vast economic disparities and a highly unequal distribution of income. Hence, in spite of abundant resources and a seemingly vibrant economy, South Africa still faces an enormous poverty problem that is fundamentally no different from that of other African countries. As in many other African countries this problem of poverty is compounded by the HIV/AIDS pandemic; by high levels of unemployment; by low levels of education; and by a number of other factors. Today, South Africa has one of the best constitutions in the world and a Bill of Rights that contains an array of justiciable socio-economic rights. The South African government has also attempted to alleviate poverty and mitigate its effects through progressively developing and expanding a social welfare system and other programmes such as the Reconstruction and Development Programme (RDP) and the Growth, Employment and Redistribution (GEAR) strategy. The purpose of this article is to analyse the role of human rights (specifically the Bill of Rights in the Constitution) and government efforts to alleviate poverty (through certain programmes and service delivery) in the face of adverse socio-economic realities in South Africa.

Charles Ngwenya. 2004. "An Appraisal of Abortion Laws in Southern Africa from a Reproductive Health Rights Perspective." *Journal of Law, Medicine & Ethics*. 32(4): 708-717. <http://search.epnet.com/login.aspx?direct=true&db=aph&an=17721421>

*Abstract: Focuses on the need for governments to respect, protect, promote and fulfill reproductive and sexual health rights. Details of the World Conference on Human Rights (the Vienna Conference), the International Conference on Population and Development (the Cairo Conference) and the Fourth World Conference on Women (the Beijing Conference), during which reproductive and sexual health rights were discussed; Belief that evaluating access to safe and legal abortions is a gauge to measure the progress of nation states in securing reproductive and sexual health.*

Nixon Kariithi, Peter Kareithi, and Peter Kareithi (Ed.). 2005. Untold stories: Economics and business journalism in African media. Witwatersrand University Press.

*Abstract: Untold Stories is an attempt by African media scholars to fill the void created by the dearth of research and publications on emerging areas of African journalism. This scarcity makes it difficult for students of African media to fully appreciate how African media organisations and journalists have covered the continent's protracted economic crises, reform programmes, governance issues, and the current push towards globalization.*

Johannes van Aggelen. 2005. "DEVELOPING A UNIVERSAL JURIDICAL CONSCIENCE: TRINIDADE OFFERS A VIABLE AGENDA FOR THE 21ST CENTURY." *Case Western Reserve Journal of International Law*. 37(1): 41-48. <http://search.epnet.com/login.aspx?direct=true&db=aph&an=18001446>

*Abstract: Provides insights into the workings of institutions intended to humanize public international law through the development of international human rights law. Regional protection in the Inter-American hemisphere; System of human rights protection in Africa; Important exchange of experiences between the various regional courts.*

Claude E. Welch Jr. 2003. "Human rights NGOs and the rule of law in Africa." *Journal of Human Rights*. 2(3): 315-327. <http://search.epnet.com/login.aspx?direct=true&db=aph&an=11622251>

*Abstract: African NGOs have created an awareness of the rule of law. These NGOs follow the Wiseberg-Scoble typology of documenting violent violations. There is a long relationship with European NGOs, as European NGOs opposed slavery. Yet, suspicion of foreign NGOs in Africa is based partly on the history of colonialism and slavery, whose legacy continues. This was dramatized initially with the documentation of the Mengistu regime in Ethiopia's mass murders. Africa has weaker human rights networks than for Latin America and Europe. At the end of the Cold War, the deterioration of the postcolonial states dominated by one or two political forces has left a vacuum of Cold-War-era weapons; the great powers that provided those guns and polarized political confrontation, and contributed to their ungovernability, have retreated in their preference. More of the aid to African NGOs has come not from the U. S. government but from the Ford Foundation and the Scandinavian, Dutch and German governments. The International Commission of Jurists paid attention to Africa in the 1960s and 1970s when other NGOs were not paying any attention. NGOs have not stopped the decline in the rule of law in Africa, though they may have reduced the decrease. They do not have the capability to press for prosecutions in regimes that do not prosecute and where patrimonialism inhibits the development of such institutions so that rulers exempt themselves through this solvent.*

Zedillo, E., Messerlin, P., & Nielson, J. (2005). Trade for development: Achieving the millennium development goals. Sterling, VA: Earthscan.

*Abstract: The current international trading system is stacked against developing countries, a situation that severely hampers development and ongoing attempts to eradicate poverty. Trade for Development presents the framework necessary to correct this imbalance and give developing countries greater economic growth potential and a more effective capacity to defeat poverty. Action on trade, such as the progressive elimination of remaining trade barriers in goods and services, with rich countries leading by example, coupled with enough support for poor countries to bear adjustment costs and build export capacity must be part of the international effort to defeat poverty. The UN Millennium Development Library: Trade for Development, in conjunction with the flagship publication Investing in Development, is one of 13 thematic publications that comprise the UN Millennium Library. This set of reference handbooks charts world progress and presents strategies for dramatically reducing extreme poverty in its many dimensions - income poverty, hunger, disease, exclusion, lack of infrastructure and shelter - by 2015, while promoting gender equality, education, health and environmental sustainability. This Library is the official, comprehensive point of reference and action plan for achieving the fundamental development objectives embodied in the Millennium Development Goals (MDGs) adopted by the UN and world leaders in 2000. Readership: Policy makers and aid and development organisations.*

### Impact of Conflict and War on Human Rights

2001. "Incompatible with Democracy and Transparent Governance." U.N. *Chronicle*. 38(4): 55.

*Abstract: This article presents some key provisions in the Declaration and Program of Action from the World Conference Against Racism, Xenophobia and Related Intolerance held in Durban, South Africa. It defines victims of racism and racial discrimination, and discusses the development of strategies to protect refugee discrimination. Human rights education is also emphasized.*

Aning, E. K. 2005. "The challenge of civil wars to multilateral interventions – UN, ECOWAS, and complex political emergencies in west africa: A critical analysis." *Africa and Asia Studies*, 4(1/2), 1-20.

*Abstract: Politically and economically weak states are often vulnerable to political disasters which pose considerable challenges to multilateral interveners. During such disasters, the infrastructure of a country can be paralysed and in the emerging chaos, forces of hostile opposition might mobilise in order to take over the government, or people might lose faith in government altogether. This article seeks to analyse the dynamics of such situations by using Liberia and Sierra Leone's complex political emergencies (CPEs) as empirical studies. Here, I analyse the impact of these two CPEs on the collaborative intervention schemes initiated by the Economic Community of West African States (ECOWAS) and the UN to prevent basic governmental institutions from falling apart. Despite the intentions underlying such intervention schemes, efforts at resuscitating governance structures do not come without difficulties and challenges. In this article, I analyse some of the different discourses concerning the role of international actors during conflicts and the manner in which such assistance can be exploited by ruling elites to maintain themselves in power in situations of civil wars.*

Blokker, N., & Schijver, N. (Eds.). 2005. *The security council and the use of force. theory and reality - A need for change?*. Boston: Martinus Nijhoff Publishers.

*Abstract: In 1999, NATO members used force in the Kosovo Crisis without Security Council authorization. In 2003, the United States led a small coalition against Iraq, again, without Security Council authorization. Some commentators have called these "failures" of the Security Council to act. This article argues they are*

*examples of Security Council success. Using force against Serbia and Montenegro in the Kosovo Crisis and against Iraq was inappropriate. The aftermath of force in both cases makes that apparent. The Council's decision not to authorize force in these cases should lead us to conclude that the Council's design remains sound. If we wish to improve the Council, it is not the design that should be changed but the level of Council adherence to the law of the Charter and general international law. Secretary-General Kofi Annan's High-level Panel on Threats, Challenges and Change has endorsed a view largely compatible with the one advocated here. The Panel wants no change in the role of the Security Council as the sole body to authorize the use of force in cases other than self-defense. The Panel does call for stricter adherence by the Council to such general international law principles as proportionality.*

Othman, M. 2002. "The 'Protection' of refugee witnesses by the international criminal tribunal for Rwanda." *International Journal of Refugee Law*, Volume 14(4). pp. 495-508.

This article analyses the jurisprudence of the International Criminal Tribunal for Rwanda (ICTR) with regard to refugee witnesses, and in particular to the claims for witness protection for such persons before the Tribunal. It also examines whether the Tribunal has the power to order states or the United Nations High Commissioner for Refugees (UNHCR) to grant or facilitate refugee status to witnesses as a protective measure so as to ensure their appearance before it. It looks at refugee protection and witness protection as they relate to the mandates of ICTR and UNHCR.

Marie-Antoinette Sossou. 2006. "Mental-health services for refugee women and children in Africa: A call for activism and advocacy." *International Social Work*. 49(1): 9-17.

*Abstract: This article focuses on the lack of proper care in professional mental-health services for refugee children and women in Africa. The author argues that the assistance given to women and children is based on meeting their basic survival needs such as food, shelter, and basic medical care, but falls terribly short in terms of professional and specialist mental-health assessments. Epidemiological studies indicate that mental illnesses are as frequent in Africa as they are in the developed world. The article informs that the mental-health needs of refugee children and women in Africa is not the duty or responsibility of only one humanitarian organization, such as the UNHCR and its implementing non-governmental agencies. The development of mental-health services requires a multi-disciplinary and professional approach that involves social workers, primary health-care workers, physicians, psychologists, psychiatrists, and the active involvement of the refugees and international professional organizations to engage in social and political advocacy on behalf of these vulnerable groups of people.*

### **Protection of Social, Economic and Cultural Rights**

The AU is operating under the African Charter on Human and People's Rights, which was adopted by the OAU in 1981, and entered into effect in 1986. The preamble of the Charter "recogniz[es] on the one hand, that fundamental human rights stem from the attributes of human beings which justifies their national and international protection and on the other hand that reality and respect of people's rights should necessarily guarantee human rights." In Article 2, the Charter confirms that "every individual shall be entitled to enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status."

2005. "Africa-Studiecentrum Abstracts." *Journal of Religion in Africa*. 35(2): 127-136.

Presents abstracts of various articles and edited works on Africa in the field of the social sciences and the humanities. "Rocking the Boat?: Church NGOs and Democratization in Zimbabwe," by Sara Rich Dorman; "Christians Among Muslims: The Church Missionary Society in the Northern Sudan," by Heather J. Sharkey; "Briefing: The September 2001 Events in Jos, Nigeria," by Umar Habila Dadem Danfulani; "Human Rights of Women and Islamic Identity in Africa," by Buthaina Ahmed Elnaiem; "Performance and the Negotiation of Charismatic Authority in an African Indigenous Church in Zambia," by Thomas G. Kirsch.

2001. "Incompatible with Democracy and Transparent Governance?" U.N. *Chronicle*. 38(4): 55.

This article presents some key provisions in the Declaration and Program of Action resulting from the 'World Conference Against Racism, Xenophobia and Related Intolerance' held in Durban South Africa. Includes definition of victims of racism and racial discrimination, and development of strategies to protect refugee discrimination. Human rights education is emphasized.

Beetham, D. (Ed.). 1995. "Politics and human rights: Political studies special issues series." University of Leeds.

This volume of specially commissioned articles is devoted to a consideration of how the subject of human rights impacts on contemporary politics and on the discipline of political science. It assesses the role of human rights in political theory, international law and international relations and in relation to the politics of different regions of the world. An international group of contributors includes political scientists, political philosophers, academic lawyers and those with experience of human rights campaigning.

Gilbert Kombe; John Fieno; Paurvi Bhatt and Jessica Smith. 2005. "Highly active anti-retroviral treatment as a bridge towards education for all in sub-Saharan Africa." *International Social Science Journal*. 57(186): 609-620.

Abstract: *The dual campaigns of Education for All (EFA) and the Millennium Development Goals (MDG) have made universal primary school enrolment for boys and girls a priority for developing countries. The HIV/AIDS epidemic has affected millions of people in sub-Saharan Africa and has depleted the teaching corps. As a result, the HIV/AIDS pandemic has pushed the targets of EFA and MDG further out of reach for many medium and high HIV-prevalence countries. The provision of highly active antiretroviral therapy (HAART) in developing countries, however, has given hope to thousands who have not had access to treatment. The Commission on Human Rights in 2001 and again in 2002 confirmed that access to AIDS medication is a key component of the right to the highest attainable standard of health, enshrined in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child. This article explores how scaling up of HAART for teachers can make the EFA and MDG targets attainable. A HAART programme for teachers can produce substantial fiscal savings in sick leave pay, the cost of training new teachers, and funeral expenses, even under high HIV prevalence situations.*

Manby, B. 2004. "The african union, NEPAD, and human rights: The missing agenda." *Human Rights Quarterly*, Volume 26(4) pp. 983-1027.

Can the transformation of the Organization of African Unity into the African Union and the adoption of the New Partnership for Africa's Development (NEPAD) really make a difference for human rights on the African continent? This article sets out the commitments of the new African continental instruments in relation to democracy and the rule of law and concludes that they are useful and important—but also that NEPAD in particular has significant deficiencies. The second half of the article sets out five themes that should receive greater attention if true effort is to be made to address Africa's problems.

Mubangizi, John C. and Betty C. Mubangizi. 2005. "Poverty, human rights law and Socio-economic realities in south africa." *Development South Africa*, Volume 22, 277-290.

South Africa is a nation of immense variety. It has rich cultural diversity, an enviable climate and an abundance of natural resources. However, it is also a nation with vast economic disparities and a highly unequal distribution of income. Hence, in spite of abundant resources and a seemingly vibrant economy, South Africa still faces an enormous poverty problem that is fundamentally no different from that of other African countries. As in many other African countries this problem of poverty is compounded by the HIV/AIDS pandemic; by high levels of unemployment; by low levels of education; and by a number of other factors. Today, South Africa has one of the best constitutions in the world and a Bill of Rights that contains an array of justiciable socio-economic rights. The South African government has also attempted to alleviate poverty and mitigate its effects through progressively developing and expanding a social welfare system and other programmes such as the Reconstruction and Development Programme (RDP) and the Growth, Employment and Redistribution (GEAR) strategy. The purpose of this article is to analyse the role of human rights (specifically the Bill of Rights in the Constitution) and government efforts to alleviate poverty (through certain programmes and service delivery) in the face of adverse socio-economic realities in South Africa.

Othman, M. 2002. "The 'Protection' of refugee witnesses by the international criminal tribunal for rwanda." *International Journal of Refugee Law*, Volume 14(4). pp. 495-508.

This article analyses the jurisprudence of the International Criminal Tribunal for Rwanda (ICTR) with regard to refugee witnesses, and in particular to the claims for witness protection for such persons before the Tribunal. It also examines whether the Tribunal has the power to order states or the United Nations High Commissioner for Refugees (UNHCR) to grant or facilitate refugee status to witnesses as a protective measure so as to ensure their appearance before it. It looks at refugee protection and witness protection as they relate to the mandates of ICTR and UNHCR.

Carmen Urdaneta. 2004. "Virtual Pathways in Africa's Fight Against HIV/AIDS." *Human Rights: Journal of the Section of Individual Rights & Responsibilities*. 31(4): 6-8.

This article focuses on the significance of effective leadership as response to HIV/AIDS pandemic in Africa. AIDS. Strong leadership at the community level helps families to obtain the medical and psychosocial support they need. At the national and international levels, leadership



ensures that institutions can obtain resources, effectively manage them, and respond cohesively while rapidly scaling up services. Kenerela, a Kenya-wide network of religious leaders from all faiths living with AIDS, is one such organization. Formed in January 2004 with twenty members, Kenerela's membership grew to more than 1,000 in just six months. Despite this success, there were conflicts, and the network recognized the need to improve its leadership and management capabilities to create a successful network and to influence stakeholders to better support people living with AIDS. From March to June 2004, four Kenerela members participated in the first-ever Virtual Leadership Development Program for HIV/AIDS organizations in Africa. Developed by Management Sciences for Health's Management & Leadership Program (VLDP) and funded by the USAID Office of Population and Reproductive Health, the VLDP is an integrated program that provides leadership development opportunities to health managers and teams in developing countries, many of whom cannot attend offsite training.

van Bogaert, L. 2006. "Rights of and duties to non-consenting patients: Informed refusal in the developing world." *Developing World Bioethics*, Vol. 6(1), p. 13-22, -10 pages.

The principle of informed refusal poses a specific problem when it is invoked by a pregnant woman who, in spite of having accepted her pregnancy, refuses the diagnostic and/or therapeutic measures that would ensure the well-being of her endangered fetus. Guidelines issued by professional bodies in the developed world are conflicting: either they allow autonomy and informed consent to be overruled to the benefit of the fetus, or they recommend the full respect of these principles. A number of medical ethicists advocate the overruling of alleged irrational or unreasonable refusal for the benefit of the fetus. The present essay supports the view of fetal rights to *health* and to life based on the principle that an 'accepted' fetus is a 'third person'. In developing countries, however, the implementation of the latter principle is likely to be in conflict with a 'communitarian' perception of the individual -- in this case, the pregnant woman. Within the scope of the limitations to the right to autonomy of J.S. Mill's 'harm principle', the South African Patients' Charter makes provision for informed refusal. The fact that, in practice, it is not implemented illustrates the well-known difficulty of applying Western bioethical principles in real life in the developing world.

Vincent, R. J. 1987. Human Rights and International Relations. New York: Cambridge University.

An analysis of the impact of human rights on relations among states concludes that provision for subsistence rights has significant priority over other human rights.

Welch Jr., Claude E. 2003. "Human rights NGOs and the rule of law in africa." *Journal of Human Rights*, Volume 2(3).

Africans have typically been distrustful of external NGOs due to remnants of colonialism and slavery. Also, unequitable Cold War policies and post-Cold War abandonment created further integrity loss of infrastructure leading to accelerated declines in the rule of law. NGOs have helped to minimize the damage. However, NGOs are not empowered enough to initiate prosecutions and do not have an official role in maintaining rule of law.

## Health Implications

Addressing the dire health crises of Africa, in 2000 the Economic Commission for Africa (ECA) brought together the Assembly of the Heads of State and Government, for the African Development Forum II on “AIDS: the Greatest Leadership Challenge.” For the following two years the OAU/AU met in Abuja, Nigeria and committed to numerable, yet attainable, targets in fighting against AIDS and other deadly diseases. The AU collaborated with the ECA, the Joint United Nations Programme on HIV/AIDS (UNAIDS), and the World Health Organization (WHO), to put together the comprehensive report, “Scoring African Leadership for Better Health,” in 2004. The Abujas Declaration on HIV/AIDS, Tuberculosis, and Other Related Infectious Diseases tasked AU, ECA, WHO, and UNAIDS to track progress made in the implementation of the targets previously set.

These organizations’ collaborative efforts exposed that in 2003, an estimated 2.3 million people died of AIDS in Sub-Saharan Africa. Malaria caused 300 different illnesses, resulting in one million deaths, 70 percent being children under five years of age. Tuberculosis caused another two million deaths that year. Improvement is difficult, yet overall improvements are being made in the following areas: scaling-up interventions for HIV/AIDS, TB, and Malaria; reinforcing existing health systems; shifting government strategies; strengthening partnerships between states; making health part of development policy; mobilizing financial resources; increasing access to biomedical research and development.

2003. “Organisations.” *Gender & Development*. 11(2): 100-101.

*Abstract: This article provides information about different organizations that are working for human rights. “Raising Voices” is a community-based organization, which works to create and promote community-based approaches to prevent violence against women and children predominantly in East and Southern Africa. The organization also aims to influence practice by engaging policy-makers, organizations, and stakeholders in dialogue on how they conceptualize violence programming. “Women’s Caucus for Gender Justice” is a network of individuals and groups, which aims to develop greater capacity among women in the use of International Criminal Court and other mechanisms to provide women with access to different systems of justice. Another organization, “International Gay and Lesbian Human Rights Commission,” works to secure the full enjoyment of the human rights of all people and communities subject to discrimination or abuses on the basis of sexual orientation, gender identity or expression, and HIV Status.*

“The unkindest cut for a woman.” 2004. *Economist*, Vol. 372(8391), p. 75-75-1 page.

The article reports on genital *mutilation*. In Sudan, they call it tahoor or “purification”. In Sierra Leone, it is known as bondo or “initiation”. But English has a grislier term for it: *female genital mutilation*. In its mildest form, a girl has the skin covering her clitoris nicked or excised. In the severest variety, called infibulation, her external genitalia are cut away and her vagina is sewn up. *Female mutilation* is not a rare practice. Although numbers are hard to come by, an estimated 130m girls and women now alive are thought to have undergone the procedure in more than two dozen African countries, as well as in parts of Asia, the Middle East and some immigrant communities in the West. There are certainly sound medical reasons for eliminating the practice. Immediate complications include heavy bleeding, infections--such as AIDS--transmitted by

unsterile knives, and a nasty condition known as urinary retention. And, not only does *mutilation* turn sexual intercourse into a numb or painful experience for women, but the more radical forms can lead to prolonged labour and potentially lethal complications during childbirth. The International Conference on Population and Development, held in Cairo ten years ago, launched a big push against *mutilation*. Since then, 13 African countries have passed legislation banning the practice. As Nahid Toubia, the head of Rainbo, a charity working against the practice, observes, stamping *mutilation* out is a slow process.

African Union, Economic Commission for Africa, UNAIDS, & World Health Organization. 2004. Scoring african leadership for better health. Kenya: The Economic Commission for Africa.

In response to the growing trend of millions dying in sub-Saharan Africa from fatal diseases such as Malaria, HIV/AIDS, and Tuberculosis, The Abuja Declaration on HIV/AIDS, Tuberculosis, and Other Related Infectious Diseases, in 2001, tasked the AU, the Economic Commission of Africa, the Joint United Nations Programme on HIV/AIDS (UNAIDS), and the WHO, with tracking progress of implementation of Abuja pledges. This book provides statistics, outlines the problematic issues and barriers, and details progress or regression.

Emma Bell. 2005. "Advocacy training by the International Community of women living with HIV/AIDS." *Gender & Development*. 13(3): 70-79.

*Abstract: The International Community of Women Living with HIV/AIDS joined forces with the POLICY project with the aim of developing an advocacy agenda on sexual and reproductive health rights, and access to care, treatment, and support for women living with HIV/AIDS in South Africa and Swaziland. The process began with an assessment of the concerns and experiences of HIV-positive women, and the policy and institutional environment. A workshop was subsequently held in Durban, involving 45 HIV-positive women from Swaziland and South Africa, to discuss the assessment and identify priority issues for advocacy. The same group of women met two months later and produced a plan which directly addresses the reality of HIV-positive women's lives.*

Erik B. Bluemel. 2004. "The Implications of Formulating a Human Right to Water." *Ecology Law Quarterly*. 31(4): 957-1006.

*Abstract: This article explores the content, legal forms, and implications of recognizing an international human right to water. The concept of water as a human right developed from the recognition that treating the right to water as an economic good may result in an affordability problem for some communities, depriving them of access to water. To counter these effects, a human right to water is being developed. This human right to water, though not fully defined by existing international law or practice, has been protected as necessary to secure other human rights, such as those to health, well being, and life, given the structure of international law. State obligations depend upon which human right a right to water is found to support and whether such a human right to water is ultimately found to be a separate and independent human right from other recognized rights. Whether a right to water is ultimately established as a right subordinate to other human rights or as an independent human right, recognition of a human right to water will have far-reaching effects. This article analyzes legal developments in South Africa, India, and Argentina to illustrate some of the ways in which States have implemented a legal right to water. It then identifies some of the key challenges and development constraints in ensuring a right to safe water within reasonable distance for all persons. These challenges include modifying riparian and prior-appropriation systems of water rights, defining and limiting impacts upon other legal doctrines, and making economic*

*adjustments associated with providing water to meet the “basic needs” of all persons. It concludes that while recognition of a human right to water is necessary, its implementation is fraught with difficulties.*

Peter Easton; Karen Monkman and Rebecca Miles. 2003. “Social policy from the bottom up: abandoning FGC in sub-Saharan Africa.” *Development in Practice*. 13(5): 445-458.

*Abstract: The authors analyse the experience of Tostan, a Senegalese NGO, with the abandonment of female genital cutting (FGC) in Senegal, the Sudan, and Mali. Tostan uses non-formal, participatory methodologies to support village-based social change, especially in the areas of human rights and women’s health. Following Tostan’s educational programme, some communities have declared a moratorium on the practice of FGC and have mobilised their families and villages to discontinue its use. This article describes the process used, considers issues that have arisen as the concept is marketed and disseminated beyond Senegal, and reviews implications for grassroots policy initiatives.*

Kristin Endresen. 2005. “Positive’ learning.” *Adults Learning*. 16(10): 22-24.

*Abstract: Focuses on the results of a study on the lessons learned by activists in the Treatment Action Campaign, an organization that aimed to address the treatment of HIV/AIDS in South Africa. Challenges facing Treatment Action Campaign activists in the region; Benefits of participating in the campaign; Relationship between HIV/AIDS and human rights according to activists.*

William Foege. 2002. “Keynote Address: Issues in Overcoming Iron Deficiency<sup>1,2</sup>.” *Journal of Nutrition*. 132(790s-793s).

*Abstract: The article presents information on several issues related to overcoming iron deficiency. In 1985 the World Health Organization (WHO) conducted 523 studies and concluded that overall 30% of the global population had anemia, and that rates were as high as 50% in children in Africa and South Asia. WHO updated the figures in 1998 and found that the prevalence was not getting better. The current public health structure is comfortable with chronic diseases, injuries, violence, micronutrients of all kinds, and even issues of war, human rights, and poverty. A major development in public health is the way it has co-opted others in forming solutions. It has co-opted with the Women, Infant and Children program to deliver immunizations, with the law enforcement for injury and violence programs, and with unions and management for occupational health and injuries. Several new vaccines has been developed, including and anti-cancer vaccine against hepatitis B. There has been major programs to try to improve drugs to treat tuberculosis and for lymphatic filariasis control.*

Neil Ford; Dan Odallo and Rozanne Chorlton. 2003. “Communication from a Human Rights Perspective: Responding to the HIV/AIDS Pandemic in Eastern and Southern Africa A Working Paper for use in HIV and AIDS Programmes.” *Journal of health communication*. 8(6): 599-612.

*Abstract: In sub-Saharan Africa, HIV/AIDS has proven to be the most challenging health and development issue of modern times. Its spread is related to poverty, power relationships between men and women, the availability and accessibility of basic services, sexual customs, and the evolution of traditional practices in modern society. Currently, most HIV/AIDS communication strategies are based on health education or behavior change models such as those designed to improve immunization coverage or eradicate polio. In UNICEF’s human rights approach to programming, communication is explicitly recognized as both a right and a means to claiming other rights. UNICEF is developing the concept and practice of communication from a human rights perspective as it responds to the HIV/AIDS pandemic in Eastern and Southern Africa. As it does so, it is refining its*

*experience from other program areas, so that currently it is using a range of communication techniques. Hence, communication from a human rights perspective examines the context in which change occurs, broadening the responsibility for creating change from the individual to the community.*

Neil Ford; Abimbola Williams; Melanie Renshaw and John Nkum. 2005. "Communication Strategy for Implementing Community IMCI." *Journal of health communication*. 10(5): 379-401.

*Abstract: In resource-poor developing countries, significant improvements in child survival, growth, and development can be made by: (a) shifting from sectoral programmes (for example, in nutrition or immunization) to holistic strategies such as the Integrated Management of Childhood Illnesses (IMCI) and (b) improving household and community care and health-seeking practices as a priority, while concurrently strengthening health systems and the skills of health professionals. This article focuses on household and community learning, and proposes a communication strategy for implementing community IMCI (c-IMCI) that is based on human rights principles such as inclusion, participation, and self-determination. Rather than attempt to change the care practices and health-seeking behaviour of individuals through the design and delivery of messages alone, it proposes an approach that is based on community engagement and discussion to create the social conditions in which individual change is possible. The strategy advocates for the integration of sectoral programmes rather than the development of new holistic programmes, so that integrated programmes are created from multiple entry points. As integration occurs, the participatory communication processes that are used in sectoral programmes can be enriched and combined, improving the capacity of governments and agencies to engage community members effectively in a process of learning and action related to child health and development.*

Geoff Foster. 2006. "Children who live in communities affected by AIDS." *Lancet*. 367(9511): 700-701.

*Abstract: The author of this article argues that more attention must be paid to the children of parents dying of AIDS in Africa. AIDS orphans as a group have received a good deal of international attention, but services for children whose parents have the disease are few. Living with a sick parent can negatively impact a child's physical, emotional and mental development. Communities have drawn together to support these children while their parents are ill and after they die, but their efforts are mostly self-funded by the very people who can least afford it. The article calls for more governmental and organizational support for all children living in communities affected by AIDS.*

Regina Jere-Malanda. 2003. "THE HUMAN RIGHT FOR HEALTH & LIFE." *New African*. 41(9): 58.

*Abstract: The article focuses on health care facilities in Africa as of June 2003. Fifty-five years after the constitution of the World Health Organization (WHO) was written, and amid worldwide concern about human rights abuses in Africa, most Africans are still being denied the fundamental right of health. Yet it is well known that a population ravaged by disease retards economic development and makes it very difficult for any government to preserve domestic tranquility. The burden of disease and rates of death from a wide range of infectious, communicable and some treatable diseases in Africa cannot be overemphasized. Health problems such as HIV, Aids, tuberculosis and malaria dominate the health agenda of Africa. Yet at the same time, there is an ever-widening gap of access to health facilities and medicine between the rich Northern countries and Africa. The WHO estimates that 29 million Africans are infected with HIV, yet only 5% of them get the chance to be treated. Often entire populations have no means and access to essential drugs. Even when available, the drugs are too expensive. Health systems needed to deliver them are inadequate or non-existent.*

Peris S. Jones. 2005. ““A Test of Governance”: rights-based struggles and the politics of HIV/AIDS policy in South Africa.” *Political Geography*. 24(4): 419-447.

*Abstract: Debates concerning democratisation and development increasingly engage with what are termed as “human rights-based approaches.” As such, whilst critical accounts are correct in cautioning against Rights-Based Development (RBD) in an era of rampant neo-liberalism and donor-driven agendas, the paper proposes that not only are more progressive and political readings of RBD necessary, they already exist “on the ground.” The dramatic u-turn in the South African government’s policy concerning HIV/AIDS treatment, for example, is, arguably, situated at the confluence of rights-inspired struggles and the politics of governance. The policy shift therefore provides an opportunity to assess how rights-based approaches to development (RBD) can, under specific conditions, widen critical “political space” and enable more inclusive governance. The key issues posed in the paper are, first, how the South African government’s HIV/AIDS policy can only be properly understood when placed in the context of the broader rhythms of post-apartheid transition and discursive fault-lines underpinning understandings of the epidemic. Second, as embodied through the Treatment Action Campaign—a social movement in South Africa—the paper seeks to explore how human rights principles deployed in a context of social mobilisation and people-driven access to institutional channels, have the potential to impact upon policy-making. Third, setting out the guiding principles of one particular right, the right to health, allows better understanding of RBD more generally. Finally, and by way of conclusion, RBD’s contribution to widening inclusive political space does not have to end at policy-making but can also impact upon rights-based approaches to service delivery. Above all, this case study offers more general theoretical and practical lessons for conceptualizing both RBD and the role of alternative social actors and movements in this.*

Gilbert Kombe; John Fieno; Paurvi Bhatt and Jessica Smith. 2005. “Highly active anti-retroviral treatment as a bridge towards education for all in sub-Saharan Africa.” *International Social Science Journal*. 57(186): 609-620.

*Abstract: The dual campaigns of Education for All (EFA) and the Millennium Development Goals (MDG) have made universal primary school enrolment for boys and girls a priority for developing countries. The HIV/AIDS epidemic has affected millions of people in sub-Saharan Africa and has depleted the teaching corps. As a result, the HIV/AIDS pandemic has pushed the targets of EFA and MDG further out of reach for many medium and high HIV-prevalence countries. The provision of highly active antiretroviral therapy (HAART) in developing countries, however, has given hope to thousands who have not had access to treatment. The Commission on Human Rights in 2001 and again in 2002 confirmed that access to AIDS medication is a key component of the right to the highest attainable standard of health, enshrined in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child. This article explores how scaling up of HAART for teachers can make the EFA and MDG targets attainable. A HAART programme for teachers can produce substantial fiscal savings in sick leave pay, the cost of training new teachers, and funeral expenses, even under high HIV prevalence situations.*

Kanika Lang. 2006. “Resources section.” *Gender & Development*. 14(1): 127-142.

*Abstract: The article lists publications related to HIV infections. The publications include “Women and HIV/AIDS: Confronting the Crisis,” “Triple Jeopardy: Women and AIDS,” “Facing the Future Together: Report of the Secretary-General’s Task Force on Women, Girls,” “HIV/AIDS in Southern Africa” and “Intimate Partner Violence and HIV/AIDS,” “Sexual Violence in Conflict Settings and the Risk of*

HIV,” “*Women’s Human Rights Related to Health-Care Services in the Context of HIV/AIDS*” and “*HIV/AIDS, Gender Inequality and the Agricultural Sector.*”

McCoy, D. C. 2006. “Translating words into actions: Are governments acting on the advice of the world health report?” *Bulletin of the World Health Organization*, Vol. 84 (4) p.327-332.

Every year, WHO produces the *World Health Report*: the 2005 report concentrated on maternal, neonatal and child health. But what is the value of these reports? Are they ritualistic publications designed to promote WHO, or are they worthy of proper discussion and debate? One would think that given the current crises in global health, the annual report of the UN's primary agency for health would be important. However, unless there is evidence that these reports are taken seriously, discussed and debated, and shown to have an effect, a conclusion might be drawn that they are largely insignificant. And that would consign WHO to a level of insignificance that it does not warrant. In this discussion of the 2005 report, I aim to provoke a response from both WHO and the international health community to demonstrate that the annual *World health reports* are meaningful. Furthermore, I suggest here that WHO shows its commitment to the recommendations of the 2005 report by monitoring how well recommendations have been taken forward.

Mohga Kamal Smith, Fenella Porter, and Caroline Sweetman. 2006. “Gender, development, and HIV/AIDS.” *Gender and Development*, 14(No. 1).

In this collection of articles focusing on gender, development and HIV/AIDS, writers consider the role of development policy makers, practitioners, and researchers in addressing the pandemic. This ranges from work to prevent further infections, to giving support to those infected and affected by HIV.

Charles Ngweni. 2004. “An Appraisal of Abortion Laws in Southern Africa from a Reproductive Health Rights Perspective.” *Journal of Law, Medicine & Ethics*. 32(4): 708-717.

Abstract: *Focuses on the need for governments to respect, protect, promote and fulfill reproductive and sexual health rights. Details of the World Conference on Human Rights (the Vienna Conference), the International Conference on Population and Development (the Cairo Conference) and the Fourth World Conference on Women (the Beijing Conference), during which reproductive and sexual health rights were discussed; Belief that evaluating access to safe and legal abortions is a gauge to measure the progress of nation states in securing reproductive and sexual health.*

Marie-Antoinette Sossou. 2006. “Mental-health services for refugee women and children in Africa: A call for activism and advocacy.” *International Social Work*. 49(1): 9-17.

Abstract: *This article focuses on the lack of proper care in professional mental-health services for refugee children and women in Africa. The author argues that the assistance given to women and children, is based on meeting their basic survival needs such as food, shelter and basic medical care, but falls terribly short in terms of professional and specialist mental-health assessments. Epidemiological studies indicate that mental illnesses are as frequent in Africa as in the developed world. The article informs that the mental-health needs of refugee children and women in Africa is not the duty or responsibility of only one humanitarian organization, the UNHCR and its implementing non-governmental agencies. The development of mental-health services requires a multi-*

*disciplinary and professional approach that involves social workers, primary health-care workers, physicians, psychologists, psychiatrists and the active involvement of the refugees and the international professional organizations to engage in social and political advocacy on behalf of this vulnerable group of people.*

Carmen Urdaneta. 2004. "Virtual Pathways in Africa's Fight Against HIV/AIDS." *Human Rights: Journal of the Section of Individual Rights & Responsibilities*. 31(4): 6-8.

*Abstract: This article focuses on the significance of effective leadership as response to HIV/AIDS pandemic in Africa. AIDS. Strong leadership at the community level helps families to obtain the medical and psychosocial support they need. At the national and international levels, leadership ensures that institutions can obtain resources, effectively manage them, and respond cohesively while rapidly scaling up services. Kenerela, a Kenya-wide network of religious leaders from all faiths living with AIDS, is one such organization. Formed in January 2004 with twenty members, Kenerela's membership grew to more than 1,000 in just six months. Despite this success, there were conflicts, and the network recognized the need to improve its leadership and management capabilities to create a successful network and to influence stakeholders to better support people living with AIDS. From March to June 2004, four Kenerela members participated in the first-ever Virtual Leadership Development Program for HIV/AIDS organizations in Africa. Developed by Management Sciences for Health's Management & Leadership Program (VLDP) and funded by the USAID Office of Population and Reproductive Health, the VLDP is an integrated program that provides leadership development opportunities to health managers and teams in developing countries, many of whom cannot attend offsite training.*

van Bogaert, L. 2006. "Rights of and duties to non-consenting patients: Informed refusal in the developing world." *Developing World Bioethics*, Vol. 6(1), p. 13-22,-10 pages.

The principle of informed refusal poses a specific problem when it is invoked by a pregnant woman who, in spite of having accepted her pregnancy, refuses the diagnostic and/or therapeutic measures that would ensure the well-being of her endangered fetus. Guidelines issued by professional bodies in the developed world are conflicting: either they allow autonomy and informed consent to be overruled to the benefit of the fetus, or they recommend the full respect of these principles. A number of medical ethicists advocate the overruling of alleged irrational or unreasonable refusal for the benefit of the fetus. The present essay supports the view of fetal rights to *health* and to life based on the principle that an 'accepted' fetus is a 'third person'. In developing countries, however, the implementation of the latter principle is likely to be in conflict with a 'communitarian' perception of the individual -- in this case, the pregnant woman. Within the scope of the limitations to the right to autonomy of J.S. Mill's 'harm principle', the South African Patients' Charter makes provision for informed refusal. The fact that, in practice, it is not implemented illustrates the well-known difficulty of applying Western bioethical principles in real life in the developing world.

## Women's Rights

2003. "Organisations." *Gender & Development*. 11(2): 100-101.

*Abstract: The article provides information about different organizations that are working for human rights. "Raising Voices" is a community-based organization, which works to create and promote community-based approaches to prevent violence against women and children predominantly in East and Southern Africa. The*



organization also aims to influence practice by engaging policy-makers, organizations, and stakeholders in dialogue on how they conceptualize violence programming. "Women's Caucus for Gender Justice" is a network of individuals and groups and it aims to develop greater capacity among women in the use of International Criminal Court and other mechanics which provide women with access to different systems of justice. Another organization, "International Gay and Lesbian Human Rights Commission," works to secure the full enjoyment of the human rights of all people and communities subject to discrimination or abuses on the basis of sexual orientation, gender identity or expression, and HIV Status.

2003. "Training manuals and tool kits." *Gender & Development*. 11(2): 99-100.

Abstract: The article provides information about several training manuals and tool kits for different purposes as for promoting equal rights, for working of community based organizations and for preventing family violence. The first manual, "A Handbook to CEDAW," aims to familiarize international development cooperation personnel with the human rights obligations of individual states with regard to women. CEDAW (Convention on Elimination of All Forms of Discrimination Against Women), was created as a powerful tool for promoting equal rights between women and men, through recognizing and addressing gender discrimination and securing national governments' commitments on equality. "Local Action/Global Change, Learning About the Human Rights of Women and Girls," provides tools for women and men to critically examine the framework of human rights. Another resource guide "Mobilizing Communities to Prevent Domestic Violence: A Resource Guide for Organizations in East and Southern Africa," is a tool for community based organizations working to prevent domestic violence.

"The unkindest cut for a woman." 2004. *Economist*, Vol. 372(8391), p. 75-75-1 page.

The article reports on genital *mutilation*. In Sudan, they call it tahoor or "purification". In Sierra Leone, it is known as bondo or "initiation". But English has a grislier term for it: *female genital mutilation*. In its mildest form, a girl has the skin covering her clitoris nicked or excised. In the severest variety, called infibulation, her external genitalia are cut away and her vagina is sewn up. *Female mutilation* is not a rare practice. Although numbers are hard to come by, an estimated 130m girls and women now alive are thought to have undergone the procedure in more than two dozen African countries, as well as in parts of Asia, the Middle East and some immigrant communities in the West. There are certainly sound medical reasons for eliminating the practice. Immediate complications include heavy bleeding, infections--such as AIDS--transmitted by unsterile knives, and a nasty condition known as urinary retention. And, not only does *mutilation* turn sexual intercourse into a numb or painful experience for women, but the more radical forms can lead to prolonged labour and potentially lethal complications during childbirth. The International Conference on Population and Development, held in Cairo ten years ago, launched a big push against *mutilation*. Since then, 13 African countries have passed legislation banning the practice. As Nahid Toubia, the head of Rainbo, a charity working against the practice, observes, stamping *mutilation* out is a slow process.

Emma Bell. 2005. "Advocacy training by the International Community of women living with HIV/AIDS." *Gender & Development*. 13(3): 70-79.

Abstract: The International Community of Women Living with HIV/AIDS joined forces with the POLICY project with the aim of developing an advocacy agenda on sexual and reproductive health rights, and access to care, treatment, and support for women living with HIV/AIDS in South Africa and Swaziland. The process began

*with an assessment of the concerns and experiences of HIV-positive women, and the policy and institutional environment. A workshop was subsequently held in Durban, involving 45 HIV-positive women from Swaziland and South Africa, to discuss the assessment and identify priority issues for advocacy. The same group of women met two months later and produced a plan which directly addresses the reality of HIV-positive women's lives.*

Peter Easton; Karen Monkman and Rebecca Miles. 2003. "Social policy from the bottom up: abandoning FGC in sub-Saharan Africa." *Development in Practice*. 13(5): 445-458.

*Abstract: The authors analyse the experience of Tostan, a Senegalese NGO, with the abandonment of female genital cutting (FGC) in Senegal, the Sudan, and Mali. Tostan uses non-formal, participatory methodologies to support village-based social change, especially in the areas of human rights and women's health. Following Tostan's educational programme, some communities have declared a moratorium on the practice of FGC and have mobilised their families and villages to discontinue its use. This article describes the process used, considers issues that have arisen as the concept is marketed and disseminated beyond Senegal, and reviews implications for grassroots policy initiatives.*

Neil Ford. 2005. "Communication for Abandonment of Female Genital Cutting: An Approach Based on Human Rights Principles." *International Journal of Children's Rights*. 13(1/2): 183-199.

*Abstract: The article examines an approach to communication that is based on community dialogue and the development of shared understanding, rather than on the dominant model of health communication regarding female genital cutting (FGC). In the dialogue approach, the role of the communication professional is to find ways to include all community groups in the discussion, especially the women and girls who are directly affected by FGC, facilitate discussion within and between the groups in a community so that all perspectives are heard and considered and introduce new information into the discussion so that action can be informed by knowledge as well as cultural preference. Respect for culture, however, is an important aspect of the communication strategy. Discussion that is based on an appreciation of local language and respect for a community's traditions creates trust between insiders and outsiders, making it easier for outsiders to introduce new ideas into the conversation and to build energy for changes in practice. Effective communication for FGC abandonment must therefore go further than explaining why the practice is harmful and then persuading individuals to stop it. It must help them discover how they can stop, by facilitating a non-directive communication process to help them take collective action.*

Rose Gawayana and Rosemary Mukasa. 2005. "The African women's protocol: a new dimension for women's rights in Africa." *Gender & Development*. 13(3): 42-50.

*Abstract: This article discusses the development and agreement of the African Women's Protocol, adopted by African Heads of State in 2003. The authors consider the experience of Oxfam GB in supporting the development and ratification of the Protocol. They make particular reference to the southern African countries of Mozambique, South Africa, and Zambia.*

Mary Hartnett. 2002. "The Need for International Woman's Human Rights Lawyers: Now More than Ever." *Human Rights: Journal of the Section of Individual Rights & Responsibilities*. 29(3): 21.

*Abstract: The article focuses on the need for the trained lawyers who can use the women's human rights framework to ensure that women's rights are provided, protected, and promoted in the context of their own culture and society. International as well as internal pressure and support are making inroads on behalf of these women, who are slowly reasserting their rights, and are now assuming positions in the interim government. To foster true democracy and development, women's human rights lawyers must also play a significant role in the reconstruction*

*process. It also describes the “Leadership and Advocacy for Women in Africa” (LAWA) program and recommends such in-depth human rights training programs as a key building block to ensure women’s human rights. Important component of the program is to ground the training in practical legal approaches and include exposure to different methods of legal activism, so that fellows are able to use their training to successfully challenge women’s rights violations.*

Kanika Lang. 2006. “Resources section.” *Gender & Development*. 14(1): 127-142.

*Abstract: The article lists publications related to HIV infections. The publications include “Women and HIV/AIDS: Confronting the Crisis,” “Triple Jeopardy: Women and AIDS,” “Facing the Future Together: Report of the Secretary-General’s Task Force on Women, Girls,” “HIV/AIDS in Southern Africa” and “Intimate Partner Violence and HIV/AIDS,” “Sexual Violence in Conflict Settings and the Risk of HIV,” “Women’s Human Rights Related to Health-Care Services in the Context of HIV/AIDS” and “HIV/AIDS, Gender Inequality and the Agricultural Sector.*

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**International Organizations**

2005. "Get Involved." *National Geographic*. 208(3): 144-144.

*Abstract: Presents a list of organizations that are respected for their humanitarian work in Africa. Description of Africare, an organization that works on projects including emergency aid and community development; Work of the Carter Center in Africa, including the repatriation of refugees and the eradication of infectious disease; Description of the Global Rights organization, which advocates for human rights; Report that the United Nations World Food Program feeds an average of 90 million people in more than 80 countries; Others.*

Alex de Waal. 2003. "Human rights organizations and the political imagination: how the West and Africa have diverged." *Journal of Human Rights*. 2(4): 475-494.

*Abstract: Focuses on the evolution of human rights as an activity in the West and in Africa. Details on the ethical standing of a movement for peace, rights or socio-political emancipation; Development of an international human rights movement; Discussion of the principle and aspects of human rights.*

Dijkzeul, D., & Beigbeder, Y. (Eds.). 2003. Rethinking international organizations: Pathology & promise. Oxford: Berghahn Books.

The management of international organizations is attracting growing attention. Most of this attention is highly critical of both the UN system and International NGOs. Sometimes, this criticism lacks depth or reflects insufficient understanding of these organizations, or is based on narrow, and sometimes biased, internal political concerns of a particular country. International relations theory has insufficiently studied the type of linkages that these organizations provide between international decision-making and Northern fundraising on the one hand, and practical action in the South on the other. As a result, current theory too rarely focuses on the inner functioning of these organizations and is unable to explain the deficiencies and negative outcomes of their work. While the authors identify and describe the pathologies of international organizations in, for example, international diplomacy, fundraising, and implementation, they also stress positive elements, such as their intermediary role. The latter form the basis for more efficient and effective policies and action that, in addition to some recent political trends also described in this volume, hold hope for a stronger functioning of these organizations in the future. This book presents a long overdue empirical and theoretical overview of criticism on and cures for these organizations. It provides a fundamental rethinking of current approaches to the management of international organizations.

Peter Easton; Karen Monkman and Rebecca Miles. 2003. "Social policy from the bottom up: abandoning FGC in sub-Saharan Africa." *Development in Practice*. 13(5): 445-458.

*Abstract: The authors analyse the experience of Tostan, a Senegalese NGO, with the abandonment of female genital cutting (FGC) in Senegal, the Sudan, and Mali. Tostan uses non-formal, participatory methodologies to support village-based social change, especially in the areas of human rights and women's health. Following Tostan's educational programme, some communities have declared a moratorium on the practice of FGC and have mobilised their families and villages to discontinue its use. This article describes the process used, considers issues that have arisen as the concept is marketed and disseminated beyond Senegal, and reviews implications for grassroots policy initiatives.*

Bronwen Manby. 2004. "The African Union, NEPAD, and Human Rights: The Missing Agenda." *Human Rights Quarterly*. 26(4): 983-1027.

*Abstract: Can the transformation of the Organization of African Unity into the African Union and the adoption of the New Partnership for Africa's Development (NEPAD) really make a difference for human rights on the African continent? This article sets out the commitments of the new African continental instruments in relation to democracy and the rule of law and concludes that they are useful and important-but also that NEPAD in particular has significant deficiencies. The second half of the article sets out five themes that should receive greater attention if true effort is to be made to address Africa's problems.*

O'Connell, Mary Ellen, 2005. "The United Nations Security Council and the Authorization of Force: Renewing the Council Through Law Reform." in *THE SECURITY COUNCIL AND THE USE OF FORCE, THEORY AND REALITY - A NEED FOR CHANGE?*, Niels Blokker and Nico Schrijver, eds.. Martinus Nijhoff.

*Abstract: In 1999, NATO members used force in the Kosovo Crisis without Security Council authorization. In 2003, the United States led a small coalition against Iraq, again, without Security Council authorization. Some commentators have called these "failures" of the Security Council to act. This article argues they are examples of Security Council success. Using force against Serbia and Montenegro in the Kosovo Crisis and against Iraq was inappropriate. The aftermath of force in both cases makes that apparent. The Council's decision not to authorize force in these cases should lead us to conclude that the Council's design remains sound. If we wish to improve the Council, it is not the design that should be changed but the level of Council adherence to the law of the Charter and general international law. Secretary-General Kofi Annan's High-level Panel on Threats, Challenges and Change has endorsed a view largely compatible with the one advocated here. The Panel wants no change in the role of the Security Council as the sole body to authorize the use of force in cases other than self-defense. The Panel does call for stricter adherence by the Council to such general international law principles as proportionality.*

Wafula Okumu. 2003. "Humanitarian International NGOs and African Conflicts." *International Peacekeeping* (Frank Cass). 10(1): 120-137.

*Abstract: The article focuses on humanitarian nongovernmental organizations (HINGO) and African conflicts. As the number of collapsing African states increases, HINGO, alongside the United Nations agencies and sub-regional organizations are increasingly being called upon to play more and significant roles in complex emergencies. Besides mitigating the social and economic consequences of collapsing states, HINGO are also implementing peace accords, promoting democratic and economic reforms, protecting human rights and encouraging the settlement of conflicts. Although scrutiny of humanitarian assistance was mainly focused on criticism of its delivery, analysis of its guiding principles and the evaluation of its position in the humanitarian-development continuum, there is now increasing concern over its adverse effects on its beneficiaries and on its role in prolonging or solving conflicts that produced them. There are now widespread indications that humanitarian assistance that is being delivered through HINGO may actually be prolonging conflicts. A humanitarian international NGO is a private, not-for-profit organization that engages in transnational activities to relieve human suffering wrought by human activities such as wars and by natural disasters, such as floods and earthquakes.*

Claude E. Welch Jr. 2003. "Human rights NGOs and the rule of law in Africa." *Journal of Human Rights*. 2(3): 315-327.

*Abstract: African NGOs have created an awareness of the rule of law. These NGOs follow the Wiseberg-Scoble typology of documenting violent violations. There is a long relationship with European NGOs, as European NGOs opposed slavery. Yet suspicion of foreign NGOs in Africa is based partly on the history of colonialism and slavery, the legacy of which. This was dramatized initially with the documentation of the Mengistu regime in Ethiopia's mass murders. Africa has weaker human rights networks than for Latin America and Europe. At the end of the Cold War, the deterioration of the postcolonial states dominated by one or two political forces has left a vacuum of Cold-War-era weapons; the great powers that provided guns, polarized political confrontation, and contributed to their ungovernability, have retreated in their preference. More of the aid to African NGOs has come not from the U. S. government but from the Ford Foundation and the Scandinavian, Dutch and German governments. The International Commission of Jurists paid attention to Africa in the 1960s and 1970s when other NGOs were not paying any attention. NGOs have not stopped the decline in the rule of law in Africa, though they may have reduced the decrease. They do not have the capability to press for prosecutions in regimes that do not prosecute and where patrimonialism inhibits the development of such institutions so that rulers exempt themselves through this solvent.*