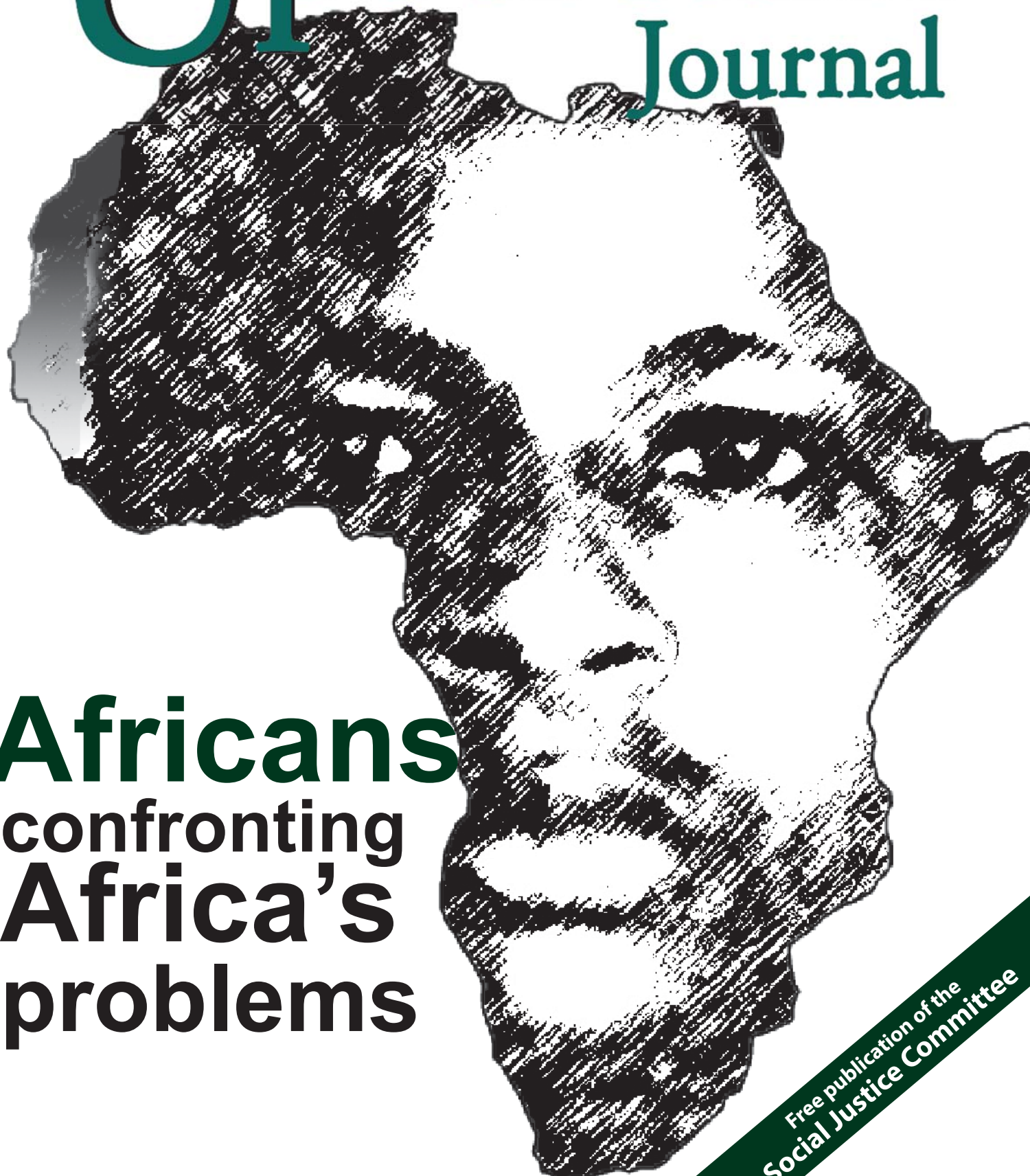


The Upstream Journal



Africans
confronting
Africa's
problems

Free publication of the
Social Justice Committee

Dear readers,

Those of you who have been readers of the *Upstream Journal* for a while have watched us change over the last couple of years, as we try to improve the content and the design of each issue.

We've been encouraged by the vote of support we've received from the many people who responded to our recent questionnaire. Your assessments have been positive about the evolving Upstream, and your thoughts on how we can improve the magazine has been a true 'gold mine' of ideas.

Show some 'good' news once in a while, you wrote, and more of the personal side. And how we can respond!

Suggestions like these are changing our approach in several ways.

In this issue, you won't find stories of hopelessness, but will meet people of ability and imagination. No starving children with flies on their faces, no being overwhelmed with feelings of pity. These are Africans dealing with African problems despite the tremendous difficulties they face.

These stories reflect the Social Justice Committee approach to poverty - that solutions depend on recognizing development issues as human rights issues, fighting the inequity that is inherent in the current global market system, and building processes of empowerment of the poor.

Yet even though these issues seem vast, the impacts are personal, and so is the response.

In this Upstream, we get to meet just a few of the people involved in struggles against injustice and oppression in Africa. Our volunteers-cum-journalists speak with them directly, so they can share their stories with you.

For many of these stories, you'll find information about how you can respond if you read something that particularly strikes you.

As it says on the back cover, our work is really about "helping *you* create a better world."

We hope that this issue takes us another step in our effort to provide a good magazine on economic, social and cultural rights, and how they connect to Third World poverty.



Derek MacCuish
Editor

Coming up next issue:

Building "voice" at the IMF and World Bank. Why has Canada done little or nothing to build the "voice" of small and poor countries in international institutions?

Progress in the midst of turmoil - effective education in Haiti

AIDS in a global context - interview with Stephen Lewis

The coming Canada-Central America trade agreement - what will the impact be?

The *Upstream Journal* is a free publication of the Social Justice Committee. It is one of several educational materials we offer on human rights and development.

Donations to the SJC are welcome, and go to support a range of activities. The SJC is a registered charity in Canada, and donations are tax deductible. We accept Visa and MasterCard.

Please consider making a donation and becoming a member. You can use the reply form on the back cover of this Upstream Journal, or call us (toll free in North America) at 1-866-RIGHTS-2.

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Cover photo: Gbenga Oluwatuyi of the Civil Liberties Organization, Nigeria

"Le Comité pour la justice sociale remercie le ministère des Relations internationales de son appui à sa mission d'éducation à la solidarité internationale"

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Editor
Derek MacCuish

Any comments or contributions can be sent to the editor at editor@upstreamjournal.org

Snapshot of a campaign for debt relief

An IMF plan to delay debt relief, and the response by NGOs in Canada and around the world - a chronology of a very short yet successful campaign

Tuesday 13 Dec. The news arrives - IMF staff want to delay debt relief for six countries

NGOs in US issue action alert: sources within IMF confirm that staff are proposing delays of debt relief to six countries. The IMF Board of Directors will decide on delays to Senegal, Ethiopia, Rwanda, Nicaragua, Madagascar and Mauritania at its Dec. 21 meeting.

Wednesday 15 Dec. Canadian office sides with IMF staff and says it will support delays

Position confirmed by a representative of the office of the Canadian Executive Director (ED), in a phone discussion with me and Pam Foster, coordinator of the Halifax Initiative Coalition (of which the SJC is a member).

We express disappointment that the Canadian ED office supports the staff recommendation, saying that the G7 called for cancellation without new conditions. The ED office does not agree with our position that the IMF is placing new conditions on debt relief. However, all twenty countries up for additional debt relief have completed economic reform programs that satisfied previous IMF conditions.

IMF criticism is mostly aimed at government spending and macroeconomic policy. The president of Senegal, for example, wants to buy new airport facilities, and the IMF staff don't think the country can't afford it. In addition, the IMF considers that Mauritania provided incorrect information in order to get debt relief and thus forfeits its eligibility.

Is it coincidence that the six countries were going to be without IMF program obligations as they began 2006? Is the IMF trying to use the debt relief as a lever to retain control of their economic policies? The SJC argues that it is.

Thursday 15 Dec. Canadian NGO community takes joint position asking Canada to accept the countries without conditions or delays. Halifax Initiative Coalition sends letter to Ralph Goodale, launches action alert requesting messages to Finance minister.

Friday 16 Dec. SJC issues press release critical of Canadian ED position.

I contact Paul Martin's media office for response to ED position, since our next *Upstream Journal* will be highly critical of the government supports delays. Representatives from the Privy Council and Department of Finance phone for more information.

Mon & Tues Dec. 19, 20. Email communication with campaigners in Africa, Europe and the US. (Asian campaigners are focused on the WTO meetings in Hong Kong.) Irish campaigners report that their officials do not support delays; interesting especially because Ireland is part of the group Canada represents on the Board.

Thousands of email messages, hundreds of phone calls pour in to ED offices. Reports from wealthy countries suggest that the G7 governments do not have much appetite to delay countries.

Wednesday 21 Dec. IMF Board approves 19 countries, delays only Mauritania.

The ED does not support delays after all, and takes a different position reflecting new instructions from Ottawa. On the Board decision, the Department of Finance indicates that it is "pleased with this outcome, which Canada supported."

Thur 22 Dec SJC issues press release applauding Canadian position and IMF decision and then closes for the holidays.

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alerts from the
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Committee by
email - write
sjc@web.ca for
information**

Nigeria Fights Corruption

by Ina Sotirova

Calling corruption a cancer “that has debilitated Nigeria and frustrated developmental efforts,” President Olusegun Obasanjo put transparency, accountability and the fight against corruption at the center of his reform program in 2003, as he began his second term in office. Accordingly, his administration is undertaking many reforms aimed at remedying the situation and strengthening democratic rule.

Throughout the years of military rule, corruption became institutionalized as a way of life. It is now embedded in the political culture and economic system of the country to such an extent that it has become part of doing business. Nigeria's socio-economic and political system itself appears to be built on corruption and to thrive on it.

Corruption contributes to economic and political inefficiencies and to growing distrust and alienation from politics. It is not only a major obstacle to the economic and political empowerment of the poor, but it also diverts resources away from development and poverty alleviation projects.

Some of the steps the Nigerian government is taking (which “would have been unheard of even three years ago” according to the World Bank) include:

- nances management, by publishing the monthly oil revenue distributed to the three tiers of government and making information on the budget of the federal government available to the public;
- promoting revenue transparency in the oil sector by implementing the Extractive Industries Transparency Initiative;
- reducing and eventually eliminating corruption in public contracting by institutionalizing due-process units to ensure open and competitive procurement procedures;
- fighting corruption in the public sector by implementing reforms in the civil service; and
- establishing the Economic and Financial Crimes Commission (EFCC) to implement tough anti-corruption legislation, as well as investigate and prosecute cases of corruption, money laundering and fraud in the private sector.

By prosecuting high-ranking public officials and seizing property and financial assets worth over \$700 million, the government is also sending clear signals that corruption will not be tolerated.

CYNICISM AND DISTRUST

- Despite the progress made so far, serious challenges remain. Obasanjo faces a very difficult political context. Small but politically powerful groups of vested interests that benefit from corruption, oil rents and the dysfunction-

tion of government continue to exert strong influence. The president and his reform team are vigorously waging the anti-corruption fight, but they still lack a critical mass of support from the political elite, particularly from the legislature and at the sub-national levels.

In 2004, Transparency International ranked Nigeria as the third most corrupt country in the world, second only after Bangladesh and Haiti. Although such international surveys are based on backward-looking data and thus do not fully recognize Nigeria's recent bold efforts, weak governance and corruption continue to be major challenges to the

Swiss banks ordered to return money stolen by Nigerian dictator

After years of debate, in early September the Swiss Supreme Court ordered Swiss banks to return some US\$500 million to Nigeria. The funds were originally deposited by the late dictator Sani Abacha. The Nigerian government charged that Abacha stole state funds throughout his term, from 1993 until his death in 1998.

This is one of the first cases of stolen funds to ever be repatriated. An estimated \$3US billion in looted money is suspected to be stored away in banks in Liechtenstein, Luxembourg, France, Germany, and the United Kingdom.

The Swiss cabinet ruled that the money be returned on condition that the World Bank monitors the use of the returned funds by the Nigerian government. The ruling is supposed to ensure that the money will go towards development projects in health, education and infrastructure in Nigeria.



“It is wrong to continue to judge Nigeria through the eyes of the past.”

- Emmanuel Akomaye, Director-General of Nigeria's anti-corruption Economic and Financial Crimes Commission

country's economic growth and political development.

Cynicism and distrust of the government are widespread among the people and civil society.

"It is a situation that has existed for several years," Emmanuel Akomaye, Director-General of the EFCC, said in an interview. "Nobody is pretending that we are going to solve the problem overnight."

Some local NGOs are critical of Obasanjo's efforts.

"There is a fundamental flaw in the president's anti-corruption crusade," Mr. Gbenga Oluwatuyi of the Civil Liberties Organization said in an interview.

"It hypocritically defines corruption so narrowly and selectively to exclude whatever and whoever the President finds convenient to exclude and include only those he wishes. While the recent crackdown on corruption appears to focus on punishing selected instances of economic and financial corruption, the wholesale corruption of political and government processes in which the President finds himself is

completely ignored.

"Anti corruption agencies - like the Anti Corruption Commission, the EFCC, the Code of Conduct Bureau and the "Due Process" department [the popular name for the Price Intelligence and Monitoring Agency] - lack independence. They seem to investigate and prosecute only when prompted to do so by the executive who funds their activities and also appoints personnel."

The fact that these agencies are also not adequately funded and highly centralized is another issue of concern to civil society. Mr. Oluwatuyi believes that because they are highly centralized, and so there is a problem of access and distance from the ordinary people.

PROGRESS DESPITE CHALLENGES

Although many Nigerians dismiss Obasanjo's anti-corruption campaign as an elaborate form of public relations to win concessions from international lenders and burnish his reputation as a world leader, international observers believe that his efforts are sincere. They attribute Obasanjo's efforts to establish a clear break with Nigeria's corrupt past and to consolidate good governance to his personal ambitions to make history and to receive national and international recognition for his efforts.

His aspirations to leave a lasting legacy are evident from his actions in 1979, when he became Nigeria's first military ruler to hand over power to a democratically elected civilian government. According to Emmanuel Akomaye, the biggest strength of Nigeria's anti-corruption campaign is precisely the strong political will of the president and his reform-oriented cabinet.

While Nigeria's fight against corruption still faces numerous challenges and it may still be far from winning the war, it is winning many battles along

The kola nut and the Ghana-must-go bag

Nigerian police officers often set up roadblocks to demand a "kola nut" bribe. The caffeine-laden nut is a traditional offering of hospitality, but the term refers to a wad of money worth anywhere from a few cents to several dollars.

Journalists might call a bribe a "brown envelope." Politicians call it a "welfare package," or for a high-stakes deal a "Ghana-Must-Go bag," named after the colorful plastic satchels commonly used as suitcases in the 1980s,

the way by means of slowly changing the rules of the game in a country, where for years corruption was the order of the day. High-ranking public officials who were once untouchable are being held accountable for their corrupt ways.

As Akomaye emphasizes, "Nigeria is changing and it is changing very rapidly. It is wrong to continue to judge Nigeria through the eyes of the past, because we have moved on!" ♦



"Across government, we have cleaned up our act, embedding accountability and transparency."

- Nigerian Finance Minister Ngozi Okonjo-Iweala

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Two perspectives on the fight against corruption in Nigeria

Gbenga Oluwatuyi of the Civil Liberties Organization

UJ: What are the challenges that remain in the fight against corruption?

Oluwatuyi: The challenges are four-fold:

- (1) Anti graft agencies should be made independent financially, administratively and politically, and empowered to initiate actions without being prompted by the executive;
- (2) Civil society organizations should be carried along in the crusade through information sharing and should embrace the anti corruption crusade by critically monitoring the activities of government officials and enlightening the public about the consequences of corruption to development;
- (3) Anti-corruption agencies should be decentralized, with functional units within the local government areas where they can be easily accessed by all citizens;
- (4) Mass media should continue the good job of exposing corrupt officials and double standard in the fight against corruption.



Gbenga Oluwatuyi of the Civil Liberties Organization wants the anti-corruption effort broadened, calling it flawed and selective.

Is there sufficient and/or effective collaboration between civil society and government in the crusade against corruption?

No. But some civil society organizations are beginning to show interest in partnering with anti graft institutions especially in areas of capacity building for these institutions and value re-orientation for the citizens to discourage corrupt practices and encourage appropriate value acquisition among the citizens. For instance, the Civil Liberties Organization (CLO) is presently in the process of putting up a joint project with ICPC to strengthen the capacity of ICPC both in the areas of training for its personnel and equipment support to enhance performance.

"Corruption has become pervasive and as endemic as a full blown cancer which has eaten deep into the fabric of the nation's socio-economic and political strata."

- Concept paper on Anti Corruption Campaign Programme in Nigeria, by the Civil Liberties Organization.

Emmanuel Akomaye, Director-General of the Economic and Financial Crimes Commission

UJ: How would you evaluate the progress made in the fight against corruption?

Akomaye: To understand the progress we have made, you must look back and see where we are coming from. Recall that we are coming from an era of military rule, and a time when nobody even spoke about corruption. Today it is a completely different environment.

For the first time, ministers of government, high court judges, senior advocates of Nigeria - the highest rank in the legal profession, the former Inspector General of Police, the former Senator President, today they are all standing trial for one corruption or the other.

That is the proactive side. The government has also instituted reforms in the public services, which have a preventive aspect.

What are the remaining challenges?

This campaign is not a one day affair. The fight against corruption means a fight against some established interests and of course, they try to resist and to frustrate investigation and prosecution, but these challenges are to be expected and rather than tie us down, they motivate us.

We believe in the fight, we take it as a national assignment. We pursue it with a whole lot of patriotism, and we believe that there is no alternative to this fight if Nigeria is to change.

The challenges are there, but I can assure you that they will be confronted and they will be defeated. ♦

Hlophe brings hope in midst of AIDS pandemic in Swaziland

by Sandra Smele

Aids in Africa is killing more people, more quickly than any catastrophe in the history of humanity. In Swaziland, with approximately 43 percent (almost half) of the population HIV positive and life expectancy approaching 30 years, it seems as though all optimism in overcoming HIV/AIDS would have faded by now.

One of these individuals is Sipiwe (Swee-pee-way) Hlophe, a co-founder of Swazis for Positive Living (SWAPOL). She and four other HIV positive women began this grassroots organization in 2001 to help other HIV/AIDS victims and orphaned children struggling to sustain their lives and to reduce the stigma and gender discrimination surrounding the disease within families and the community at large.

Hlophe's own experience of intolerance is typical of many African women facing HIV positive status. In 1999, after taking a mandatory AIDS test in order to obtain a bursary for her studies in agricultural economics, she was shocked to discover she was HIV positive. Immediately after, her husband left her and she was denied her scholarship, leaving her reeling in emotional turmoil. Yet rather than concentrate on her misfortune, Hlophe was inspired by this experience to help establish Swazis for Positive Living (SWAPOL).

"We wanted to educate our families on the issues of HIV and AIDS, because we thought the lack of knowledge about HIV and AIDS was why we women were victimized," she said in a telephone interview for this article.



AIDS orphans share a meal at the SWAPOL centre

Their endeavour is courageous, considering the terrible shame and prejudice towards the disease. Women face discrimination and even death as a result of being infected. In December 1998, 36 year-old Gugu Dlamini of KwaMashu, South Africa, was beaten to death because she was public about her HIV-positive status. Lorna Mlofane, a South African AIDS activist, educator and mother was beaten to death in December 2003 after telling the men who had raped her that she was HIV-positive. 37-year-old Sumitra Patel of India was killed by her uncle and cousin in February this year because she was HIV positive. These are just a few of the many women who have been punished because of fear and discrimination against those who have HIV/AIDS and because of deeply imbedded gender inequalities.

Sipiwe Hlophe fights these types of attacks and against the spread of HIV and AIDS by building both the

physical, psychological and emotional strength of those who have this disease, and by changing the communities' perceptions of it.

She and others, who volunteer visit

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terminally ill people in their huts, try to ensure they get medical care and provide trained counsellors and advice on diet. SWAPOL now has 55 children under its care who have lost their parents in the orphan centre that SWAPOL calls "the neighbourhood checkpoint."

They also work on diverse income generating projects. The women sew school uniforms in the community, and they grow vegetable seedlings for sale.

SWAPOL now has a field of 11 hectares where they grow beans, maize and other vegetables, providing food for the increasing number of child-headed households while producing vegetables for sale.

They were able to obtain this farm because of local sensibilities and because so many Swazis have been affected by HIV/AIDS in some way. In fact, SWAPOL impressed one chief so much that he broke custom and gave them the land to help the AIDS orphans in his region. This is significant because traditionally, in Swaziland, only men are given land by chiefs.

SWAPOL also battles the myths and ignorance that surround the diseases, and against the widespread prejudice against those who are its worst victims, women.

"There is total discrimination and vulnerability for women living with HIV and AIDS," Hlophe says.

Women who disclose their HIV-positive status to their husbands are blamed for bringing the disease to the home by both their husbands and extended family. "In Swaziland, when somebody is sick or when somebody dies, when a man dies or he gets sick, we women are always blamed. They

say we are the ones bringing the sickness home," Hlophe said

Even worse is that many women are beaten when they discover their husbands are HIV-positive because of the shame and discrimination surrounding the disease.

"When a husband is on the anti-retroviral treatments he hides this, the drugs from the wife. He doesn't say 'I'm HIV-positive. These are the drugs I'm using.' We have cases here where the women are beaten up because they see that their husbands are taking the drugs," Hlophe says. "And it is the men who decide if you can use condoms. Women can't say 'let's have protected sex'."

Women can't even to go to the hospital without their husband's consent.

What is more, HIV-positive women are often terribly cut off from their communities and families, Hlophe says. "Some of the women are not even allowed to use the dishes at home. They cannot use the family toilet and their children can't play with the other children. The woman is so isolated."

One of SWAPOL's main concerns, therefore, is that those living with HIV/AIDS build a positive image of themselves, and that the community recognizes the value of these individuals as well.

"We want everyone to be positive about HIV and AIDS. So we have to go and treat our women and empower the community on the issues of HIV and AIDS," Hlophe says. ❖

Contact info: SWAPOL PO Box 22030 Mamzini, Swaziland
SWAPOL's projects are helping some people, but it needs support



"They cannot use the family toilet and their children can't play with the other children. The woman is so isolated."

- Siphwe Hlophe

and funding for its community-based initiatives. Individuals can donate to SWAPOL through the Steven Lewis Foundation: www.stephenlewisfoundation.org

The next issue of the *Upstream Journal* will include an exclusive interview with Stephen Lewis.

Canada fails to deliver

More than a year and a half year after Canada passed legislation to provide cheap drugs for poor countries, there are yet to be any concrete results.

With the *Jean Chrétien Pledge to Africa Act*, Canada became the first country to take advantage of a World Trade Organization policy permitting generic drug firms to produce cheap versions of patented drugs for poor countries.

Generic firms that initially supported the bill became reluctant to produce the medications after they saw the actual provisions and restrictions in the law.

In Swaziland up to 40,000 children will be left orphaned each year after their parents die of AIDS, out of a population of less than a million people.

Swaziland has the highest HIV prevalence rate in the world - 38.8 percent.

Test your HIV knowledge

- What is HIV?
a. a virus b. a fungus c. a bacterium
- Is there a difference between HIV and AIDS?
a. No, HIV and AIDS are the same thing
b. Yes, AIDS is the virus that causes HIV
c. Yes, HIV is the virus that causes AIDS
- When is World AIDS Day
a. 1st June b. 1st December c. 1st January
- Which part of the world has the greatest number of people living with HIV/AIDS?
a. Asia b. South America c. Africa
d. North America e. Europe
- Worldwide, HIV is most common in which age range?
a. 25-34 years old
b. 15-24 years old
c. 0-14 years old
- How many people are living with HIV worldwide?
a. 25 million b. 39.4 million c. 3.5 million
- How many women are living with HIV globally?
a. 17.6 million b. 39.4 million c. 1.4 million
- In South Africa a teenage girl is...
a. Just as likely as a boy to be HIV+
b. Five times more likely than a boy to be HIV+
c. Five times less likely than a boy to be HIV+
- Roughly how many people get infected with HIV per day?
a. 18,000 b. 8,000 c. 14,000
- Roughly how many children have been orphaned by AIDS?
a. 2.7 million b. 11.2 million c. 15 million
- How many adults were living with HIV in Botswana at the end of 2003?
a. 22.7% b. 15.4% c. 37.3%
- Is there a cure for AIDS?
a. Yes b. No c. Only by prescription

Source: Avert www.avert.org

Answers: 1a 2b 3b 4c 5b 6b 7a 8b 9c 10c 11c 12b

West Africans ask EU to call off trawlers

by Laura Lopez

European and Asian industrial trawlers are depleting West Africa's fishing stocks, threatening the livelihoods of thousands of local fishermen.

Due in large part to fishing by foreign industrial vessels, there is a serious collapse in both shallow and deep water fish stocks. An increasing number of slow-reproducing, locally consumed species such as sole and white grouper (mérrou bronzé) are in danger of extinction.

"If there were ten fish for two fishermen in the 1990s, now there are ten fishermen for two fish," according to Haidar El Ali, president of Oceanium, a diving centre that promotes marine environmental protection in Senegal. He also points out that there is heightened pollution of coastal waters, along with an increase in the demand for fish along the coasts of West Africa, because many people have moved from inland to the coast since 1975 due to extreme drought periods.

Agreements with foreign shrimpers and vessels specializing in demersal fish on the sea bed allow for fishing in the same waters as local fishermen. They often trespass the six-mile limit and use a bottom-trawling technique of dragging finely-stitched, cone-like nets along the ocean floor. Dozens of non-target species, including locally sought-after fish, are caught in the huge nets and thrown back dead into the sea.

The increasing global demand and reduced supply of fish has led the European Union and various Asian countries (China, Taiwan, Japan, Korea) to strike deals with African governments for fishing rights. Morocco's four-year deal in the late 1990's with the EU was worth £500m. Such sizeable compensation makes the fishing deals extremely

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attractive for West African governments in need of foreign currency, but El Ali argues that industrial trawlers have been devastating in their impact, straining an important food resource for current and future generations.

Deep-water industrial fishing agreements confer fishing rights beyond the exclusive zone six miles from the coast. No quotas are imposed, and industrial vessels are technically over-capacitated to exploit deep water fisheries. The state of deep water fish stocks is uncertain, but it is broadly agreed that such agreements contribute to the collapse of deep water ecosystems.

The scarcity of fish touches the lives of millions of people living along the coasts and inland. In Senegal, where fish represents 75% of animal protein intake, the collapse of stocks has provoked a decrease in the availability of high-quality fish in regional markets, and thus a shift in the national diet.

"In Senegal, white grouper has always been used for the national dish, tieboudien, made with rice. This fish is now less common since it's overex-

ploited, and lower quality fish is caught to put in instead," Ms. Blandine Mélis, a marine biologist, told me. She works with le Programme régional de conservation de la zone côtière et marine en Afrique de l'ouest, an initiative of West African governments. "Some species are no longer consumed, because they're either too expensive or they no longer exist."

She described how costs for local fishermen are now higher than profits, in part because local fishermen have to take their motorized pirogues further and further into the sea to fill their nets. Some fishermen have decided to change their profession, yet others, mostly those who have not been trained in an alternative occupation, are trying to stay in the business despite their growing debts.

The communities respond

A number of initiatives have sprung either at the level of government, NGOs, or local communities to deal with the root of the problem. Since the main difficulty lies in the fact that fisheries are an open-access resource, difficult to enclose, and thus free and readily accessible to anybody, a big part of the solutions is trying to control and protect critical zones for fish reproduction and growth.

Blandine Mélis points to the example of the National Park of the Arguin Bank, a protected marine zone in Mauritania. Industrial trawlers and



motorized pirogues are forbidden, but sailboats using traditional fishing techniques that do not destabilize the reproductive cycle of the fish are permitted.

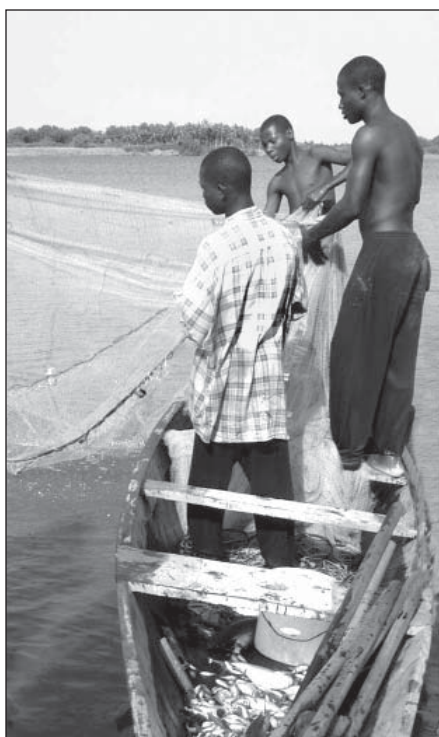
El Ali told me about the community of Kayar, Senegal, which is trying to manage its fish resources by itself in the absence of governmental measures. "Fishermen of Kayar have agreed that the larger sea pirogues will only go to sea one day out of two. Small pirogues that stay at the sea all day may not unload more than three boxes of fish. They have also delimited areas where the use of harmful nets is forbidden, or where only one type of fishing technique is permitted."

Alioine Diagnembor, president of the Senegalese Association of the Friends of Nature, sees the positive impact of public education efforts. "Fishermen are now very conscious of the need for conservation of the resource, and participate more and more in conservation activities. It is not a just question of respecting the environment; it is also a question of improving the resource that keeps them alive."

Stopping the foreign trawlers

"I was born into the fishing world. My dad was a fisherman and my mom was a fish merchant. Ten or fifteen years ago, we caught the high-quality fish now destined for export. The industrial fleets weren't there to threaten our resources. We fished to survive, and to sell and earn our share for the lives of our families. Now we fish only to survive, not to put money in our pockets or make a living."

- Dao Gaye, fisherman and union leader, in an interview with the author.



Dao Gaye is one of the people active in the battle against foreign industrial vessels. He coordinates the Conseil national interprofessionnel de la pêche artisanale (CONIPAS), a collection of four networks, including le Collectif national des pêcheurs artisanaux du Sénégal and the Fédération Nationale des femmes transformatrices et micro mareyeuses du Sénégal.

He is the voice of traditional Senegalese fishermen in the Council of the Republic for the Economic and Social Affairs, where 100 different union and NGO representatives sit down with government officials to discuss their needs and problems.

"The Senegalese resource is being wiped out by big fishing," he says. "Now we are discussing with the government what we are going to do to stop the fishing agreements it signs with the European Union."

He also encourages members of the fishing unions to use fishing permits. "Before, you could fish freely as you liked, and take as much as you could. But now we fish with rights of access and use quotas. Otherwise, when the sector is finished, we fishermen and our families who don't have lands to cultivate will come up against even more hardship."

West Africans are thus already putting much effort into preserving their own resource. States have created marine protected areas, several local communities have implemented sustainable fishing regulations, regional NGOs have successfully made fishermen aware of the dangers related to destructive fishing techniques, and individual fishermen have battled against large-scale fishing agreements at the governmental level.

Now European and Asian governments have to do their part, and stop the destruction of African fish resources by industrial vessels. ❖

Women of Zimbabwe Arise

by Marie-Noel St. Hilaire

Zimbabwe has literally been torn down one shantytown at a time in what people in the country called a "human tsunami" - the Mugabi government's Operation Murambatsvina, or "Throw out the Trash."

Jenni Williams, a self-described civic woman's rights activist, recently recounted to the *Upstream Journal* how what she refers to as "the operation" affected the lives of members of her organization, Women of Zimbabwe Arise (WOZA).

Their homes were torn down, and their ability to sell and trade in the informal sector has been taken away. Women who previously fed and supported their families can no longer barter to obtain goods. Unable to sell any of their products, they have no source of income.

Members of WOZA are typically women over 18 years old, many of them grandmothers taking care of orphaned children who have lost their parents to AIDS. Many WOZA members are part of the informal sector -

the unemployment rate in Zimbabwe is about 80% - which felt the greatest impact of Operation Murambatsvina.

Those who try to continue trading now keep their goods in boxes so that they can quickly pick up and run if they need to.

"I've spent the last six months unable to live in my own home and I'm not a politician, I'm just a civic woman's rights activist," Williams said.

The women of WOZA are speaking out and taking to the streets to protest, trying to hold the government accountable for its actions. Members have been jailed, from the young to the very old, for a walk they staged against the operation. They won their court case, but it remains difficult to denounce the injustice of the operation since any type of public expression or assembly is considered breaking the law under the public security act of Zimbabwe.

The consequences of the operation touch all aspects of life in Zimbabwe. "There is all around suffering," Williams says, describing how prices have gone up drastically even as people lose

The Latin America Agenda 2006

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their income. School enrolment is predicted to drop as Mugabe increases school fees.

An attempt to move people out of the cities to rural areas has so far proven to be unsuccessful. Ms. Williams explains that many people are being brought to areas that they are not native to and often don't receive a warm welcome.

On a recent tour of rural areas in order to bring in membership, Ms. Williams observed firsthand the problems faced by those being pushed out of the city.

"People in rural areas are starving already, so really more people coming into those areas mean more suffering. There's not much help to be gotten from going into a rural area."

As people continue to search for refuge and a way to support themselves and their families, Mugabe continues to promise new housing and cleaner cities as part of the next phase of the operation. Ms. Williams is doubtful

that this will ever materialize.

"How can a government that can not even put fuel in petrol stations for ordinary day to day use, manufacturing and business, have spare money for building houses?" ❖

"If you would like to support WOZA or help women and girls in Zimbabwe, please contact me or Jenni Williams, or just post whatever you can spare from your bathroom cupboard.

Nothing will be wasted. It might sound silly but a bag of cotton wool or packet of sanitary towels will be a treasured gift to a woman who has to choose between bread and hygiene."

- Cathy Buckle, WOZA

WOZA P.O. Box FM701, Fomona,
Bulawayo, Zimbabwe
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wozazimbabwe@yahoo.com



Jenni Williams is a mixed-race mother of two. Her family has left Zimbabwe for safety while she continues her activism. She has been arrested 18 times, most recently in November protest in a Harare park protest in which 300 women were arrested, 9 beaten so badly as to require hospitalization.

More than 700,000 Zimbabweans lost their homes or livelihoods or both in Operation Murambatsvina.

An estimated 500,000 children were forced out of school or had their education seriously disrupted.

At least six people, including four children, died as a result of demolitions and prolonged exposure to cold.

Some 2.4 million persons - 18% of Zimbabwe's population - have been directly or indirectly affected.

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From Local Processes to Global Forces. A collection of reports from the Centre for Civil Society, University of Kwazulu-Natal. The introduction describes the papers as part of "the evolution of a body of scholarly literature on the emergence and development of civil society resistance to neoliberalism in post-apartheid South Africa."

From the Depths of Poverty: Community Survival in Post-Apartheid South Africa, also from the Centre for Civil Society. "The stories are harrowing and painful, but honest and truthful; an eye-opener to the realities of what life is really like for the poor, marginalized and most vulnerable people in South-Africa."

The Macroeconomics of HIV/AIDS. "The first IMF book to focus specifically on a public health issue." Collection of papers from various authors and organizations.

Contact editor Derek MacCuish if you're interested in writing a review: 514-933-6797 or editor@upstreamjournal.org



The IMF's opaque press policy and the consequences for global governance

by Jason MacLean

This September the IMF once again denied press accreditation to the editor of the Upstream Journal, despite his accreditation by the Canadian Association of Journalists (CAJ).

Neither the IMF nor the World Bank has press policies that are transparent. It is not clear if the IMF even has guidelines for press accreditation, much less what those guidelines might be.

The *Upstream Journal* requested an interview about press accreditation policy with both the IMF and the World Bank, but neither institution responded. Neither did the IMF respond to a CAJ request for clarification on lack of guidelines or recognition of CAJ accreditation.

These failures to respond to basic inquiries about their press policies is at once confusing and troubling. Confusing, because it is difficult to imagine institutions as large and powerful as the IMF and the World Bank not having clear and established guidelines for press accreditation. Troubling, because their role global governance is so influential, while their seeming lack of respect for the basic principle of freedom of the press makes the task of holding these institutions accountable to local stakeholders virtually intractable.

It is not a little ironic, moreover, that the IMF and the World Bank, institutions that by turns advocate and

demand economic and political transparency on the part of otherwise sovereign nation states, are themselves so operationally opaque.

International financial institutions are in thrall to the lobbying groups of large and powerful multinational corporations and, as such, pursue economic policy initiatives in the corporate – rather than the public – interest. Consequently, local economic, political, and social rights are being eviscerated in the name of globalization. A free and independent press is crucial

***“Freedom of the
press must extend beyond
freedom of the mainstream
press”***

to the task of increasing the accountability of international financial institutions.

More to the point, global banks and financial investors covet access to the details of IMF negotiations with member governments – inside information, in effect, that will enable them to carefully select and monitor their positions in financial markets both prior to and in the wake of an IMF intervention.

The global banks, pointing to the need for greater “transparency,” have called upon the IMF to provide valuable insights into its dealings with national governments without, of course, revealing confidential information. Given the palpable conflict

between the financial interests of global banks and investment houses, on the one hand, and their institutional monitoring intentions, on the other, the need for free and independent media coverage of the IMF is plain.

The absence of clear and accessible press accreditation guidelines at the IMF and the World Bank is more troubling still in light of the monolithic representation of global financial institutions and markets in the mainstream western media, which systematically downplay – if not ignore altogether – the social impacts of economic globalization. Freedom of the press, therefore, must extend beyond freedom of the mainstream press, which has proven itself a more adept cheerleader than critic, so as to include the widest possible array of local interests and voices. ❖

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Free trade deal short on democracy

Ernie Schibli is a founding member of the SJC and our coordinator of public education programs.

At the heart of the SJC's autumn campaign on Central America is a call for greater democracy and transparency on the part of the Canadian government in relation to its dealings with Central America. Greater democracy and transparency are central to two inter-related issues of considerable importance to people of the region.

The first is the free trade agreement that Canada is negotiating with four Central American countries - El Salvador, Guatemala, Honduras and Nicaragua.

The second is the response of the federal government to the recommendations of the parliamentary Standing Committee on Foreign Affairs and International Trade (SCFAIT) report on the activities of Canadian mining companies in poorer countries.

We have initiated a series of presentations to raise public awareness about these two issues, and are inviting Canadians to write the Prime Minister, (a) to ask for the public release of the contents of the trade agreement so that parliament and Canadians can debate them, and (b) to express dismay at the tepid response of his government to the SCFAIT report.

NOT PUBLIC: THE CANADA/CENTRAL AMERICA FREE TRADE AGREEMENT

Although the CA4 FTA is on the public record and there has been a limited attempt by the government to seek public input, by and large Canadians are unaware of both the fact of the negotiations and the contents. The same can be said for the people of Central America. They have had no say on the contents and, judging by the way the free trade agreement between the United States and Central America (CAFTA) was recently pushed through in Guatemala, they will have no say on the CA4 FTA either.

The SJC, together with other members of the Americas Policy Group of the Canadian Council for International Cooperation, has asked Canadian government representatives to disclose the contents of the CA4 FTA to the public and to parliament. The government response is that they would like to, but the Central American countries are against

it and so Canada's hands are tied. So, we have a treaty, in all probability including clauses harmful to both Canadians and, especially, Central Americans, soon to be signed and ratified by our government without any Canadians, save the negotiators, knowing what is in it. Some democracy!

It is more than ten years since Canada, Mexico and the US passed the North America Free Trade Agreement (NAFTA), plenty of time for its weaknesses to become apparent. A major problem in the NAFTA is its Chapter 11 clauses giving corporations from a signing country the right to sue either of the other governments for any measure it takes that inhibits their profits, real or anticipated.

Under Chapter 11, for example, Virginia-based Ethyl Corporation sued Canada for banning the gasoline additive MMT due to environmental and public health concerns. Fearing the outcome of the suit, the Canadian government reversed its ban, paid Ethyl \$13 million, and issued a statement for Ethyl's use in advertising. Similarly, California-based Metaldad successfully sued the Government of Mexico for over \$16 million because the municipality of Guadalcázar denied Metaldad a permit to construct a toxic waste facility. These are but two of many examples of Chapter 11 lawsuits.

The SJC joined other organizations in Canada, Central America and Mexico in signing an open letter calling upon the Canadian government to:

- release the full text of the CA4FTA while it is still being negotiated and at least three months before the agreement is ratified, and ensure that its Central American counterparts do the same;
- conduct an independent human rights impact assessment of the proposed agreement before proceeding with negotiations;
- ensure Canadian public and parliamentary debate of the CA4FTA prior to Cabinet ratification.

DISAPPOINTING GOVERNMENT RESPONSE TO THE PARLIAMENTARY COMMITTEE REPORT ON MINING

The SJC and other like-minded organizations were very

pleased when a parliamentary committee, the Standing Committee on Foreign Affairs and International Trade, released a report to the government of Canada calling for strong measures to ensure that Canadian mining companies respect human rights and the natural environment in poorer countries.

We joined others in trying to convince the Department of Foreign Affairs to respond favorably to the recommendations of this report. We saw this as an opportunity to ensure that what has happened around the Marlin mine would not be replicated in the future. For instance, despite the widespread opposition to the Marlin mine by Guatemalan indigenous, environmental and church organizations, the Canadian embassy took an active stance in its support, something the SCFAIT recommendations would have prohibited. Likewise, Canada's position at the World Bank, where it supported the loan of US\$45 million on behalf of the mine, would in all likelihood have been different.

On October 18, the government released a disappointing response. While acknowledging that there are problems, it downplayed their seriousness and, in our view, suggested a very cautious approach, especially in view of the role that Canadian mining corporations play in poorer countries. Voluntary codes of ethics, reliance on other countries and the international financial institutions, and consultation with people affected by the mines rather than their consent are its prescriptions. Obviously, we still have work to do.

FREE TRADE AND CANADIAN MINING – A TOUGH COMBINATION

The combination of a NAFTA-like chapter 11 in a secret CA4 FTA and the weak government response to the SCFAIT report will make it much harder for Guatemalans to successfully resist the Marlin mine (and for Central Americans opposed to other Canadian mines). Canadian embassies will continue to support Canadian mining companies and the Canadian delegates to the IFIs will continue to vote for further loans and grants.

There is an added threat.

If the CA4 FTA treaty includes a Chapter 11-like clause, as expected, Glamis would have the option to sue the government of Guatemala if the mine is stopped. The company has sued in the past, launching proceedings under NAFTA Chapter 11 against the U.S. government for \$50 million in compensation when California regulation protecting Native American sacred sites forced a stop to planned mining there.

Even without the CA4 FTA, the Guatemalan government has demonstrated a fear of stopping or slowing down the mine for fear of legal consequences. With the CA4 FTA, there is no way it and other Central American governments would risk lawsuits.

Canadian officials suggested that NGOs persuade their Guatemalan partners to lobby their governments to remove their resistance to the publication of the CA4 FTA contents. Good idea. Better yet, should Canadians not push our own government to act with more transparency and democracy?

That is what the SJC is about – informing Canadians on how Canadian government and corporate policies can negatively impact the poor of other countries; and suggesting means by which we can bring about changes for the better. We invite our readers to join us in our work. Help us set up public presentations. Write to your MP and the PM and to your local newspaper. See our web site for more information. ❖

Excerpt from the government response to the SCFAIT recommendations:

Recommendation 7: Work with like-minded countries to strengthen the OECD Guidelines for Multinational Enterprises, first by clearly **defining** the responsibilities of MNEs with regard to human rights, second by making compliance with international human rights standards **obligatory**, and third, by working toward establishing common rules of evidence.

“The government does not agree with the Committee’s recommendation that the human rights aspects of the Guidelines should be made obligatory and that NCPs should work toward establishing common rules of evidence. Any movement toward making the Guidelines binding or more legalistic in nature would be contrary to the original intent of the drafters. The Guidelines are a negotiated instrument, and it was clearly the intention of the negotiating parties that the instrument be non-binding in its application to business. The non-binding nature of the Guidelines has significantly increased the ability of like-minded governments to build greater international support for them than would have been possible to achieve if the Guidelines were an obligatory instrument.”

“Governments in the United Kingdom, the United States, and other countries, companies in the extractive and energy sectors, and [NGOs], all with an interest in human rights and corporate social responsibility, have developed a set of Voluntary Principles on Human Rights and Security to help guide companies in maintaining the safety and security of their operations within an operating framework that promotes respect for human rights and fundamental freedoms. The question of **whether Canada should join the voluntary principles process is under consideration within the Government and no decision has yet been made.** The Government of Canada is working with stakeholders to determine what additional steps can be taken to reflect the commitment of Canadian companies to socially responsible practices in international activities.”

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