



ICRC



Newsletter of the ICRC
Pretoria Regional
Delegation

LOOK OUT FOR...

Panorama 08: a 12 minute DVD which shows the terrible toll that armed conflict inflicts – threatening lives and livelihoods, forcing people to flee their homes and separating families. This film highlights the ICRC's work to assist victims of armed conflict and to promote international humanitarian law, ensuring that people trapped on the world's frontlines are protected from harm.

Enhancing protection for civilians in armed conflict and other situations of violence: a brochure explaining how the ICRC works to protect civilians in armed conflict and other situations of violence, proposing a step-by-step, multidisciplinary approach.

Both titles can be ordered through the ICRC website at www.icrc.org, alternatively you can contact the Pretoria Regional Delegation.

MISSION Statement

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.

Themba

ISSN 1681-7958

ISSUE 23 2008

FOURTH QUARTER



My baby's name means "suffering"

Thousands of people have fled the violence which has ravaged North Kivu since September. Here, some of the displaced currently staying in Kibati 2 camp, near Goma, describe their tragic experiences, how they have fled from one camp to another, and the desperate poverty in all the camps.

Alphonsine is sitting on the damp ground, holding a tiny baby in her arms, surrounded by hundreds of others who have fled the fighting in North Kivu. They are all patiently waiting by the ICRC lorries for a few days' worth of food rations: some flour, oil, beans and salt.

Although she is exhausted, Alphonsine smiles and shows us her baby. "I called him Matesu because he was born during the war," she says. Matesu means "suffering" in Swahili. Matesu was born in September, when Alphonsine was fleeing from one place to another looking for a modicum of safety. During the journey, she lost touch with the baby's father. Yet she feels lucky to be alive and many of her close relatives have also come to Kibati camp.

Beside her, Patience (*), a 45-year-old woman with 11 children, is unable to hold back her tears. She tells us that she saw her husband murdered by armed men. "I can't talk about it, it's too painful. I feel terrible just thinking about it." She can scarcely remember the details of the chaotic scramble to leave the village, with one baby on her back, another in her arms, amid a panicked crowd. "Luckily all my children are here with me. The eldest is nearly 14 and has helped me out a lot. But I have nothing left. We are living like animals.

"Here, there is terrible poverty. We often go to bed hungry, and when we arrived at the camp, we even had to spend several nights out in the rain because there wasn't enough shelter for everyone," explains Jeanine (*), mother of seven children. Two weeks

(Continued on page 2)



EDITORIAL

2008 was a truly interesting and challenging year for the ICRC Pretoria Regional Delegation. But true to the nature of the organisation, we strove to handle every emergency with the utmost professionalism and teamwork.

The conflict in the Comoros Islands in March this year saw the delegation open a small office. Assistance was given to Comoros Red Crescent Society (CRCS) in responding to the crisis. The ICRC airlifted first aid material and supplied 100 war wounded kits to the main referral hospitals in Anjouan as well as deploying a surgical team to Anjouan. The delegation's Protection Delegate took care of the initial ICRC action until a delegate could be deployed for a three month mission. During and after the military operations, hundreds of people were arrested and as part of the ICRC's core mandate, the ICRC visited the detainees to monitor the conditions of detention and ensure the minimum humanitarian standards were afforded to them.

A few months after the conflict in Comoros, violence broke out in South Africa. The South African Red Cross Society (SARCS) took the lead in the relief operations with the assistance of the ICRC and the International Federation of Red Cross and Red Crescent Societies. The operation was enormous and SARCS did a tremendous job. The ICRC wishes to congratulate and commend all the volunteers who gave so much during this time.

In 2008, the ICRC was involved in many other operations, on page one you can read about the heartfelt story of a displaced Congolese woman who named her child "suffering". It is this suffering that the ICRC strives to minimise in contexts such as the DRC. Since renewed conflict broke out in the region, the ICRC is one of the few humanitarian organisations remaining. From October the ICRC has extended its emergency operations, especially in North Kivu with ongoing and planned activities to respond to the emergency needs of the civilian population (including the displaced) and the wounded and sick.

In Zimbabwe the ICRC has in the past year done a lot to assist the local population. See our photo collage on page seven on the activities of the Harare Regional Delegation.

The setup of the Pretoria Regional Delegation will change slightly as of 2009. From January the islands of the Comoros, Mauritius and Seychelles will no longer be covered from here. We would like to thank all our interlocutors, friends and colleagues for all the good collaborations we were able to undertake in the last few years. These three countries will be attached to the Nairobi Regional Delegation.

From January, Mozambique will be covered by the Pretoria Regional Delegation with Angola forming part of the delegation as of July 2009. We look forward to the new challenges awaiting us in these countries.

To all the staff at the delegation, may you have a 'quiet' festive season and a prosperous new year!

Annemarie Watt

(Continued from page 1)



earlier, her family had to flee, leaving behind several hectares of fields before the harvest. "Our house was burned down, our belongings stolen. I would rather die in this camp with my children than return to our village," adds Jeanine, before bursting into tears.

"I was forced to leave school a few months before taking the final exam and now I have no money to pay the school tax," explains Hakizimana, a young 18-year-old man, in careful French. His biggest worry is the survival and safety of his family of eight people. "In September, we fled Kanombe to seek refuge in Rugari, then we had to leave Rugari for Rumangabo, then Kibumba. A few days ago we had to flee again and we joined Kibati 1 camp, before finally finding a place in Kibati 2. I don't think that our journey is over yet and I don't feel safe here: the front line is only

two kilometres away."

These reports were gathered on 6 November 2008 at Kibati 2 camp, where the ICRC and volunteers from the Red Cross Society of the Democratic Republic of the Congo had been distributing food for two days. That day, gun and heavy-weapon fire sounded nearby. After a moment of total silence, everyone panicked, abandoned the queue and fled towards the town of Goma, their smallest children in their arms. The humanitarian workers stopped the food distribution and also left the camp.

A few hours later, a precarious calm was in place, and the displaced returned to spend the night in the camp. Two days later, the ICRC and the Red Cross volunteers were able to finish distributing food.

(*) Not their real names

Changing the Behaviour of Soldiers

In 2008, the ICRC continued its high-level dialogue with the militaries of southern Africa. Although most African countries have ratified the most important treaties of international humanitarian law (IHL), theoretically ensuring a degree of protection for victims of armed conflict, such as civilians and detainees, the problem often remains one of application and enforcement.

The obligation to respect and ensure respect of IHL rests with states; and in the case of militaries, there exists under the Geneva Conventions and their Additional Protocols an obligation to prevent, suppress and report any breaches of the law. In order to prevent violations of IHL, the ICRC works with militaries worldwide to remind them of the legal obligations they have undertaken, in addition to their concomitant rights, and to encourage the development of means and mechanisms that ensure compliance with the law. The ICRC also works with non-state actors to encourage their legal awareness.

Recognising that the behaviour of soldiers is directly related to the training and orders they receive, the ICRC now focus much of its efforts on ensuring that military doctrine, force preparation (including classroom education and field exercises), force employment (including operational and tactical level planning, rules of engagement and orders) and military justice are executed in accordance with IHL.

How does this work in practice? Where



Pretoria Regional Delegation Delegate to the Armed Forces, Andrew Carswell (centre) with members of the Sudan Peoples Liberation Army at their Headquarters in Juba, South Sudan on 17 Oct 2008. The SPLA members are training officers, who received training in the IHL. With them is Anne Kilimo (ICRC Nairobi, front row second from left) and David Gai (ICRC Juba, back row left).

militaries show sufficient commitment to IHL and capacity for its integration, ICRC may assist them in the sometimes complex task of identifying those aspects of military operations that are affected by IHL, and ensuring compliance. In certain southern African contexts, this has taken the form of a senior standing body representative of the military services, whose task is to oversee IHL integration into all relevant aspects of military activity on an ongoing basis.

Ultimately, the militaries themselves stand to benefit from the protection of the

law, including the humane treatment of wounded and detainees, and restrictions on means and methods of warfare that cause unnecessary harm.

In the final analysis, states are obliged to abide by IHL. The ICRC can play an important support role in ensuring that the black letter of the law becomes reality on the battlefield.

For further information, see the PDF brochure entitled "Integrating the Law" at <http://icrc.org/Web/Eng/siteeng0.nsf/html/p0900>

Protection activities 2008

Detention:

During 2008, the ICRC Pretoria Regional Delegation conducted its regular visit to Maseru Central Correctional Institute in Lesotho in the third Quarter of the year. During the visit the ICRC registered detainees and provided follow-ups on its previous visits. The Delegation will conduct another visit before the end of the year mainly to assess the status of HIV/AIDS

program in the Prison and find ways and means for further support.

Restoring Family Links (RFL)

The Pretoria Regional Delegation continued with its RFL capacity building programme and provided support to the National Societies in the region particularly the South African Red Cross Society.

Pan African Parliament

The Pretoria Regional Delegation attended as observer the 10th Ordinary Session of the Pan African Parliament that took place from 27th October to 7 November 2008. The ICRC representatives met some Parliamentarian and the Secretariat of PAP during the occasion and discussed on how to strengthen further the relationship between the two institutions.

Cooperation with National Societies in 2008

During 2008 there was a high level of interaction between the Pretoria Regional Delegation and its partner National Societies in the region.

The armed conflict that affected the Comoros proved to be a real test of the Comoros Red Crescent Society's growing capacities and they were equal to the challenge, deploying volunteers to provide first aid and relief services to the victims. There was strong collaboration between the ICRC team that was sent to the islands and the National Society and the synergy of the Red Cross Red Crescent Movement was clearly demonstrated.

In May / June tens of thousands of frightened people were displaced after violence erupted in several areas in South Africa, both a humanitarian tragedy and an opportunity for the Red Cross partners to reach out and help.

The South African Red Cross Society (SARCS) responded rapidly and effectively from the earliest stage of the disaster, with

material and technical support from the International Federation and the ICRC. In a response which required SARCS to keep dozens of volunteers active, for weeks at a time, the unique combination of grass roots activism and international network proved its effectiveness. SARCS also benefited from the trust and generosity of the South African public and corporate sector which donated to the operation at unprecedented levels. Throughout the emergency, SARCS worked hard to ensure continuity of their many ongoing programmes.

ICRC worked with National Societies as they continued to inform and educate different audiences about the work of the Red Cross / Red Crescent, our Principles and the rules of war. Several National Societies revised and improved their statutes during this period, or convened statutory meetings at which the ICRC spoke and assisted, in recognition of the importance of a solid statutory and legal foundation for organisations that work to help the most vulnerable in a wide range of crises.



SARCS volunteers unload the blankets donated by the ICRC during the relief operations after the xenophobic violence in May this year.

Help Course 2008

The Pretoria Regional Delegation, in collaboration with the School of Health Systems and Public Health this year hosted the 11th Health Emergencies in Large Populations (HELP) Course. The course took place from 3 to 21 November at the Faculty of Medicine of the University of Pretoria. The course was attended by 22 participants coming from various countries including Australia, Afghanistan, Palestine, Ghana, Swaziland, Sierra Leone, Tanzania, Netherlands, USA, Malawi, South Africa, Kenya, Botswana, Mozambique and Zambia.



Participants at the H.E.L.P. course.

The participants included nurses, doctors, disaster preparedness and environmental health specialists, water and habitat engineers and programme managers / coordinators and were selected to ensure that the course enhances or has a positive impact on their work.

One of the participants, Dr Shah Mahmood Nasiri from Afghanistan, said the overall objective of the course was very good adding that "it is also nice to have different people from different societies together, that was the highlight of the course for me." A participant from Palestine, Dr Al Nahall Issa said he enjoyed the course very much and learned a lot which will benefit his work.

The course is divided into two modules and facilitated by experts from the University of Pretoria and ICRC staff from Geneva. This course is highly commended to build essential skills in health and disaster management. Therefore, ICRC and the University of Pretoria remain committed to ensuring the continued success of the course and the added value it has for participants.



From the top: Participants at the Annual IHL course in June; the South African Red Cross Society Soweto Branch Choir performs during the World Red Cross and Red Crescent Day celebrations; participants at the All Africa Course on IHL; law professors from the region at their annual meeting held at the Pretoria Regional Delegation in November; Prof Kader Asmal (speaker at the Annual IHL course in June) with Jamie Williamson (former Regional Legal Advisor at ICRC Pretoria Regional Delegation) and Catherine Gendre (Head of Delegation); the ICRC Pretoria Regional Delegation signed a renewed memorandum of understanding with the Nelson Mandela Metropolitan University in November.

Communicating the ICRC

Communication forms an integral part of the work of the International Committee of the Red Cross (ICRC); the organisation not only aims to inform the parties to a conflict of their obligations under international humanitarian law (IHL) but also strives to communicate the work of the organisation in times of peace.

In communicating, the ICRC informs the general public about its activities and programmes, as well as future leaders, armed forces and the media, in order to ensure respect for the protective emblems. Through this communication the ICRC also endeavours to improve the protection of civilians and other victims and to ensure access to victims of armed conflict and internal disturbances.

It is in line with this objective that the Communications Department at the Pretoria Regional Delegation has brought the message of the ICRC to various audiences in South Africa in the past year.

During the year the delegation, together with the South African Red Cross Society (SARCS) and the International Federation of Red Cross and Red Crescent Societies (Federation) hosted diplomats and various interlocutors at a function held to commemorate World Red Cross Red Crescent Day which takes place every year on the 8 May. This year the event focused on “Protecting Human Dignity”.

The hosting of National Press Club networking session once a year has also been a great

tool. The event hosts journalists, academics and corporate personnel. Together with the Foreign Correspondents Association, the ICRC hosted a one day seminar on IHL. The seminar allowed journalists the chance to learn more on the subject and how to enhance their reporting on conflict through a basic knowledge of the rules of war.

During 2008, the department expanded its programme with journalism students and informed students from three different universities on the ICRC, its mission and mandate as well as introductory courses on IHL. To raise awareness about the Red Cross Red Crescent Movement, the ICRC took the initiative by addressing future journalists as these are people who will have influence on society in the future.

Training academics from across Africa

Participants from across the continent came together between 4 and 13 November for the seventh All Africa Course on international humanitarian law (IHL) hosted by the Pretoria Regional Delegation of the ICRC, in conjunction with the Centre for Human Rights at the University of Pretoria.

This year’s course saw 24 participants from 12 African countries learn the ins and outs of IHL in order to introduce courses on IHL into their universities. Also attending the course were ICRC employees responsible for the dissemination of IHL, persons in the employ of NGOs working in conflict zones and postgraduate students of public international law and human rights.

Apart from an introduction to the ICRC and the International Red Cross and Red Crescent Movement, other topics covered were those



The speakers at this year’s joint evening which focused on cluster munitions; Andrew Carswell (ICRC Delegate to the Armed Forces), Dr Etienne Kruger (medical advisor), Catherine Gendre (ICRC Head of Delegation), Chris Black (ICRC Regional Legal Adviser) and Garth Abraham (ICRC IHL Legal Adviser to the Academic Circles).

traditionally associated with IHL (such as ius ad bellum versus ius in bello; classification of a conflict; non-international armed conflicts; protection of the wounded, the sick and the shipwrecked; protection of civilians; customary IHL; means and methods of warfare).

In addition, the following topics were also addressed: IHL versus Human Rights Law; the weapons conventions; international tribunals for the suppression of grave breaches; the prosecution of war crimes; refugees and IDPs. The format for the presentation of the various topics was, in most cases, a formal lecture followed by an appropriate case study. The wealth of experience of the various participants, combined with the academic input of the presenters, provided for a rich and fruitful exchange.

The presenters on the course were academics and legal practitioners, either from the ICRC or attached to the academic institutions of Southern Africa and the Indian Ocean with which the Pretoria Regional Delegation has contact. At the conclusion of the course the academic participants solemnly committed that, on their return to their home countries, they would assist with the dissemination of IHL in the academic institutions to which they were attached.

One of the highlights of this year’s course was the joint evening, where participants to the course got to mingle with participants from the Health Emergencies in Large Populations (HELP) course which ran concurrently. This year’s focus was on Cluster Munitions. Three speakers highlighted the issue from different angles and the night was finished off by a new film on cluster munitions produced by the ICRC (visit the ICRC website for more information on the film).

AFRICAN YEARBOOK ON IHL: The third edition of the African Yearbook of IHL, which was launched in 2006, will be available in early 2009. Should you be interested in subscribing to the yearbook, at a cost of R225.00 per annum, please address your subscription request to: African Yearbook on International Humanitarian Law, The Publishers, JUTA Law, PO Box 24299, Lansdowne 7779, Western Cape.

Educating the youth

The ICRC in close association with the Education Development Centre, Inc. (EDC) designed an international education programme for young people between the ages of 13 and 18 called Exploring Humanitarian Law (EHL). It is a resource pack for teachers which provides 36 hours of activities that introduce young people to the basic rules of international humanitarian law (IHL). The learning materials, which are based both on historical and contemporary situations, show how IHL aims to protect life and human dignity during armed conflict and reduce and prevent the suffering and destruction that result from war. The materials expose students to IHL by exploring ethical and humanitarian issues arising from armed conflict. The content of EHL is linked to academic subjects such as civics, social studies, philosophy, history, law and literature.

The ICRC Pretoria Regional Delegation works with the education authorities of Seychelles, Mauritius and South Africa towards the integration of EHL into their education curricula. During 2008 workshops and other events were held in all three countries. Highlights for the year were the programmes in Seychelles and Mauritius support to these programmes will be handed over to the ICRC Nairobi Regional Delegation as of 2009.

Seychelles

In September, the Principal Secretary for Education in Seychelles, Mrs Simeon and her team hosted a half day workshop which was organised by the National Institute of Education (NIE) to assess the success of the NIE’s integration of EHL into two subject areas namely personal and social education, and history. Seychelles’ commitment to fulfil its obligation under the Geneva Conventions, to encourage the study of humanitarian law as widely as possible was reiterated during the event. Mrs Simeon also presented the ICRC with EHL Glossaries which have been translated into Creole.

The EHL programme, which is based upon a resource pack for educators working with young people, was initiated by the ICRC and developed with consultants from many countries. The introduction of EHL in schools started in 2001, but the process was stepped up in 2002 with the signing of an agreement between the Ministry of Education, the ICRC and the Seychelles Red Cross Society.

Papers on Seychelles’ implementation programme have been presented and commended at an international training-of-trainers workshop in Cameroon and at several international conferences. As a testament to this, Ms Odile De Commarmond, Assistant Director for Studies at the NIE, assisted in



Mrs Simeon, Principal Secretary for Education in Seychelles and Ms Janine Shasha, EHL Officer for the ICRC during the workshop held in Seychelles.

the hosting of a training workshop for 120 teachers of Private Secondary Schools in Mauritius. She and her team are also set to assist in a dissemination workshop to the Rwanda Red Cross Society.

Mauritius:

In 2008 the Pretoria Regional Delegation undertook a training workshop for teachers of 120 private secondary schools. This training was a follow up to the 2006 training of teachers from public secondary schools. The workshop was coordinated with the assistance of Gilbert Duvergé the Dissemination Officer from the Mauritius Red Cross Society. In order to build on regional networks and synergies, Mr Duvergé received assistance from Ms De Commarmond and her colleagues from the National Institute of Education in Seychelles.

ICRC action in Zimbabwe

For years the people of Zimbabwe have grappled with economic and political difficulties. Election-related violence in 2008 has only worsened their circumstances. Those living in the rural areas are the hardest-hit. The ICRC’s Harare Regional Delegation is helping out by supplying the most vulnerable with food and household items, and improving access to water and health care facilities.

Rural residents in the provinces of Mashonaland West and Matabeleland South in Zimbabwe who were affected by violence following the elections receive aid from the ICRC. Over 5,000 people in Gokwe North, Bikita and Hurungwe received food, buckets, jerrycans, kitchen sets, plastic sheeting and tarpaulins to help them meet their immediate needs.



These four pictures are just a glimpse of the ICRC action in Zimbabwe. It depicts distribution of essential items as well as health care. Please visit the ICRC website at www.icrc.org for more information on the activities in Zimbabwe. (pictures courtesy of the ICRC Regional Delegation, Harare)



PRETORIA Delegation

Head of Delegation:

Catherine Gendre

Protection Delegate /

Deputy Head of delegation:

Kedir Awol

Communications:

Annemarie Watt

Tebogo Magashoa

Tracing:

Henrietta Nthath

Regional Legal Adviser:

Christopher Black

Legal/EHL Officer:

Janine Shasha

Co-operation Delegate:

Michael Myers

Legal & Universities:

Garth Abraham

Delegate to the Armed Forces:

Andrew Carswell

Administrator:

Andrè von Ah

CONTACT THE Delegation

If you would like to receive further issues of THEMBA, or to be on the mailing list, please contact the Communications Unit. Or for additional information concerning various ICRC programmes, please contact us at:

Tel: (27) – 12 430 7335/6/7

Fax: (27) – 12 430 4471

E-mail: pretoria.pre@icrc.org

<http://www.icrc.org>

*THEMBA is the Zulu & Xhosa word for "Hope"



IHL implementation

In 2008, the ICRC included the finalisation and signature of the Convention on Cluster Munitions (CCM) among its institutional priorities. Indeed, the signing ceremony in Oslo on 3 December 2008 marks an important step in the development of IHL. It also provides States with a unique opportunity to address the widespread suffering among civilian populations caused by these weapons, and to protect future generations from further casualties.

While the CCM is a momentous step forward, additional time, energy and resources will need to be devoted to the implementation of its norms, as is the case with all IHL instruments. The Pretoria delegation, with the help of ICRC experts in Geneva, has been pleased to advise governments in the region on relevant aspects of the CCM, and remains ready and willing to provide further assistance to governments in their future deliberations on adherence to and implementation of this Convention.

The CCM is of course not the only IHL instrument, which the ICRC supports. Since June 2008 the Regional Legal Adviser has been travelling

throughout the region (Antananarivo, Dar es Salaam, Harare, Kampala (see photo), Moroni and Nairobi) in support of the implementation of IHL. The countries in the region have demonstrated their commitment to respecting and ensuring the respect of IHL. Most now have functional national IHL committees serving as focal points for IHL matters, and Governments have enacted new legislation to implement IHL conventions.

The region's active participation in the Eighth Regional IHL Seminar held in Pretoria showed once again that countries in this region are taking the steps necessary to meet their IHL obligations head on. We congratulate these efforts and look forward to the same, if not greater commitment by States in 2009.

The former Regional Legal Adviser, Jamie Williamson, left the Pretoria Regional Delegation in June 2008 to assume his new duties with the ICRC in Washington D.C. His recently arrived replacement, Chris Black, together with all of his colleagues, wish Jamie well in his new role and look forward to continuing his work in Pretoria.



Chris Black, ICRC Pretoria Regional Legal Adviser with Meredith Lwanga and Pascal Jequier, both from the Communications Department of the ICRC in Uganda, outside the High Court of Uganda in Kampala.