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FOR ACTION

Report on Public Issues

In the 18 months since the last central committee meeting, the executive committee took public actions by statements and minutes on: the 60th anniversary of the UN Universal Declaration of Human Rights; the humanitarian crisis in Sri Lanka; Religious violence and intolerance in India; the 30th anniversary of the Alma Alta Declaration: “health for all”; the situation in the Democratic Republic of Congo; International Women’s Day, 8 March 2009; and the Gaza War.

The officers and executive committee members decided to propose action on the following public issues to the Central Committee through the Public Issues Committee of the Central Committee:

1. Statement on just finance and the economy of life
2. Statement on eco-justice and ecological debt
3. Statement on sexual violence against women in the Democratic Republic of Congo
4. Statement on Israel and the Occupied Palestinian Territory
5. Statement on caste-based discrimination
6. Minute on the right of conscientious objection to military service
7. Progress report of the study on genocide in the context of the “Darfur Crisis”

The statements, minutes and reports are copied in their entirety below.

Statement on just finance and the economy of life

And Jesus said to them, “Take care! Be on your guard against all kinds of greed; for one’s life does not consist in the abundance of possessions.” Luke 12:15 (NRSV)

1. The World Council of Churches (WCC) first articulated its concerns about finance and economics in 1984 when it issued a call for a new international order based on ethical principles and social justice. In 1998, the WCCs general assembly in Harare mandated a study on economic globalization together with member churches. WCC worked closely with the World Alliance of Reformed Churches, the Lutheran World Federation, Aprdev and other specialized ministries. Out of this, the Alternative Globalization Addressing People and Earth (AGAPE) process, which was set up to further study the topics of poverty, wealth and ecology, was born. During the course of this process, several issues relating to various crises were identified - climate change, food crisis, social crisis and financial crisis. In May 2009, the WCC convened a meeting of the Advisory Group on Economic Matters (AGEM) to (1) discern what is at stake in the current financial architecture, (2) propose a process that could lead to a new financial architecture and (3) outline the theological and ethical basis for such a new architecture.
2. Economics as a matter of faith has an impact on human existence and all of creation. In this faith, Jesus warns that “You cannot serve both God and mammon.” Luke 16:13 (NKJV). We, however, witness greed manifested dramatically in the system of economy and finance. It causes and intensifies

sacrifice and suffering for the impoverished and living beings. The crisis that the world faces today presents an opportunity to re-examine our engagement and action. It is an opportunity for us to discern together how to devise a system that is not only sustainable but that is just and moral.

3. The financial system of recent times has shaped the world more than ever before. However, by becoming the engine of virtual growth and wealth, it has enriched some people but has harmed many more, creating poverty, unemployment, hunger and death; widening the gap between rich and poor; marginalizing certain groups of people; eroding the whole meaning of human life; and destroying ecosystems. There is a growing and sobering awareness of our common vulnerability and of the limits of our current way of life. Today's crisis originated in the rich world. The global financial crisis we are facing indicates the immorality within a system that glorifies money and has a dehumanizing effect by encouraging acquisitive individualism. A greed-based culture reduces the value of human life, erodes the moral and ecological fabric of human civilization, and intoxicates our psyche with materialism. The financial crisis that we face today is a manifestation of this moral and, at the same time, systemic crisis. Those most affected by the crisis are: women, who bear a disproportionate share of the burden; young people and children, as doubts are raised and their sense of security for the future is eroded; and those living in poverty, whose suffering deepens.
4. In an era of financial globalization, economic expansion has been increasingly driven by greed. This greed, manifested dramatically by the current financial system, causes and intensifies the sacrifice and suffering of impoverished human beings, while the wealthy classes multiply their riches. Unfortunately, churches have also been complicit to this system and lost their money. Increasingly people have continued to rely on models of finance and economics that prioritized generating money over the progress and well-being of humanity. These models are largely oblivious to the social and ecological costs of financial and economic decisions, not to mention the frequent absence of their moral dimension. Finance is, at best, the oil of real economic activities. However, we note that money is not wealth. It has no inherent value or existence outside the human mind. When it is turned into a series of fictitious instruments to create ever more financial wealth it is increasingly divorcing itself from the real economy, thereby creating only virtual or phantom wealth that does not produce anything to meet real human needs.
5. The abuse of global finance and trade by international businesses costs developing countries more than \$160 billion a year in lost tax revenues – undermining desperately needed public expenditures. Developing countries are lending their reserves to industrial countries at very low interest rates and are borrowing back at higher rates. This results in a net transfer of resources to reserve currency countries that exceed more than ten times the value of foreign assistance, according to the United Nations Development Project (UNDP). This global financial crisis is proving the bankruptcy of the neoliberal doctrine, as promoted by these International Financial Institutions through the “Washington Consensus”. The leaders of the rich countries that had promoted the consensus so emphatically, declared it “over” at the G20 meeting in April 2009. And yet much of the G20s agenda reflects misguided efforts to restore the same system of overexploitation of resources and unlimited growth. Furthermore, resources are channelled through the militarization of some societies, due to a perverse understanding of human security through military power.
6. The challenge for churches today is to not retreat from their prophetic role. They are also challenged by their complicity with this speculative financial system and its embedded greed. There are two structural elements of the current paradigm which must be changed. First, the economic motive of surplus value, unlimited growth and the irresponsible consumption of goods and natural resources contradict biblical values and make it impossible for societies to practice cooperation, compassion and love. Second, the system that privatizes productive goods and resources, disconnecting them from people's work and needs and denying others access to and use of them is a structural obstacle to an economy of cooperation, sharing, love and dynamic harmony with nature. Alternative morality for economic activity is service/koinonia (fellowship) to human needs; human/social self-development; and people's well being and happiness. An alternative to the current property system is connected to need, use and work invested in the production and distribution process. In order to achieve this goal, the existing organizing principles of production and claims settlements (i.e. distribution) must change.

This also warrants a situation where ethical, just and democratic global financial architecture emerges and is grounded on a framework of common values – honesty, social justice, human dignity, mutual accountability and ecological sustainability. It should also account for social and ecological risks in financial and economic calculation; reconnect finance to the real economy; and set clear limits to, as well as, penalize excessive and irresponsible actions based on greed.

7. It is in this context that the central committee acknowledges that a new ethos and culture which reflects the values of solidarity, common good and inclusion must, at this time of crisis, emerge to replace the anti-values of greed, individualism and exclusion. New indicators of progress, other than Gross Domestic Product, such as the human development index, the Gross National Happiness (GNH) index and ecological footprints and other corresponding systems of accounting need to be evolved. For example, a GNH index that reflects the following values: 1) Quality and pattern of life; 2) Good Governance (true democracy); 3) Education; 4) Health; 5) Ecological Resilience; 6) Cultural Diversity; 7) Community vitality; 8) Balanced Use of Time; 9) Psychic and spiritual well-being.
8. The central committee also emphasizes the need for a new paradigm of economic development and a re-conceptualization of wealth to include relationships, care and compassion, solidarity and love, aesthetics and the ethics of life, participation and celebration, cultural diversity and community vitality. This will involve responsible growth that recognizes human responsibility for creation and for future generations – an economy glorifying life.

In view of the need to support international organizations that are democratic, to represent all member nations of the United Nations (UN) and to affirm common values, the central committee of the WCC, meeting in Geneva, Switzerland, August 26 - 2 September 2009, calls upon governments to take the following necessary actions:

- A. **Adopt** new and more balanced indicators, such as the GNH index, to monitor global socio-environmental/ecological-economic progress.
- B. **Ensure** that resources are not diverted from basic education, public health, and poor countries.
- C. **Uphold** their commitments to and assistance for meeting the Millennium Development Goals (MDGs), particularly the goal number 8 on cooperation world-wide.
- D. **Implement** gender-just social protection programs as an important part of national fiscal stimulus packages in response to the crisis.
- E. **Emphasize** the participation of people and civil society organizations in policy-making processes, including the promotion of decentralized governance structures and participatory democracy.
- F. **Treat** finance as a public service by making loans available to small and medium enterprises, farmers and particularly poor people through, for example, micro- financing in support of not-for-profit enterprises and the social economy.
- G. **Support** regional initiatives that decentralize finance and empower people in the global South to exercise control over their own development through such proposed bodies as the Bank of the South, the Asian Monetary Fund and the Bank of ALBA.
- H. **Revise** taxation systems, recognizing that tax revenues are ultimately the only sustainable source of development finances, by establishing an international accounting standard requiring country-by-country reporting of transnational companies' economic activities and taxes paid and by forging a multilateral agreement to set a mandatory requirement for the automatic exchange of tax information between all jurisdictions to prevent tax avoidance.
- I. **Establish** a new global reserve system based on a supranational global reserve currency and regional and local currencies.
- J. **Achieve** stronger democratic oversight of international financial institutions by making them subject to a UN Global Economic Council with the same status as the UN Security Council.
- K. **Establish** a new international credit agency with greater democratic governance than currently exists under the Breton Woods institutions.

- L. **Set up** an international bankruptcy court with the authority to cancel odious and other kinds of illegitimate debts and to arbitrate other debt issues.
- M. **Regulate** and **reform** the credit agency industry into proper independent supervision institution(s), based on more transparency about ratings and strict regulation on the management of conflict of interest.
- N. **Use** innovative sources of finance, including carbon and financial transaction taxes, to pay for global public goods and poverty eradication.

Statement on eco-justice and ecological debt

“Forgive us our debts, as we forgive our debtors”

(Luke 11: 2-4)

1. The era of unlimited consumption is over. The era of unlimited profit and compensation for the few must also come to an end. Based on a series of ecumenical consultation and incorporating the perspectives of many churches, this statement proposes the recognition and application of a concept that expresses a deep moral obligation to promote ecological justice by addressing our debts to peoples most affected by ecological destruction and to the Earth itself. It begins with expressing gratitude to God, whose providential care is manifested in all God’s creation and the renewal of the Earth for all species. Ecological debt includes hard economic calculations as well as incalculable biblical, spiritual, cultural and social dimensions of indebtedness.
2. The Earth and all of its inhabitants are currently facing an unprecedented ecological crisis, bringing us to the brink of mass suffering and destruction for many. The crisis is human-induced, caused especially by the industrial-economic complex and culture of the global North, which is characterized by the consumerist lifestyles of the elites of the developed and developing worlds and the view that development is commensurate with exploitation of the Earth’s “natural resources”. What is being labelled and co-modified, as “natural resources” is all of creation – a sacred reality that ought not to be co-modified. Yet the Northern industrial-economic complex, especially in the current era of market globalization, has used human labour and resourcefulness, as well as the properties of other life forms, to produce wealth and comfort for a few at the expense of the survival of others and their dignity.
3. Churches have been complicit in this history through their own consumption patterns and through perpetuating a theology of human rule over the Earth. The Christian perspective that has valued humanity over the rest of creation has served to justify the exploitation of parts of the Earth community. Yet, human existence is utterly dependant on a healthy functioning Earth system. Humanity cannot manage creation. Humanity can only manage their own behaviour to keep it within the bounds of Earth’s sustenance. Both the human population and the human economy cannot grow much more without irreversibly endangering the survival of other life forms. Such a radical view calls for a theology of humility and a commitment on the part of the churches to learn from environmental ethics and faith traditions that have a deeper sense of an inclusive community.
4. The churches’ strength lies in its prophetic witness to proclaim God’s love for the whole world and to denounce the philosophy of domination that threatens the manifestation of God’s love. The biblical prophets had long ago deduced the intrinsic connection between ecological crises and socio-economic injustice, railing against the elites of their day for the exploitation of peoples and the destruction of ecosystems (Jeremiah 14: 2-7, Isaiah 23: 1-24 and Revelations 22). Based on Jesus’ commandment of love, as expressed in his life and parables, the World Council of Churches (WCC) must broaden its understanding of justice and the boundaries of who our neighbours are. For many years, the WCC has called for the cancellation of illegitimate external financial debts claimed from countries of the South based on the biblical notion of jubilee (Leviticus 23). It has taken a step further in addressing the ecological dimension of economic relationships.

5. Beginning with the articulation of the ideas of “limits to growth” in a Church and Society consultation held in Bucharest in 1974 and “sustainable societies” at the 1975 Nairobi assembly, the WCC has been working deeply on ecological justice for over three decades. At the 1998 Harare assembly, the harmful impacts of globalization on people and the environment came to the fore through the Alternative Globalization Addressing People and Earth (AGAPE) process, leading to the ongoing study process on Poverty, Wealth and Ecology. As an offshoot of these important ecumenical reflections and actions, the WCC, in partnership with churches and civil society organizations in Southern Africa, India, Ecuador, Canada and Sweden, initiated work on ecological debt in 2002.
6. Ecological debt refers to damage caused over time to ecosystems, places and peoples through production and consumption patterns; and the exploitation of ecosystems at the expense of the equitable rights of other countries, communities or individuals. It is primarily the debt owed by industrialized countries in the North to countries of the South on account of historical and current resource plundering, environmental degradation and the disproportionate appropriation of ecological space to dump greenhouse gases (GHGs) and toxic wastes. It is also the debt owed by economically and politically powerful national elites to marginalized citizens; the debt owed by current generations of humanity to future generations; and, on a more cosmic scale, the debt owed by humankind to other life forms and the planet. It includes social damages such as the disintegration of indigenous and other communities.
7. Grounded on an overriding priority for the impoverished and a deep moral responsibility to rectify injustices, ecological debt lenses reveal that it is the global South who is the principal ecological creditor while the global North is the principal ecological debtor. The ecological debt of the global North arises from various causal mechanisms whose impact has been intensified in the current economic crisis.
8. Under the current international financial architecture, countries of the South are pressured through conditions for loans as well as multilateral and bilateral trade and investment agreements to pursue export-oriented and resource-intensive growth strategies. Ultimately it fails to account for the costs of erosion of ecosystems and increasing pollution. Many mega-development projects (e.g. dams) in countries of the South are financed through foreign lending by international financial institutions in collaboration with undemocratic and corrupt local leaders, without the informed consent of local inhabitants and with little consideration of the projects’ ecological and social consequences. Moreover, industrialized Northern countries make disproportionate use of ecological space without adequate compensation, reparation or restitution. Northern countries’ ecological footprint (an approximate measurement of human impacts on the environment) presently averages 6.4 ha/person. This is more than six times heavier than the footprint of Southern countries at an average of 0.8 ha/person.
9. Human-induced climate change heightens the relationship of North-South inequity even further. Industrialized countries are mainly responsible for GHG emissions causing climate change (though emerging economies in the South are becoming major contributors to global GHG emissions in absolute terms). Yet, research indicates that the South will bear a bigger burden of the adverse effects of climate change including the displacement of people living in low-lying coastal areas and small island states; the loss of sources of livelihood, food insecurity, reduced access to water and forced migration.
10. Jesus taught us to pray, “Forgive us our debts, as we forgive our debtors”. We pray for repentance and forgiveness, but we also call for the recognition, repayment and restitution of ecological debt in various ways, including non-market ways, that go beyond the market’s limited ability to measure and distribute.
11. The central committee of the WCC recognizes the need for a drastic transformation at all levels in life and society in order to end the ecological indebtedness and restoring right relationships between peoples and between people and the Earth. This warrants a re-ordering of economic paradigms from consumerist, exploitive models to models that are respectful of localized economies, indigenous

cultures and spiritualities, the Earth's reproductive limits, as well as the right for other life forms to blossom. And this begins with the recognition of ecological debt.

While affirming the role of churches to play a critical role in lifting up alternative practices, as well as building the necessary political will and moral courage to effect urgent transformations, the central committee of the WCC meeting in Geneva, Switzerland, 26 August - 2 September 2009:

- A. ***Calls*** upon WCC member churches to urge Northern governments, institutions and corporations to take initiatives to drastically reduce their GHG emissions within and beyond the United Nations Framework Convention on Climate Change (UNFCCC), which stipulates the principles of historical responsibility and "common, but differentiated responsibilities" (CDR), according to the fixed timelines set out by the UNFCCC report of 2007.
- B. ***Urges*** WCC member churches to call their governments to adopt a fair and binding deal at the Conference of Parties (COP 15) of the UNFCCC in Copenhagen in December 2009, based on climate justice principles, which include effective support to vulnerable communities to adapt to the consequences of climate change through adaptation funds and technology transfer.
- C. ***Suggests*** the transfer of financial resources to countries of the South to keep petroleum in the ground in fragile environments and preserve other natural resources as well as to pay for the costs of climate change mitigation and adaptation based on tools such as the Greenhouse Development Rights (CDR) Framework.
- D. ***Demands*** the cancellation of the illegitimate financial debts of Southern countries, especially of the poorest nations, as part of social and ecological reparations, not as official development assistance.
- E. ***Recommends*** that WCC member churches learn from the leadership of Indigenous Peoples, women, peasant and forest communities who point to alternative ways of thinking and living within creation, especially as these societies often emphasize the value of relationships, of caring and sharing, as well as practice traditional, ecologically respectful forms of production and consumption.
- F. ***Encourages*** and supports WCC member churches in their advocacy campaigns around ecological debt and climate change, mindful of the unity of God's creation and of the need for collaborative working between Southern and Northern nations.
- G. ***Calls*** for continued awareness-building and theological reflection among congregations and seminary students on a new cosmological vision of life, eco-justice and ecological debt through study and action, deeper ecumenical and inter-faith formation, and through the production and dissemination of relevant theological and biblical study materials.
- H. ***Urges*** WCC member churches and church institutions to conduct ecological debt audits in partnership with civil society, including self-assessment of their own consumption patterns. Specifically, the WCC should establish a mechanism to provide for recompense of ecological debt incurred by its gatherings, and to collect positive examples of ecological debt recognition, prevention, mitigation, compensation, reparation and restitution in partnership with civil society groups and movements.
- I. ***Calls*** for deepening dialogue on ecological debt and the building of alliances with ecumenical, religious, economic and political actors and between the churches in Southern and Northern countries.
- J. ***Stresses*** the importance of accompanying ongoing struggles and strategically linking and supporting the efforts of peasant, women's, youth and indigenous peoples' movements through the World Social Forum and other avenues to design alternative reparation proposals, as well as to avoid amassing more ecological debt.
- K. ***Calls*** upon WCC member churches through their advocacy work to encourage their governments to work for the recognition of the claims of ecological debt, including the cancellation of illegitimate financial debts.

- L. ***Calls*** upon WCC member churches to deepen their campaigns on climate change by naming climate change as ecological debt and advocating for its repayment by applying the ecological debt framework.
- M. ***Calls*** upon WCC member churches to advocate for corporate social accountability within international and national legal frameworks and to challenge corporations and international financial institutions to include environmental liabilities in their accounts and to take responsibility for the policies that have caused ecological destruction.
- N. ***Calls*** upon WCC member churches to support community-based sustainable economic initiatives, such as producer cooperatives, community land trusts and bio-regional food distributions.

Statement on sexual violence against women in the Democratic Republic of Congo

1. As the conflict in the Democratic Republic of Congo (DRC) continues, the brutal crimes of sexual violence against women have massively increased and become pervasive in the country, especially since the beginning of the military operations in January 2009. Thousands of women and young girls have suffered due to rape and forced sexual slavery. As the Special Rapporteur on Violence against Women in her report to the United Nations (UN) Human Rights Council in February 2008 stated, “sexual violence has a defining feature of the DRCs armed conflict”. Women in areas of armed conflict suffer sexual violence committed by various actors such as the Forces Armées de la République Démocratique du Congo (FARDC), the Police Nationale Congolaise (PNC), various armed groups and increasingly, civilians as well.
2. The situation of increasing sexual violence against women is most acute in South Kivu, where non-governmental armed groups, particularly militia from neighbouring countries, commit sexual atrocities that are of an unimaginable brutality, which go beyond rape and aim at the complete physical and psychological destruction of women as sexual slaves with implications for the entire society. Women are brutally gang raped, often in front of their families and communities. In numerous cases, male relatives are forced at gunpoint to rape their own daughters, mothers or sisters. Such women often end up being infected by HIV and stigmatized by their families and, if married, they are often deserted by their husbands. A concern was also expressed that security and the justice system fall short of addressing the problems of sexual violence and that women survivors of rape lack sufficient care and protection. The majority of sexual violence cases reported in North Kivu since January have been attributed to government soldiers. There were incidences reported that, in the Equateur province, soldiers and police officers have also carried out systematic reprisals against local civilians, including mass rape. With the preparation of military operations to hunt down the Forces Démocratiques de Libération du Rwanda (FDLR) fighters, civilians are increasingly becoming the victims of murder, home invasion and rape. As they operate from forest areas, these armed groups raid local communities, engage in pillage, forced labour, rape and the enslavement of women and girls.
3. An independent UN human rights expert reported to the UN General Assembly last year that the scale and brutality of the sexual violence faced by women in the DRC amounts to war crimes and crimes against humanity. The UN Security Council Resolution 1820 of June 2008 noted that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide. The Resolution also stressed the need for the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes and called upon member states to comply with their obligations for prosecuting persons responsible for such acts, to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice. However, a climate of impunity for crimes against women predominates across the DRC and local authorities do little to stop it or prosecute those responsible for the crimes. The justice system falls short of addressing the problems of sexual violence and women survivors of rape lack sufficient care and protection and, consequently, most survivors are socially stigmatized and HIV positive. Even the UN does not seem to have resources and effective mechanisms to deal with such deprivation of human dignity.

4. While this alarming situation of sexual brutalization of women continues in the DRC, it is unfortunate that churches are not coming forward to condemn this evil. The churches seem to relegate sexual violence to the private sphere, and still understand violence as exclusively physical. "Open secrets" of religio-cultural, social and even church practices which put women's lives at risk continue unabated, while sexual violence and the risks of HIV infection increase at an alarming rate every day. It is in this context that WCC member churches are encouraged to recall the message from the festival at the end of the Decade of Churches in Solidarity with Women (1988-1998) to the WCC's eighth assembly. It acknowledged that "violence against women is a sin and therefore an offence against God". The churches need to re-examine their categorization of sin and the understanding of who has deviated from the will of God, who needs to be challenged to repentance. Instead of continuing with the unjust trend of blaming the victim or accusing the survivor, as if she is the one who is the sinner, the perpetrators of violence should be addressed for transformative justice. Violence against women is a sin. It is against God's will for fullness of life.
5. In view of the fact that all protective mechanisms have failed to combat the increasing sexual violence against women in the DRC, urgent measures have to be taken by various actors to prevent this dehumanization in that country. The survivors of sexual violence in the DRC need moral support to heal their wounds, to overcome gender-based discrimination and the continuous threat to their life and security. WCC member churches, civil society organizations, the Congolese government and the international community have responsibilities to address this concern.

The central committee of the WCC, meeting in Geneva, Switzerland, 26 August - 2 September 2009, therefore:

- A. **Urges** WCC member churches to make constructive efforts to overcome violence against women, starting with the need to declare that violence against women is sin, a deprivation of God's justice and love, and the development of clear sexual harassment policies that also spell out clearly the consequences of such harassments.
- B. **Encourages** all WCC member churches to continue offering solidarity to the women of the DRC so that they know that they are not alone in their struggles.
- C. **Appeals** to WCC member churches and civil society organizations to create the space for women to network with each other from all corners of the DRC and also with their sisters from the rest of the continent, as well as the rest of the world.
- D. **Calls** upon WCC member churches to humbly acknowledge their sin of omission by remaining silent regarding the deprivation of human dignity and the loss of life through AIDS suffered by women and to provide processes of repentance, forgiveness, transformation and restoration through a credible truth and reconciliation commission which consists of all stakeholders who have been accompanying victims of such abuses.
- E. **Encourages** WCC member churches to commit themselves to working out ways of journeying together through pastoral and psychological care with all who bear the trauma that violence of different forms has caused them.
- F. **Urges** all parties to the armed conflict to immediately commit themselves to putting an end to all acts of sexual violence against women and girls in the DRC.
- G. **Supports** the demands to end impunity for rape and evolve an effective strategy to combat sexual violence.
- H. **Urges** the Congolese government to bring to justice those responsible for committing sexual violence.
- I. **Urges** the authorities to protect civilians, especially women and girls, against all forms of sexual violence and that all those responsible be brought to justice or sanctioned by military tribunals.
- J. **Urges** that the Congolese government guarantee the security of all its citizens, in particular women and girls.

- K. **Supports** the recommendations made by the Special Rapporteur on Violence against Women to the UN Human Rights Council (February 2008) that the Congolese government, the UN - in particular the UN Mission in the DRC (MONUC), the International Criminal Court and the international community implement adequate steps to end the sexual violence against women in the country.
- L. **Requests** that the secretary general of the UN establishes directives and strategies that will enable MONUC in the respect of its mandate to better protect civilians, especially women and girls who are trapped in combat zones, against all forms of sexual violence.

Statement on Israel and the Occupied Palestinian Territory

1. The establishment of the state of Israel 60 years ago is now widely accepted, even among people who were forced to give up their lands and homes in 1949. In contrast, the continuous settlement of lands beyond Israel's internationally recognized borders (the 1949 Green Line borders) is almost universally rejected. Forty years after the practice began; it is met with widespread incredulity because it is illegal, unjust, incompatible with peace, and antiethical to the legitimate interests of the state of Israel. Even as Israel's own right to exist evokes sympathy and solidarity around the world, its policies of expansion and annexation generate dismay or hostility as they represent a direct indicator of the nature of the occupation.
2. There are some 200 settlements with more than 450,000 inhabitants in Occupied Palestinian Territory, including East Jerusalem. They make the peace efforts by the international community and the new United States (US) administration more vulnerable and virtually impossible. Even the "settlement freeze" requested by Israel's most important ally is met with yet another cycle of intentional delays, temporary concessions and tactical preconditions – eroding goodwill, destroying hope and pre-empting the meaningful negotiations which a good-faith freeze could facilitate. This refusal to freeze expansion further indicates a rejection of dealing with the core issue of the occupation and settlements as such.
3. It is heartening that the new US administration is determined to remove obstacles to peace and settle the Israel-Palestine conflict through negotiations that are both substantive and conclusive. This will begin a new relationship within the wider Middle East. However, it is discouraging that events in Occupied Palestinian Territory demonstrate yet again the unyielding nature of Israel's occupation and the continuous way of creating new obstacles to peace, even though the majority people on both sides of the conflict have consistently supported the exchange of land for peace.
4. Instead of freezing the settlement activities, work continues on large urban settlement projects and on many smaller projects. The Israeli government is still planning to build some 2,500 new housing units in East Jerusalem and the West Bank. Israel's policies cause new and repeated displacements of Palestinian residents inside the occupied territory. The demolition of houses that took place in June 2009 in East Jerusalem created untold suffering to the Palestinians. House demolition orders against hundreds of families were delivered by Israeli municipal and military authorities and hundreds of church-owned properties are at risk, especially from the expansion of Israeli-controlled settlements and housing in East Jerusalem. These are only isolated examples of a much larger tragedy.
5. The existence of these illegal settlements and their corresponding infrastructure: including the separation wall; the confiscation of Palestinian lands beyond the Green Line; the so-called "security zones"; and the wide network of tunnels, by-pass roads and check points, deny Palestinians' access to large parts of their land and water resources. They restrict their freedom of movement, diminish their basic human dignity and, in many cases, their right to life. They also have dramatic effects on the Palestinian economy by impeding movement of products, making the existence of a viable Palestinian state almost impossible to achieve. This increases the sense of dispossession and despair among the Palestinian population and contributes to fuel tensions in the region that will pose a great threat to the security of Israel.

6. The illegal settlements in Jerusalem and around endanger the future of the city that should be negotiated as part of a comprehensive peace agreement and isolate it from the rest of the Palestinian West Bank, separating families and cutting economic vital ties. The related Israeli policies in regards to the restriction of residency rights for the Jerusalemites through confiscation of their identity cards, limiting permits for construction of buildings and refusing family reunification, etc. are aiming at transforming the nature of the holy city that should be open to all and shared by the two peoples and the three religions.

Recalling the consistent position of World Council of Churches' (WCC) assemblies, central committees and executive committees on this question, inter alia, rejecting any nation keeping or annexing the territory of another (Heraklion 1967, Uppsala 1968), the central committee of the WCC, meeting in Geneva, Switzerland, 26 August - 2 September 2009, is:

- A. **Seized** of the necessity for the High Contracting Parties to the Fourth Geneva Convention to enforce their declaration of 5 December 2001, which reaffirms the illegality of settlements and of settlement growth, and calls upon the occupying power "to fully and effectively respect the [Convention]" (Geneva 2002).
- B. **Reminded** of our long-standing assessment that "unilateral actions have radically altered [Jerusalem's] geography and demography", that United Nations Resolutions 181, 194, 303 and subsequent decisions prescribe special status for Jerusalem as a separate entity under international control, and that the Geneva Conventions prohibit changes in the population and character of occupied territories which include East Jerusalem (Harare 1998).
- C. **Convinced** of the need for "an international boycott of goods produced in the illegal Israeli settlements in the occupied territories and for member churches and faithful to "join in non-violent acts of resistance to the destruction of Palestinian properties and to forced evictions of people from their homes and lands" (Geneva 2001).
- D. **Convinced** that churches must not be complicit in illegal activities on occupied territory – including the destruction of Palestinian homes and lands and the construction of settlements, related infrastructure and the separation barrier – and have opportunities to take economic measures that are "equitable, transparent and non-violent" against these illegal activities and in support of peaceful solutions to the conflict (Geneva 2005).
- E. **Dismayed** at the imposition of expanding boundaries for one side and ever smaller confinements for the other, "extending Israeli civilian and military presence inside Palestinian territory, undermining all peacemaking efforts and...the whole concept of a viable and contiguous Palestinian state" (Geneva 2004).
- F. **Reiterating** that Christian holy places in Jerusalem must be "integrated and responsive to Christian communities" whose "life and roots" in Jerusalem are increasingly threatened by settlement policies there (Nairobi 1975).
- G. **Recognizing** the importance of research, documentation and debate about settlements by civil society groups, church-related and international organizations, and within Israeli society, including B'Tselem, Peace Now, the Foundation for Middle East Peace, Christian Aid, Quaker Peace and Social Witness, the United Nations Office for the Coordination of Humanitarian Affairs, and the Israeli government's Sassoon Report of 2005.

Accordingly, the central committee of the WCC calls member churches and related organizations to:

- H. **Pray for** and **assist** people who are suffering because of the implantation of some 200 settlements in the West Bank and East Jerusalem with related roads and infrastructure, violence by settlers, military and police controls which favour settlers, and restrictions of human rights and basic livelihoods for Palestinian residents.
- I. **Hear** the call of the churches of Jerusalem for concrete actions by the international ecumenical community toward a just peace for both Palestinians and Israelis.

- J. **Call** upon their respective governments to distinguish between the legitimate interests of the state of Israel and its illegal settlements, and to align their actions with that distinction in the interests of peace.
- K. **Monitor** and **question** governments that, on the one hand, provide Palestinians with humanitarian aid and development assistance while, on the other hand, pursuing foreign policies that allow Israel to inflict suffering on Palestinians, divide the West Bank, East Jerusalem and Gaza, maintain the blockade of Gaza, and impose various restrictions on the Palestinian economy.

The WCC central committee also:

- L. **Reiterates** the need for an international boycott of settlement products and services, for member churches to inform themselves about settlement products imported into their countries, and for churches to practice morally responsible investment in order to influence businesses linked to the Israeli occupation and its illegal settlements.
- M. **Invites** member churches and faithful to give moral and practical support to non-violent acts of resistance to the confiscation of land, the destruction of Palestinian properties and the eviction of people from their homes and lands, as the central committee recommended in 2001.
- N. **Commends** member churches, specialized ministries and church peace networks for taking part in the World Week for Peace in Palestine Israel, 4-10 June 2009, convened by the WCC and with a focus on the issue of settlements.
- O. **Invites** member churches that have not yet adopted the 2007 Amman Call to do so and to join with other churches working for peace as part of the Palestine Israel Ecumenical Forum.
- P. **Reiterates** the call for the High Contracting Parties to the Fourth Geneva Convention to enforce their declaration of 5 December 2001, which reaffirms the illegality of settlements and of settlement growth.
- Q. **Calls** upon the occupying power to fully and effectively respect the Fourth Geneva Convention, including its prohibition against changes in the population and character of occupied territories.
- R. **Calls** upon the government of Israel to urgently implement an open-ended freeze in good-faith on all settlement construction and expansion in preparation for negotiating peace in good faith.
- S. **Requests** the new US administration to ensure that the settlement issue is resolved as part of a comprehensive peace agreement which will include linked and sequenced steps between interim and final status measures.

Statement on caste-based discrimination

“Every human being, created in the image of God, is a person for whom Christ has died. Racism, which is the use of a person’s racial origins to determine the person’s value, is an assault on Christ’s values and a rejection of his sacrifice. Wherever it appears, whether in the individual or in the collective, it is sin. It must be openly fought by all those who are on Christ’s side, and by the church as the designated vehicle and instrument of Christ’s purpose in the world.”

(An excerpt from the statement of the Conference on Racism in Notting Hill, UK in 1969)

1. At least 160 million people in India and up to 260 million people globally are considered by their own societies as “untouchable” – as polluted and polluting on account of a peculiar system of social stratification that has its origins in South Asia. Although “untouchability” and discrimination on the basis of caste were abolished according to the Indian constitution, these practices continue to determine the socio-economic and religious standing of those at the bottom of the caste hierarchy and their consequent disempowerment. “Every hour two Dalits are assaulted; every day three Dalit women are raped, two Dalits are murdered, two Dalit homes are torched, and in the year 2000, 25,455 crimes were committed against the Dalits”, according to statistics compiled by India's National Crime Records Bureau.

2. The stigma that is attached to Dalits is based on their descent and their traditional occupations – usually the most dirty, dangerous and demeaning occupations in their societies. One of the most extreme examples of caste-based assignment of the worst jobs is “manual scavenging”, the manual collection and removal of human faeces from dry latrines. Although, the Indian National Human Rights Commission has called manual scavenging “one of the worst violations of human rights”, and despite the adoption of legal measures to eradicate manual scavenging, this age old system is still being practiced in many parts of India.
3. Regardless of any personal qualities or achievements an individual may have, discrimination based on caste persists in several parts of India. Despite the constitutional abolition of untouchability, a range of legislative measures and a complex system of affirmative action known as “reservations” follows. As a result, even today Dalits continue to be excluded, marginalized and shunned in all aspects of life and their efforts to claim justice meet with violent reprisals. When Dalits and other caste-affected groups challenge practices of untouchability, they often face violent sanctions and social boycotts. Having been relegated to a segregated position characterized by poverty and misery for centuries, they continue to be the most disadvantaged, particularly of the Indian population. Poverty, illiteracy, unemployment, disease and malnutrition, and crime and violence exist among the Dalits on a large-scale. The Dalits of India provide the paradigmatic example of social exclusion on the basis of their caste identity.
4. Continuing the practice of untouchability affecting such a large number of people in so many ways must, therefore, be confronted. It is unfortunate that the practice of caste-based discrimination exists in some churches in India. The Dalit Christians in India are also discriminated against by the state, which denies them certain rights and privileges ascribed to other Dalits as part of its affirmative action. It is becoming increasingly evident that the similar features of the South Asian caste system that are a product of inherited social exclusion and discrimination are shared with a number of other geographically and culturally disparate societies.
5. The World Council of Churches (WCC) has long been involved in supporting the efforts of assisting churches and civil society organizations engaged in the struggle of Dalits against discrimination. The WCC accompanied churches in India in various ways to promote the concerns pertaining to the plight of Dalits in that country. The WCC made interventions at the United Nations (UN) Human Rights Commissions in the past. Most recently, the WCC in partnership with the Lutheran World Federation (LWF), made an oral intervention at the Durban Review Conference in Geneva on 21 April 2009. It expressed regret that both the World Conference against Racism in 2001 and the Durban Review Conference in 2009 failed to acknowledge the suffering of the more than 200 million Dalits in South Asia who are discriminated against on the basis of work and descent. It further stated that, in spite of the many assurances given by governments in caste affected countries, it was saddened by the daily suffering of so many millions of Dalits today; suffering that includes murder, rape, mutilations, beatings, humiliation, extreme poverty and grinding discrimination and exclusion. Prior to this, in March 2009, the WCC and the LWF had jointly convened a global ecumenical conference in Bangkok in solidarity with the Dalits and their struggle for justice, which called upon the ecumenical community to join the struggle against caste-based discrimination, which is considered the largest systemic violation of human rights in the world today.
6. Commemorating the historic event of the 40th anniversary of the Notting Hill Conference on Racism, a WCC conference on “Racism and related forms of discrimination and exclusion” in Doorn, The Netherlands in June 2009 called for a recommitment to overcoming racism and related forms of discrimination. It acknowledged that millions of people in many parts of the world and at all levels continued to be affected by the practice of racism and discrimination. In particular, it underlined the following forms of exclusion as warranting an urgent Christian response:

“We call upon the World Council of Churches to renew and refocus its priorities so as to initiate a new churches' movement to address racism, casteism and related forms of exclusion in the new context of global economic and environmental crisis, and also resurgent nationalism.... We believe dignity and human rights to be at the heart of the Christian gospel and, as concretized by international conventions, the most constructive framework for the church's advocacy work...”

Indeed this reality of discrimination and the exclusion of millions of people in many parts of the world today is a matter of serious challenge to our faith in God, who created us all equal. Therefore, against this background, the central committee of the WCC, in its meeting in Geneva, Switzerland, 26 August - 2 September 2009, supports the stands taken by the Global Ecumenical Conference in Solidarity with the Dalits, held in Bangkok in March 2009 and the Conference on Racism, held in Doorn, The Netherlands in June 2009, and:

- A. ***Calls*** upon WCC member churches and partners to recognize the continued discrimination and exclusion of millions of people on account of their identities as a serious challenge to the credibility of their witness to their faith in God who created all equal and to take necessary steps to expose and transform structures and cultures which perpetuate these gross injustices.
- B. ***Calls*** upon its member churches to recognize the fact that the discrimination of nearly all Dalits in India and other South Asian countries equates to a grave and systemic violation of human rights today.
- C. ***Encourages*** churches all over the world to urge that the UN Committee on the Elimination of All Forms of Racial Discrimination, the International Labour Organization and the UN Human Rights Council ensure that the draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent, developed under the former Sub-Commission on the Promotion and Protection of Human Rights, are adopted in order to provide a firm and appropriate basis for the international community to address caste-based discrimination.
- D. ***Calls*** upon churches to challenge their governments to ensure that their trade and development policies, and their roles at the UN and its related bodies, the European Union or other appropriate institutions, contribute to international recognition of and cooperation to eradicate caste-based discrimination and to render justice to the Dalits.
- E. ***Endorses*** the Bangkok Call to urge national and international ecumenical bodies to develop further their on-going work on justice for Dalits and to collaborate to establish a global watch on violence against Dalits, creating a communication system between all member churches and beyond.
- F. ***Expresses*** its support for the struggles of Dalit Christians in India in the face of the denial of their constitutional rights on account of their religious affiliation.
- G. ***Calls*** upon churches and the international community to support the campaign for the elimination of “manual scavenging” in India by 2010.
- H. ***Invites*** the participation of all sectors of the ecumenical movement to, as was stated at the World Conference against Racism in 2001, “earnestly strive to break the cycles of global racism and assist the oppressed to achieve self-determination”.

Minute on the right of conscientious objection to military service

1. The World Council of Churches (WCC) and other civil society organizations urged the United Nations in 1973 to recognize conscientious objection to military service as “a valid expression of the right of freedom of conscience” and make alternative means of service available to conscientious objectors. The Statement on the Question of Conscientious Objection to Military Service from 1973 says that the WCC and its partner organizations “believe that the time has come for the Commission (on Human Rights) to take a decisive step towards the international recognition of the right of conscientious objection to military service”. Four considerations were cited as a basis for that belief: growing concern among religious communities, respect for the right to freedom of thought and for the integrity of the individual, the role of youth in promoting peace, and the fact that the lack of alternatives to armed service leads to a waste of human resources and prison terms of young people with deeply held convictions.

2. Succeeding years have seen recognition granted in international forums and a major covenant. Today conscientious objection to military service enjoys new levels of protection under the freedoms of thought and religion, as well as freedom of conscience.
3. A report by the UN High Commissioner for Human Rights in 2006, however, revealed serious shortfalls in many countries in recognizing and exercising the right to conscientious objection to military service and found that conscientious objectors are often subject to penalization, discrimination and imprisonment. The WCC central committee then called for a study in the light of that report.
4. The WCC study shows that in many places churches face challenges of conscientious objection. Their responses include initiatives to support conscientious objectors in some countries. Three observations provide an overview of church positions on the issue: Historic Peace Churches refuse to participate in the military in all circumstances. Other churches consider that both civilian service and military service may be Christian options. Finally, while many, and perhaps most churches, do not have an official position on the issue, the study found no evidence of these churches speaking *against* conscientious objection.
5. The study suggests that a consensus position among churches is to affirm the right of conscientious objection so that individuals who feel they cannot bear weapons for religious or other reasons of conscience should have the possibility to object without being submitted to discrimination or punishment.

The central committee of the WCC, meeting in Geneva, Switzerland, 26 August - 2 September 2009, therefore:

- A. *Reiterates*** existing WCC policy and reaffirms its support for the human right of conscientious objection for religious, moral or ethical reasons in accordance with the Universal Declaration of Human Rights and other international laws.
- B. *Calls*** upon WCC member churches, wherever they are in a position to do so, to uphold the right of refusal to bear and use arms and to encourage church members to do the same.
- C. *Encourages*** WCC member churches to address their respective governments and military organizations to recognize and honour conscientious objection to military service as a human right under international law.
- D. *Deplotes*** the situation that men and women in many parts of the world are forced into armed service under governments and also under non-governmental forces or paramilitary organizations.
- E. *Calls*** upon churches to encourage their members to object to military service in situations when the church considers armed action illegal or immoral.
- F. *Calls*** upon Christians to seek peace and abandon violence as churches have an obligation to support those who refuse to take part in violence.

Progress report of the study on genocide in the context of the “Darfur Crisis”

1. At its meeting in Geneva, Switzerland (30 August - 6 September 2006), the WCC central committee “requested the staff to study if the use of the term *genocide* with regard to the crisis in Darfur is appropriate in light of the internationally agreed conventions on this issue, and to offer counsel to the churches.”
2. Before proceeding with a close examination of the Darfur crisis and the response of the international community to it, it is pertinent to analyze and examine the legal definition of the term *genocide* and the particular challenges it poses in today’s context.

Analysis of the term genocide

3. The word genocide was used for the first time by lawyer, Raphael Lemkin, who combined the Greek word *genos* (race or tribe) with the Latin word *cide* (*cidere* – to massacre, kill). Following the horrors of the holocaust he campaigned for having genocide recognized as a crime under international law. His efforts gave way to the adoption of the “Convention on the Prevention and Punishment of the Crime of Genocide”, adopted by the United Nations (UN) General Assembly on 9 December 1948, which came into effect in January 1951. Article II of the Convention offers a legal definition of the crime of genocide. According to this definition genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such: a) killing members of the group; b) causing serious bodily or mental harm to members of the group; c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d) imposing measures intended to prevent births within the group; e) forcibly transferring children of the group to another group. The Convention also imposes a general duty on States that are signatories to “prevent and punish” genocide. The same definition was taken up later on by the statute of the two ad-hoc tribunals - the International Criminal Tribunal for Rwanda (Article 2) and the International Criminal Tribunal for ex-Yugoslavia (Article 4) and finally by the Rome statute of the International Criminal Court (ICC) (Article 5).
4. Over the years the definition of genocide has been widely debated. Many have argued that it is too narrow and thus many of the mass killings perpetrated since the adoption of the convention would not fall under it. Some of the arguments invoked in support of this point are that the Convention excludes targeted political and social groups. Furthermore, the definition is limited to direct acts against people and excludes acts against the environment which sustains them. Another issue is that proving intention beyond reasonable doubt is extremely difficult. An additional question along these lines is the difficulty of defining or measuring “in part” and establishing how many deaths equate to genocide. One more dimension that should be taken into consideration is the reluctance of the UN member states to single out other member states or to intervene.
5. What differentiates genocide from other crimes against humanity is the intent to destroy in whole or in part a national, ethnic, racial or religious group. Acts which are directed against those groups with a discriminatory intent but not with intent to destroy them constitute crimes against humanity and not genocide. As it becomes evident, there is a clear distinction between those two categories which renders qualifying a certain crime as genocide a very difficult task.
6. In order to determine whether a particular crime constitutes genocide, it needs to be ascertained whether a factual case has been made out of the legal pre-requisites. It requires the gathering of concrete evidence that can prove beyond a reasonable doubt the commission of such a crime. The gathering of such evidence can prove to be a very difficult task, especially during on-going crises, like in the case of Darfur.

Developments on international level with regard to the Darfur crisis

7. In January 2005 an International Commission of inquiry on Darfur, authorized by UN Security Council resolution 1564 of 2004, issued a report to the secretary general stating that, “the government of the Sudan has not pursued a policy of genocide”. Nevertheless, the Commission cautioned that, “this should not be taken in any way as detracting from the gravity of the crimes perpetrated in that region. International offences such as the crimes against humanity and war crimes that have been committed in Darfur may be no less serious and heinous than genocide”. Following the adoption of that resolution, the UN Security Council adopted resolution 1593 (31 March 2005) referring the ongoing conflict in Darfur to the ICC. Subsequently, in April 2007, the ICC issued its first arrest warrants in a three-year investigation of war crimes in Darfur, Sudan, against Janjaweed militia leader, Ali Kushayb, and Sudanese humanitarian affairs minister Ahmad Muhammed Harun, who is believed to have been one of the masterminds behind the well-reported mass killings and displacements in the region. Since the prosecutor did not find sufficient evidence to prosecute for genocide, they are being accused of 51 crimes against humanity and war crimes. Meanwhile, the mandate of the special

rapporteur on the situation of human rights in Sudan was extended for one year by the Human Rights Council during its 6th session in December 2007.

8. On 14 July 2008, ICC prosecutor, Luis Moreno-Ocampo, submitted to the judges of the pre-trial chamber of the ICC an application for the issuance of an arrest warrant against Sudan's president, Omar Hassan Ahmad Al Bashir, for genocide, crimes against humanity and war crimes. Three years after the Security Council requested him to investigate in Darfur, and based on the evidence collected, the prosecutor concluded there are reasonable grounds to believe that Sudan's President Al Bashir bears criminal responsibility in relation to ten counts of genocide, crimes against humanity and war crimes.
9. According to the prosecution evidence, President Al Bashir masterminded and implemented a plan to destroy in substantial part the Fur, Masalit and Zaghawa groups, on account of their ethnicity. The prosecutor stated that:

“Members of the three groups, historically influential in Darfur, were challenging the marginalization of the province; they engaged in a rebellion. Al Bashir failed to defeat the armed movements, so he went after the people. His motives were largely political. His alibi was a counterinsurgency. His intent was genocide.”
10. According to the evidence gathered, the prosecutor said that for over five years armed forces and the militia/Janjaweed, on President Al Bashir's orders, attacked and destroyed villages. They then chased the survivors out to the desert. Millions of civilians have been uprooted from lands they occupied for centuries, all their means of survival destroyed, their land spoiled and inhabited by new settlers. Those who reached the camps for the displaced people were subjected to conditions calculated to bring about their destruction (killings, rapes, hunger).
11. It should be noted that Sudan has not signed up to the ICC but the court has authority to act in this case because the UN Security Council gave it a mandate to do so, with resolution 1593 in March 2005. The Pre-Trial Chamber will now review and assess the evidence presented to them over the next couple of months. If the judges determine that there are reasonable grounds to believe that President Omar Al Bashir committed the alleged crimes, they will decide on the best manner to ensure his appearance in court. If the judges issue the warrant, Sudan will be obliged to arrest its own president, in effect the president handing himself over, which most likely will never happen.
12. Under Article 89, President Al Bashir might also be liable to arrest if he visits one of the 106 states that are parties to the Treaty. Article 89 of the court's statute says that the court “may transit a request for the arrest and surrender of a person...to any state on the territory of which that person may be found...”
13. This is the first time that the ICC prosecutor has made charges against a head of State, breaking new ground in the reduction of national sovereignty rights that have characterized international law in recent years. The real impact of this development is yet to be seen. Meanwhile, on 31 July, the Council renewed the UN African Union Mission (UNAMID) mandate for 12 months in resolution 1828. This was preceded by intense negotiations on a proposal, following a request to the ICC from its prosecutor for an arrest warrant against President Al Bashir, to include language suspending ICC proceedings under Article 16 of the Rome Statute. According to this article:

“No investigation or prosecution may be commenced or proceeded with under this statute for a period of 12 months after the security council, in a resolution adopted under chapter VII of the charter of the United Nations, has requested the court to that effect; that request may be renewed by the council under the same conditions.”
14. The majority resisted this proposal, but compromise was found in emphasizing the need to bring the perpetrators of serious crimes to justice (and the government's obligations in this respect) and also mentioning some Council members' concerns related to the request for an arrest warrant against President Al Bashir. The resolution took note of those members' intention to consider these matters further.

15. Darfur will continue to be a focus for the UN Security Council. In particular, Council members are expected to discuss issues relating to the deployment of the UNAMID and current proceedings before the ICC. It is unclear whether any formal proposals for a suspension of proceedings against Sudan's President Omar Al Bashir before the ICC will emerge in September. A report from the sanctions panel of experts is due by 15 September 2009.
16. It must be noted that divisions within the Council on ICC issues are expected to continue. China, Russia, South Africa, Libya, Burkina Faso and Indonesia support the suspension of ICC proceedings. Other Council members believe it is more important to safeguard legal mechanisms and to ensure accountability.
17. But recent developments on the ICC issue also seem to indicate that some of those members may be open to the possibility of an Article 16 suspension of ICC proceedings for President Al Bashir. This would be provided there are serious steps from Khartoum in improving cooperation with the ICC, including credible action against other indictees, as well as real cooperation with UNAMID's deployment, facilitating humanitarian assistance and creating genuine conditions for a peace process. There also seems to be a perception that pressure may be required on the rebels in that regard.
18. On the other hand the Sudanese government unveiled a reconciliation initiative for Darfur including a national dialogue conference, but as yet no dates have been officially announced. The government also appointed a prosecutor to head domestic proceedings on serious crimes in Darfur. But scepticism remains due to the timing, the lack of Sudanese legislation dealing with such crimes, and weaknesses in the Sudanese judiciary. The government reportedly continues to refuse to execute pending ICC arrest warrants for Ahmed Haroun and Ali Kushayb. Thus many seem unconvinced of Khartoum's recent efforts on domestic mechanisms for justice and accountability, being mindful of past similar initiatives that they see as lacking credibility.
19. On Darfur, the key issue is whether there is anything the council can do to encourage the parties to move towards a genuine ceasefire and a peace process. Another is improving security and, in that context, determining how best to advance UNAMID's deployment.
20. Justice and accountability issues also seem likely to preoccupy members, in particular whether an appropriate balance can be found that preserves the integrity and independence of the ICC and avoids impunity, encourages Sudan's cooperation with UNAMID, improves the prospects of a ceasefire and peace process in Darfur and preserves overall stability in Sudan. In this regard, options could include:
 - a. adopting a wait-and-see approach on the ICC's consideration of its prosecutor's request for an arrest warrant against President Al Bashir;
 - b. reaching an understanding with Sudan that President Al Bashir's ICC proceedings could be suspended for one year provided that there is a watertight arrangement on Sudan's cooperation with the ICC over other indictees, improved cooperation with UNAMID, and concrete steps towards a ceasefire. (A necessary measure in this regard might be to consider a spectrum of sanctions against the rebels should they refuse to cease hostilities.); and
 - c. some other watertight arrangement that would ensure legal accountability for ICC indictees, perhaps along the lines of the Lebanon tribunal, which applies domestic law but uses international judges and a neutral location—but a problem in this option is the absence of domestic legislation in Sudan incorporating the relevant international crimes.
21. If the option of domestic judicial mechanisms in substitution for the ICC were considered important, challenges would arise. In addition to issues relating to judicial capacity and independence, as already mentioned, Sudan's legal system does not contain specific provisions for crimes against humanity, war crimes and genocide.
22. Still another issue is whether the Council should increase its focus on the broader challenges facing Sudan, in particular whether there is anything the Council should do on the situation in northern and southern parts of Sudan. This includes how best to ensure progress in implementing the Comprehensive Peace Agreement (CPA) on elections in 2009 and a southern independence

referendum in 2011; demarcating the north-south border and the status of Abyei; and sharing from oil-revenue.

23. Meanwhile, during the first week of July 2009 the African Union (AU) summit passed a resolution not to co-operate with a war crimes warrant against Sudanese President Omar Hassan Al Bashir. Botswana was the only country that refused to endorse the resolution. Botswana's Vice-president, Mompoti Merafhe, stated that when the issue of the ICC warrant to arrest Sudan's president, Omar Al Bashir, was brought to the table during the AU summit, Libyan leader Colonel Muammar Gadaffi did not entertain any debate. Colonel Gadaffi stated that the AU is opposed to the warrant of arrest. Vice-president Merafhe revealed that it was only Botswana and Chad who made their position clear that President Al Bashir should go to the ICC to clear his name. He said that other countries did not make public their position on the matter, apparently because of their proximity to Libya or Sudan.
24. The latest development on the issue is that on 7 July 2009, the prosecutors at the ICC have appealed against the ICC judges' decision not to indict Sudan's president for genocide.

Closing remarks

25. From the analysis that preceded, it becomes quite evident that genocide is a rather complex issue with not just legal but also political parameters. Genocide has legal implications, entailing full-scale intervention by the international community and therefore it cannot be treated lightly without due consideration and in-depth analysis of all different elements surrounding a given case.
26. The pursuit of justice, peace and reconciliation has been at the core of the mission of Christian churches as a response to the teaching of Jesus in the Sermon on the Mount: "Blessed are those who hunger and thirst for righteousness, for they will be filled...Blessed are the peacemakers, for they will be called the children of God." (Mathew 5: 6-9) The churches in different parts of the world, and especially in those countries which have suffered gross human rights violations, have been struggling against impunity at the national and international level. The rationale of this struggle has been not so much to seek punishment, but to overcome violence and impunity, to support victims and to pursue peace, justice and reconciliation.
27. In this study of the Darfur crisis, the paradigm of restorative justice has emerged as a way to stress the importance of restoring broken relationships within the communities. Through restorative justice, people begin to understand each other's vulnerability and acknowledge their humanity. Restorative justice aims to restore victims, restore perpetrators and restore communities. A victim-centred approach emerges as one of the characteristics of restorative justice procedures from the community level to the national level.
28. Churches and ecumenical organizations have always interpreted the cries of the victims as a demand to respect their rights. Victims have the right to know exactly what happened in the case of grave human rights violations. It was within this context that churches raised their prophetic voice with regard to the Armenian genocide. In 1984, the WCC published a document of background information called, "Armenia: the Continuing tragedy". Following this, the Commission of the Churches on International Affairs raised the issue of the Armenian genocide in the UN Commission on Human Rights with reference to the latter's "Revised and Updated Report on the Question of the Prevention and Punishment of the Crime of Genocide". The report was presented in 1985 to the UN Sub-Commission on Prevention of Discrimination and Protection of National Minorities, and concluded that the Armenian massacres had constituted genocide.
29. Churches should once again assume their pioneering role and raise their prophetic voice with regard to the Darfur crisis. The latest developments at the international level also indicate the fact that all the evidence shows that the crimes committed in Darfur against non combatant civilians fulfil the legal pre-requisites of the crime of genocide as prescribed in the UN Convention on the Prevention and Punishment of the Crime of Genocide and in the Rome Statute of the ICC.
30. The conflict in Darfur enters its sixth year and constitutes a moral challenge for the international community that must no longer silence and ignore the continuous deteriorating situation of thousands

of innocent people who are confronted daily with death and famine and are subjected to conditions calculated to bring about their physical destruction.

31. During the high-level plenary meeting of the UN General Assembly in 2005, world leaders agreed, for the first time, that states have a primary responsibility to protect their own populations and that the international community has a responsibility to act when these governments fail to protect the most vulnerable. The responsibility to protect populations from genocide, ethnic cleansing, war crimes and crimes against humanity is an international commitment by governments to prevent and react to grave crises, wherever they may occur. This responsibility to prevent, react to and rebuild following such crises rests first and foremost with each individual state. However, when states manifestly fail to protect their populations, the international community shares a collective responsibility to respond. This response should be the exercise of first peaceful, and then, if necessary, coercive, including forceful, steps to protect civilians. The Responsibility to Protect means that no state can invoke its right to sovereignty as an excuse to avoid any kind of scrutiny from the international community while it conducts or permits widespread human rights violations to its population. Nor can states turn a blind eye either because these violations extend beyond their borders, or because proactive actions might not suit their narrowly defined national interests.
32. Unfortunately this has been the case with the Darfur crisis. The international community no longer has the right to remain a bystander and allow the perpetration of large scale atrocities, like the ones occurring in Darfur, to continue unpunished. As it was stated in the "Report on the Armenian Genocide", adopted by the WCC central committee, Geneva, 15-22 February 2005:

"From the Christian perspective, the path towards justice and reconciliation requires the recognition of the crime committed as a sine qua non condition for the healing of memories and the possibility of forgiveness. Forgiveness does not mean forgetting but to look back with the intention to restore justice, the respect for human rights and relationships between perpetrators and victims."
33. Churches should take the lead in advocating and offering their support to all efforts, national and international, that aim at pursuing justice and accountability with a view to building a long lasting peace through a truly reconciliatory process.