

**GENDER VIOLENCE IN CONFLICT SITUATIONS: THE CASE OF ABDUCTION OF WOMEN AND
CHILDREN IN SUDAN**

SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS OF THE DEGREE LLM (HUMAN
RIGHTS AND DEMOCRATISATION IN AFRICA)

BY

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DECLARATION

I, Ehsan Mohamed Elriah Abdelgadir, declare that my work is original and has never been presented anywhere in Makerere University or in any other institution. I also declare that every secondary information used has been duly acknowledged in this dissertation.

Signed.....

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Date.....

Supervisor

Signed.....

Dr. Sylvia Tamale

Date.....

DEDICATION

To the spirits of my father Mohamed and my brother Murtada.

To my mother El khadim.

To my brothers Ahmed, Mubark and Mukhtar.

To my sisters Niamt and Fatima.

ACKNOWLEDGEMENT

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ABBREVIATIONS

ACHPR	AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS
ACHR/S	ADVISORY COUNCIL FOR HUMAN RIGHTS/ SUDAN
ASI	ANTI-SLAVERY INTERNATIONAL
AU	AFRICAN UNION
CAT	CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT
CEAWC	COMMITTEE FOR ERADICATION OF ABDUCTION OF WOMEN AND CHILDREN
CEDAW	CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
CHPR	AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
CHR	COMMISSION FOR HUMAN RIGHTS
CRC	CONVENTION ON THE RIGHTS OF THE CHILD
CSI	CHRISTIAN SOLIDARITY INTERNATIONAL
DEVAW	DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN
DRC	DEMOCRATIC REPUBLIC OF CONGO
EU	EUROPIAN UNION
GA	GENERAL ASSEMBLY
GOS	GOVERNMENT OF SUDAN
HOM	HEADS OF MISSION
HRC	HUMAN RIGHTS COMMITTEE
ICCPR	INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
ICESCR	INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
IGAD	INTERNATIONAL GOVERNMENTAL AUTHORITY ON DEVELOPMENT
INGO	INTERNATIONAL NON-GOVERNMENTAL ORGANISATION
LRA	LORD'S RESISTANCE ARMY
LOC	LIAISON OFFICERS COMMITTEE
NGO	NON- GOVERNMENTAL ORGANISATION
OAU	ORGANISATION OF AFRICAN UNITY
OLS	OPERATION LIFE LINE'S SUDAN
SCF	SAVE THE CHILDREN FUND
SNCCW	SUDANESE NATIONAL COUNCIL OF CHILD WELFARE
SPLA	SUDANESE PEOPLE'S LIBERATION ARMY

STD	SEXUALLY TRANSMITTED DISEASES
UDHR	UNIVERSAL DECLARATION OF HUMAN RIGHTS
UK	UNITED KINGDOM
UN	UNITED NATIONS
UNICEF	UNITED NATIONS CHILDREN'S FUND

WORKING DEFINITIONS

Abduction	To take away illegally, using force or deception; to kidnap. ¹
Attack	Means acts of violence against the adversary, whether in offence or in defence. ²
Child	Any person below the age of eighteen ³ .
Forced Labour	Compulsory hard physical work, under harsh conditions. ⁴
Gender Violence	Any act of gender-based violence that results in, or likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. ⁵
Rape	A physical invasion of a sexual nature, committed on a person under circumstances which are coercive. ⁶
Slavery	The status or condition of a person over whom any or all of the Powers attaching to the right of ownership are exercised ⁷ .

¹ Oxford, Advanced Learner's Dictionary.

² Additional Protocol 1 to the Geneva Conventions of 12 August 1949 Article 49(1).

³ Sudanese Welfare of Juveniles Bill 1983 s .2.

⁴ Oxford, Advanced Learner's Dictionary.

⁵ Economic and Social Council, UN, 1992.

⁶ As defined by the International Criminal Tribunal for Rwanda in the case of Jeam-Paul Akayesu (September 1998).

⁷ Slavery Convention 1926.

INTERNATIONAL INSTRUMENTS CITED

1. Convention against torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 1984.
2. Convention on the Elimination of All Forms of Discriminations against Women, 1979.
3. Convention of the Prohibition of the Use, stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction (The Ottawa Mines Treaty), 1997.
4. Convention on the Rights of the Child, 1989.
5. Declaration on the Elimination of Violence against Women, 1993.
6. Geneva Conventions of 12 August 1949 and additional Protocols of 8 June 1977.
7. International Covenant on Civil and Political Rights, 1966.
8. International Covenant on Economic, Social and Cultural Rights, 1966.
9. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict May, 2000.
10. Universal Declaration of Human Rights, 1948.
11. Vienna Convention on the Law of Treaties, 1969.

REGIONAL INSTRUMENTS

1. African Charter on Human and People's Rights, 1981.
2. Amman Declaration on the Use of Children as Soldiers, April 2001.
3. The Charter on the Rights of the Arab Child of the League of Arab States, 1986.
4. The Charter on the Rights and Welfare of the African Child, 1990.

NATIONAL LEGISLATION

1. The Sudanese Constitution of 1998.
2. The Sudanese Criminal Act of 1991.
3. The Sudanese Terrorism Combating Act of 2000.
4. The Sudanese Welfare of Juvenile Act of 1983.

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CHAPTER ONE

1.0 INTRODUCTION

The research primarily investigated the causes of abduction of women and children in conflict areas in Sudan. In doing this, it addressed the effects of abduction on women and children and considered some solutions to the problems identified. The study is significant because it examines an area hitherto not addressed that is, the abduction of women and children as a result of conflict between Sudanese tribes. It differs from earlier studies, which limit their examination to the abduction of children as soldiers. An additional aim of this research is to raise the awareness of the international community's efforts at stopping the practice of abduction, with a view of ensuring that the Government of Sudan (GOS) and the Sudan People's Liberation Army (SPLA) are educated about the problem. Though the main focus of my research is abduction that arises from clashes among tribes, a portion of it has been dedicated to the issue of abduction of children by the SPLA for the purpose of engaging them as soldiers. Some International Non-Governmental Organizations (INGOs) described the abduction of women and children as slavery, this allegation arose from the fact that the abductedees were subjected to forced labour such as cutting trees for fuel and herding cattle under harsh conditions. However, the Sudanese Government and other INGOs such as the Sudan Foundation in United Kingdom have challenged this claim.

Sudan, which is the largest country in Africa, is approximately 2,505,810 sq Km.¹ Its large size constitutes the main obstacle that sets back serious efforts in the area of resolving human rights violations. The illiteracy of the people, especially in rural areas, plays an important role in the perpetuation of some repugnant traditions and customs that decrease the chances of interaction among the different tribes and groups in some parts of the Sudan. Disputes of socio-economic nature occasionally arise between tribes in the war zone areas due to scarcity of water and pasture for the people and the animals. These tribal disputes, which lead to the abduction of women and children of one tribe by another, caused the Ministry of Justice in Sudan to issue an order which led to the establishment of the Committee for the Eradication of Abduction of Women and Children (CEAWC). The Committee of which I am a member, is mandated to investigate and trace abducted women and children for the purpose of retrieval.

1.1 HISTORICAL BACKGROUND

Civil war has prevailed in Sudan since before independence in 1956. The civil war has been fought by the Southerners against the Central Government, which is situated in Khartoum. The reasons for the war include the struggle for more political power, economic and political decentralization. Furthermore, the Southerners seek

¹ Sudan: Content and Link Navigator Bar <<http://www.sudan.net/contents.shtml>> {accessed on 15-10-2001}.

autonomy by way of secession. Sudan is a multi-racial, multi-religious and multi-cultural country. Muslims constitute the vast majority (70%) and Arabic is the dominant Language. The Federal System, which was introduced in 1991, divided the country into 26 states. Federation is the most suitable measure adopted to preserve the ethnic, religious, cultural and linguistic identity of all the states in Sudan, as in fact each of the states encompasses a specific ethnic or racial indigenous people while providing them with equal economic and political opportunities reflected in a fair sharing of power and wealth.²

With regard to the right to equality and non-discrimination, Sudan's Constitution of 1998 provides that Sudanese people are equal in rights and duties and there shall be no discrimination by reason of race, sex or religious creed.³ Articles 3 and 5 of the Constitutional Decree 14 of 1997(Khartoum Peace Agreement) states that citizenship is the basis of public rights and duties and participation in the public affairs shall therefore be guaranteed for all citizens. This Constitutional Decree remained in force and was exempted from the repeal of all Constitutional Decrees issued before the issuance of the new Constitution.

The Constitutional Decree stipulates the following:⁴

- 1- the participation shall be based on values of efficiency, qualification, honesty, justice, responsibility and equality among all citizens without discrimination.
- 2- The Southern citizens shall participate in all the federal, political and constitutional institutions in numbers commensurate to the demands of interim period taking into consideration the population size and provided that the criteria of eligibility are met.
- 3- The Southern citizens shall have the right to participate in the Federal Institutions as follows:
 - The Presidency.
 - The Council of Ministers.
 - The Federal Legislative Assembly.
 - The Federal Defence and Security Council.
 - The Supreme Court.
 - The Federal Planning Institutions.
 - The National Elections Commission.
 - The Armed Forces.
 - Any Other Federal Institutions.

² As above.

³ Article 21.

⁴ Chapter 111 article 5(1) and (2).

The historical genesis of the conflict between north and southern Sudan, which manifested itself in the August 1955 upheaval, can be traced directly back to official British colonial policies, which for several decades sought to keep northern and southern Sudan politically and socially separate. Since then the two basic factors which have characterised southern Sudanese grievances have been (a) the sharing of political power, and (b) the distribution of national wealth.⁵ The civil war, which broke out in 1955 between the Anyanya⁶ of the South and the Northern Sudanese regimes, was brought to an end in 1972 following the signing of the 1972 Addis Ababa Agreement by the GOS and the then Southern Rebel Leadership.⁷ There was relative peace until 1983 when the present Sudanese Civil War between the Sudanese Government in Khartoum and SPLA began.⁸

It is clear that the civil war has caused untold suffering to the civilian population in the areas affected by the war. Since 1983, the SPLA has controlled much of Southern Sudan. More recently, the Southern-based rebels and government have conducted direct negotiation under the auspices of the Inter-Governmental Authority on Development (IGAD).⁹

The phenomenon of abduction has been in existence for a long time as a tribal practice in the transition zones and had its roots in tribal conflicts over pasture. The lack of respect and ignorance of the law by the conflicting parties to abduction has also increased human rights abuses. The implementation of law would effectively reduce the violations. Thus, the abducted women and children in conflict areas in Sudan need to be protected and their status given a lot of attention under national, regional and international laws so as to help in cutting the roots of their problem.

1.1.1 SYSTEMATIC ABUSES OF HUMAN RIGHTS:

Many studies and newspaper reports reveal that the GOS violates the human rights of its citizens while rebel groups have also had their share of violations.¹⁰ Many violations of human rights and humanitarian law, which include inter-ethnic fighting, are closely linked to the on-going conflict, and are perpetrated by both the GOS and the SPLA and its allies. Such violations have resulted in displacement, starvation, killing of civilians and

⁵The Sudan Foundation, (1999). Peace File Number 15. An occasional paper published by the Sudan Foundation London- United Kingdom. "The International community, the Sudanese Civil War, the Sudan People's Liberation Army and the future of Sudan." <<http://www.sufo.demon.co.uk/pax015.htm>> {accessed 28-08-2001}

⁶ Anyanya the southern Sudanese rebel army of the first civil war, 1955-72; Anyanya is the word for a poison made in Southern Sudan. Anyanya 11 Southern Sudanese forces formed on a local level in the South before and after the second civil war started in 1983; some were helped by the SPLA later and became militia forces in Upper Nile supported by Sudanese Government. Several Anyanya 11 groups were wooed back to the SPLA in 1986-87 but some never joined the SPLA.

⁷ Sudan Foundation (n 5 above).

⁸ The SPLA was at its inception and still is under the leadership of Colonel John Garang.

⁹ Korwa G. Adar, (2000) African Journal on Conflict Resolution Volume 1, Number 2/ 39 46.

¹⁰ Human Rights Watch World Report 2001: Sudan: Human Rights Developments <<http://www.hrw.org/wr2K1/africa/sudan/html>> {accessed on 10-08-2001}.

abduction of women and children.¹¹ The situation has been aggravated in the framework of the on-going conflict, because both GOS and SPLA apply the policy of arming tribal militia, so the weapons became available to every one, which fuels the raids between tribes. Some INGOs such as Human Rights Watch¹² and in the Oral Statement on the Human Rights situation in the Sudan by the Special Rapporteur on the situation of Human Rights in the Sudan. Mr. Gerhart R. Baum, at the 57th session of the Commission on Human Rights, have described the practice of abduction as “traditional practice.” However, such description is misleading in that it gives the impression that abduction is part of Sudanese accepted customs. This is not the case. Abduction of women and children during conflicts, although a long-established practice, has never been part of Sudanese accepted customs.

Allegations of slavery and slavery-like practices in Sudan began to emerge in the mid 1980’s when the SPLA deliberately chose to spread the civil war to the Western States of Darfur, Kordofan and Nuba Mountains. In the Southern part of Kordofan, the SPLA attacked an Arab village in the process killing sixty tribesmen and wounding over eighty others.¹³ Following this, the then Government of the day led by President Jaffer Mohammed Nimiri, provided arms to several tribesmen who were then used as tribal militia. At the same time the SPLA armed tribal militia who supported them.¹⁴ The Sadq al-Mahdi Government, which took over power in 1986, continued with the policy of arming tribal militia. The tribal militia were encouraged to take the war to Dinka¹⁵ communities suspected of supporting the SPLA. Unfortunately, these militia lacked discipline.¹⁶

Thus, the allegations of slavery have arisen out of the inter-tribal conflict over water and pasture, between nomadic Arabised tribes such as Baggara¹⁷ and their Dinka neighbours since time immemorial. During the dry season the Baggara tribes move to the Bahr el-Ghzal and Bahr el -Arab which are under the control of the SPLA, for fertile land and fresh water. The Dinka tribes, which inhabit the area, defend their land and cattle against the “invaders”, thus leading to clashes. The consequence of this is the abduction of women and children on both sides, cattle rustling and burning of huts. The SPLA has been abducting children to use them as Soldiers. Furthermore, the SPLA has been engaged in planting mines around Bahr el- Ghzal and Bahr el- Arab for several

¹¹ Human Rights Watch (1998), report on “Famine in Sudan, the Human Rights Causes.”

¹² As above.

¹³ Sudan Foundation, (1997). Human Rights File Number 2. The McNair Report on “Slavery and Slavery-like Practices in Sudan”. Published by Sudan Foundation, London-United Kingdom page 2.

¹⁴ Human Rights Watch, (1998). Report on “Famine in Sudan” page 1 <<http://www.hrw.org/reports/1999/sudan/SUDAWEB2-13.htm>> {accessed on 27-08-2001}.

¹⁵ Dinka an African Nilotic people living in the Bahr el- Ghzal and Upper Nile regions in Sudan; the largest ethnic group in Sudan.

¹⁶ Sudan Foundation (n 13 above).

¹⁷ The Baggara are Arabised cattle nomads, “baggara is the Arabic word for cow” living in the southern parts of Kordofan and Darfur in Western Sudan, the Baggara include subgroups such as Rizeigat of Darfur and Misseria of Kordofan.

years.¹⁸ Some INGOs such as Anti-Slavery International (ASI) and Christian Solidarity International (CSI) and news papers such as the American Baltimore Sun, have pictured the abduction of women and children as slavery because they are subjected to forced labour and/or marriages.¹⁹ The present Sudanese Government has made a further point, which is that, in defining slavery, there must be an intention to permanently deprive the abductees of their liberties. The government has argued that in inter-tribal clashes captives are taken and that they are usually returned following resolution of the particular problems, be they water or pastures, that led to the conflict.²⁰

In April 1999, and in April 2000, the United Nations Commission on Human Rights (UNCHR) adopted resolutions expressing concern about “abduction” and “forced labour”, in Sudan. The resolutions made no reference to slavery.²¹ The Sudanese authorities have been willing to take action in response to what they acknowledge to be abductions and forced labour, but continue to deny that the cases concerned have involved enslavement or slavery.²² The GOS has issued statements to the effect that it is firmly committed to take prompt legal action against any person engaged in such abhorrent practices. Moreover, the GOS has committed itself, in the resolution of the United Nations Commission on Human Rights on the Situation of Human Rights in the Sudan, adopted by consensus in April 1999, to facilitate the safe return of women and children abducted in tribes conflicts to their families as a matter of priority and to obtain the eradication of that practice which has been going on in some parts of South-West Sudan.²³ To honour its commitment, the GOS established in May 1999 CEAWC with full legal powers and mandate.²⁴

1.2 STATEMENT OF THE PROBLEM

Women and children have been abducted, whether in the course of civil war or as a result of long term conflict between different communities, and subsequently forced to work, or forced to marry, in the community where they are held captive, their treatment constitutes an abuse under the terms of the United Nation’s Convention on Slavery.²⁵ Reports have showed that up to 14,000 people originating in Southern Sudan currently located in

¹⁸ Sudan Foundation, (1998). Human Rights File Number 1. An occasional paper published by the Sudan Foundation London- United kingdom. “ Where are the Children? John Garang, the SPLA and Sudan’s Missing Children”.
<<http://www.sufo.demon.co.uk/human001.htm>> {accessed on 28-08-2001}.

¹⁹ Sudan Foundation (n 13 above) 5.

²⁰ As above (4).

²¹ On April 2000 the Commission on Human Rights adopted resolution expressing “ deep concern” among other things, about “ the abduction of women and children to be subjected to forced labour or similar conditions”.

²² Anti-Slavery International, (2000). Report on “ Information on Sudan Compliance with ILO Convention No. 29 on Forced Labour (ratified in 1957).” page 1.

²³ CEAWC Press Release No (2).

²⁴ As above.

²⁵ The Review of the Implementation of and Follow-up to the Convention of Slavery (E/CN.4Sub.2/AC.2/1999/CRP.1) of 25 May 1999, United Nations Commission on Human Rights- Sub-Commission on the Promotion and Protection of Human Rights prepared for the Working Group on Contemporary Forms of Slavery 25th session contains the following relevant observations on what constitutes “enslavement” and slavery: “26. The most recent reference to slavery in an international instrument is in the Rome Final Act establishing the International Criminal Court. Enslavement is deemed to be a crime against humanity, which falls under the jurisdiction of the Court.

Southern Darfur and Southern Kordofan are in need of reunification with their families. Many of these people were abducted from their homes in Bahr el- Ghzal and some are still undergoing forced labour.²⁶ The obvious problem is that these children affected by conflicts are separated from normal childhood. Women and girls are more likely to be exposed to multiple sexual partners since they are given as helpers or wives from one man to another. Early and unwanted pregnancies are another common result of abduction for the girls.

There are several laws at national, regional and international level, which protect women and children from being subjected to abduction in times of conflict. In 1999 the GOS in response to pressure from the INGOs and the international community at large established CEWAC, which basically has the mandate to eradicate the abduction of women and children in conflict areas of Sudan. Despite the existence of the various laws as well as CEWAC abductions continue to take place. The problem, which then arises is, why have the abductions continued?

1.3 OBJECTIVES OF THE STUDY

The broad objective of the study is to examine the practice of abduction of women and children in conflict areas and the specific aims include the following:

1. To examine the cause of abduction of women and children in conflict areas in Sudan.
2. To critically examine the adequacy and relevance of the laws governing abduction in Sudan.
3. To establish what rights abducted women and children have and whether these rights are enforced.
4. To examine ways of assist victims in the post-abduction period.

Enslavement is defined as “ the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children.” This definition is largely the same as the first definition adopted by the League of Nations over 60 years ago with the addition of specific reference to trafficking.”

“33. The process of enslavement, as well as, in many cases, the treatment of victims of slavery, servile status, and forced labour, is often accompanied by many other violations of human rights: for example, flogging workers, keeping them in chains, giving them no payment, or giving them only just enough to pay for meals and accommodation. On some occasions observers have remarked on those other abuses which accompany slavery, as if they were themselves direct evidence of slavery, in part, no doubt, because during the main period of history in which Atlantic slave trade was occurring, concepts of specific human rights had not yet been refined.

“34. The classic process of enslavement, involving either abduction or recruitment through false promises or duplicity, involves a violation of the individual’s right to liberty and security of person, as guaranteed by Article 9 of the Civil and Political Covenant together in many cases with a violation of the right of a person deprived of their liberty to be treated with humanity and of the right not to be subjected to cruel, inhuman or degrading treatment. In one recent case reported to the commission on Human Rights, those enslaved have been taken captive in the context of a long-running internal armed conflict, indicating that they are victims of a violation of humanitarian law, as well as international human rights law.”(Review, paragraphs 26,33 and 34).

²⁶ Anti-Slavery International (n 22 above).

5. To raise awareness on the subject of abduction of women and children in conflict areas in Sudan.
6. To make recommendations on the best methods which should be adopted to resolve the problem of abduction of women and children by government and an International community.

1.4 RESEARCH QUESTIONS

1. What are the major reasons for the abduction of women and children?
2. To what extent does CEAWC succeed in documenting, tracing and reunifying abducted women and children?
3. What are the roles of the United Nations special agencies, International Non-Governmental Organizations, National Non-Governmental Organization, Civil Society, the Government of Sudan, Sudan People's Liberation Army and the tribes in resolving this problem?
4. How can we fulfil the psychosocial and physical needs of the returned abductees?
5. Is the abduction based on racism?

1.5 THE SCOPE OF THE STUDY

The geographical scope of the dissertation has been limited. The area covers certain parts of Sudan, where abductions occurs. These are in selected Southern and Western states namely, Bahr el- Ghzal, Kordofan and Darfur. The study is limited to the period between 1988-2000, because in this period the practice of abduction spread widely and the international community began to talk about it as slavery. So I want to show how CEAWC with the cooperation of some international organizations has tries to eradicate this practice.

1.6 METHODOLOGY

This research was conducted mainly in the library. Existing literature on the topic was consulted. Another useful source of information was the Internet. It contains several resources that are useful for the research. Several websites contain information, which deal with human rights violations. Furtherstill I consulted various Regional and International Human Rights Instruments, Sudan's domestic legislation, reports and press releases. The research was also based on my personal observations as a member of the Committee for Eradication of Abduction of Women and Children.

1.7 LITERATURE REVIEW

Scanty literature is available on the topic of abductions of women and children in conflict areas in the Sudan. Scattered information can be found in reports and press releases of the CEAWC. However, there exists considerable literature on the general topic of gender violence in situations of conflict.

Sally Baden (1997) talks about women and children caught in conflict situations. She emphasises how war is devastating to women. However, the book is not centered on the abduction of women and children as such, but talks about problems faced by women and children in times of conflict. Such problems include abduction, sexual violence and forced labour.

The anthology “Common Grounds- Violence Against Women in War and Armed Conflict Situations,” consists of articles, which were presented at the International Conference on Violence against Women in War and Armed Conflict Situations held in Tokyo in 1997. The papers highlighted the human rights violations against women in many countries such as the Philippines, Indonesia, Bangladesh, Algeria, Rwanda and Bosnia. The presentations focused on the enormity of the tragedy the women have had to live with, the unprecedented nature of human rights violations, the vastness of its scale in terms of the members of women affected and the sheer ruthlessness of the perpetrators, the denial of justice and reparations, and the immeasurable ruin of human life.²⁷

In the same book, Ritu Menon, in her paper “Borders and Bodies: Recovering Women in the National Interest,” explains that in 1947, India was divided into India and Pakistan, a division based on religious difference. The partition of the country forced the largest- ever peace time mass migration of people in history. Ten million people left their homes and moved from West Pakistan and East to India as Hindus, Muslims and Sikhs became both the victims of, and perpetrators of, brutal violence. 100,000 women were abducted by men of all communities during this time. Forcibly converted to the religion of their abductors, they were then recovered by the Indian and Pakistanian governments, in a program that, though “humanitarian” in intent, became coercive and violent. The similarities between what happened in India/Pakistan and the situation in Sudan is that in both cases women are the main victims of human rights violations. The differences lie in the fact that whereas in India and Pakistan the women were forcibly converted to the religion of their abductors, in the case of Sudan they are subjected to forced labour and/or marriage.

Anne-Marie Mukwayanzo (2000) in her chapter, “The Impact of the War on Women and Children,” talks about the impact of the war on the lives of women and children. She states that when war comes, the mother- child unit becomes even closer because at such a time children need to feel protected and the maternal instinct keeps

²⁷ Indai Laurdes Sajor (1998) Asian Center for Women’s Human Rights/ 13.

the mother a prisoner of her children, whom she cannot leave. For this reason, they jointly suffer the horrors and consequences of war at all levels. In addition it contains information that relates to the role of women in the economy and in the peace making process.

Noel Kataike, (1999) in his book, “A Study of the Manipulation and Abduction of the Child into the Child Soldier during Armed Conflicts in Northern Uganda, Gulu District,” talks about the abduction of children by the Lord’s Resistance Army (LRA) and its support by the GOS. This book focuses on the situation in Uganda. The children referred to face similar situations like those in Sudan. They face harsh conditions such as military training and actual participation in military activities. This book is useful for comparative purposes.

Samuel B. Tindifa (2001) discusses the sufferings of minorities and indigenous children in armed conflict. He provides three case studies from Rwanda, Sudan and Somalia. This article does not explain the status of women in spite the fact that a woman rarely abandons her child/ren in the times of emergency. Tindifa explains that in Sudan in the inter ethnic conflict between the SPLA, the Mundari²⁸ and the Murle,²⁹ the SPLA has often carried out indiscriminate attacks against civilians. Government forces also executed many civilians after the failed conquest of Juba by SPLA in 1992. So in the Sudan, civilians have found themselves caught up between the belligerents who counter accuse them of aiding their enemies.

The UNICEF report (1997), “Shattered Innocence- Testimonies of Children in Northern Uganda,” provides a clear picture of those children who are victims of a complex, protracted conflict they neither understand nor can control. These testimonies are useful for the research in order to throw more light on the kinds of suffering that the children in conflict situations face. The report shows that many of the abducted children are forced to carry out tasks like carrying heavy load over very long distances under inhuman and life-threatening conditions with often-inadequate diets. These children are being deprived of their childhood by the selfish motives of the rebel group in Northern Uganda.

The African Women’s report (1998) by the United Nations- Economic Commission for Africa, relates mainly to “Post Conflict Reconstruction” from a gender perspective. Reference is made to women’s reconstruction strategies and initiatives in various countries, including long-standing conflict situations in Angola, Somalia, Rwanda, and the Democratic Republic of Congo (DRC). This report explains that conflict involves an extremely complex set of issues, there are many different kinds of conflict, and there is armed conflict and its consequences.

²⁸ Mundari are an African Nilotic tribe living in Southern Sudan.

²⁹ Murle are an African Nilotic tribe living in Southern Sudan.

Sudan Foundation (1998), in its report “Sudan Missing Children” explains SPLA’s policy of separating boys from their homes and families for military training. Thousands of boys went to the Ethiopian refugee camps hoping for an education and received mostly military training in segregated facilities for “unaccompanied boys.” The SPLA inducted boys as young as eleven into its ranks. It is clear that tens of thousands of Sudanese boys have been killed in ill-prepared offensives. Thousands of underage combatants have been maimed in the conflict. And thousands more are still being held by the SPLA for use as cannon fodder in the future, literally being harvested, and used as child soldiers when they reach the age of twelve or thirteen.

Human Rights Watch in its report (1998), “Famine in Sudan The Human Rights Causes,” focuses mainly on the preconditions for the famine in Bahr el- Ghzal which was established through: 1- the raids on Dinka communities by Baggara tribes, robbing them of their livelihoods (cattle and grain), displacing them and abducting women and children; 2- the looting of world’s emergency relief program by the SPLA forces. This report is very useful; it explains the direct relation between tribe raids and famine, so famine was a consequence of both government design and rebel tactics.

1.8 SYNOPSIS OF CHAPTERS

This research paper comprises of five chapters. The First Chapter deals with the introduction, providing the historical background to the study, statement of the problem, objectives of the study, research questions, the scope of the study, methodology and literature review. The Second Chapter deals with rights of children and women in conflict areas as provided for under National Legislation, Regional Human Rights Instruments and International Human Rights Instruments. It critically examines them and discusses the obligations of the State there under. The Third Chapter deals with the role of the Committee of the Eradication of Abduction of Women and Children, which was established in 1999 by the GOS to resolve the problem. The chapter examines CEAWC’s cooperation with the United Nation’s special agencies for example United Nation Children’s Fund (UNICEF) and the International Non Governmental Organisation. The Fourth Chapter centers on the economic, social and psychological impact that the abduction leaves on women and children and how they can be helped to live normally with people and society. The conclusion and recommendations are provided for under Chapter Five.

CHAPTER TWO

THE LEGAL AND INSTITUTIONAL STRUCTURES

2.1 INTERNATIONAL LEVEL

Under the Vienna Convention on the Law of Treaties when states ratify or accede to a treaty it will be bound by it.³⁰ When states ratify a human rights instrument, they either incorporate its provisions directly into their domestic legislation or undertake to comply in other ways with the obligations contained in the instrument.³¹ The problem of effective implementation of human rights at the national level has, particularly in recent times, generated a great deal of international interest and action. At the international level, there are several treaties, which prohibit abduction of persons. More specific conventions such as the Convention on the Rights of the Child (CRC) prohibit the abduction of children.

2.1.1 Universal Declaration of Human Rights

The abduction of women and children in conflict areas in Sudan is contrary to the Universal Declaration of Human Rights (UDHR), which states that:

“Every one has the right to life, liberty and security of person.”³²

However, the women and children in conflict areas in Sudan live in constant fear and anxiety of the raids between tribes who abducted and physically tortured them against their will. Many lives and families are wounded or psychologically affected, mutilated by land mines or separated from their homes.

2.1.2 International Covenant on Civil and Political Rights

Several other legal instruments have been drawn at the international level, with an aim of ensuring that all people can enjoy their freedoms and human rights. The International Covenant on Civil and Political Rights (ICCPR) guarantees the right to life.³³ It also provides that persons shall not be required to perform forced or compulsory labour. However, in situations of armed conflict, people cannot enjoy all their freedoms and human rights. Their existence is threatened with the right to life often violated. Worse still, the legal and social systems that would allow for the rule of law to prevail with the accompanying means of enforcing observance as well as

³⁰ Articles 14 and 15.

³¹ Raoul Wallenberg Institute of Human Rights and Humanitarian Law (1998) 366.

³² Article 3.

³³ Article 6.

redress are no longer functional. There are thus widespread violations of human rights like rape, torture etc. However, women and children are an easy target for the militia's tribes since they are defenseless. They are thus an easy target for attack and consequently abduction.³⁴

The Human Rights Committee (HRC), which monitors the compliance of all state parties with the ICCPR, has stated that state parties have a duty to safeguard persons from various human rights violations such as torture and arbitrary detention as well as to investigate violations when they occur and to bring the perpetrators to justice.³⁵ State parties, which include Sudan, are under an obligation to submit a periodic report to the HRC to show the measures that have been taken in that regard. Sudan has not yet submitted its report for the year 2000.

2.1.3 Convention on the Rights of the Child

Sudan is a state party to the CRC.³⁶ The President of Sudan attended the negotiations of this convention and ratified it without any reservations. The CRC contains articles that specifically deal with the human rights of children. It imposes obligations on governments to safe guard children's rights, for instance; under the CRC,

“No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, or to unlawful attacks on his or her honour and reputation.”³⁷

Torture is similarly prohibited under the CRC thus,

“No child shall be subjected to torture or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by person below 18 years age.”³⁸

The articles on security and protection are both general and targeted. They deal with the kind of protection that all children require, but also provide for special effort on behalf of children in especially difficult circumstances. The UN General Assembly adopted the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict,³⁹ which prohibits the use of children under the age of 18 years in armed conflicts and call for protection child in conflict situations. The CRC⁴⁰ sets the age limit for service in armed forces at 15. Several abducted children are being used as soldiers by the SPLA. The GOS for several years has failed in its obligations under the CRC by more or less turning a blind eye on the activities of the SPLA especially in regards to the protection of children that are involved in the conflicts. The recent

³⁴ Human Rights Watch (n 11 above).

³⁵ Report of the Human Right Committee, 37 U.N. GAOR Supp. (no. 40) Annex V, general comment 7(16), paragraph 1 (1982) U.N. Dock A/37/40(1982).

³⁶ Sudan ratified the CRC in 1990.

³⁷ Article 16(1).

³⁸ Article 36(a).

³⁹ G A Resolution n/RES/54/263 of 25 May 2000.

⁴⁰ Article 38.

establishment of CEAWC by the GOS and its work with INGOs interested in protection of children is the first attempt at trying to protect ensure that its obligations under CRC are fulfilled.

Armed conflicts affect everybody, because bullets do not discriminate on the basis of colour, sex or age of the victim. Nevertheless, the effects of conflict are not felt by every one in the same way. The most affected group of persons includes women and children. Women and girls are abducted and subjected to forced sexual relations and are often raped during conflicts and large-scale population movements. During such times, many women and girl child are subjected to more than one partner thereby increasing the risk of Sexually Transmitted Diseases (STD), but CRC does not provide protection against this kind of practice in relation to the girl child.

The Sudanese National Council of Child Welfare (SNCCW) undertakes to protect all children, but its work does not cover the children in conflict areas. GOS in order to fulfil its obligation under CRC submits periodic reports that are prepared by the SNCCW to the Committee on the Rights of the Child.

2.1.4 Declaration on the Elimination of Violence against Women 1993

The Declaration on the Elimination of Violence against Women (DEVAW) comes to fill the gap left by the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).⁴¹ CEDAW does not cover protection of women in conflict areas. DEVAW guarantees women equal enjoyment and protection of all human rights and fundamental freedoms and forbids violence against women such as physical, sexual and psychological violence within the general community. It prohibits physical, sexual and psychological violence perpetrated or condoned by the state, whenever it occurs.⁴² Violence against women in armed conflict situations is one of the most heinous violations of human rights, in terms of its scale, the nature of the atrocities and the number of persons affected.

This declaration just like all other declarations falls short because unlike conventions, declarations do not have the force of law. Thus states are just under moral obligation to protect rights that are provided therein. There is a lack of seriousness to the human rights of women at all levels, local and global. Sometimes rights are formally recognized but ignored in practice. However, sometimes rights are not even recognized, when this happens women's rights are openly and explicitly denied. Human rights for women and children should not be looked at as being separate from each other. The reason being that the law that protects women against human rights violations necessarily assists in the protection of the child. Separate laws on their own they do not offer real protection. Therefore a more viable situation would be for human rights legislation to provide jointly for the

⁴¹ CEDAW is the main convention on women's rights and it was adopted in 1979.

⁴² Article 2.

rights of women and children. It would be seen that governments ratified the CRC more quickly in greater numbers than other human rights instruments for instance CEDAW. The effective implementation of the CEDAW would contribute to the elimination of violence against women and the DEVAW, set forth in the resolution 48/104 of 20 December 1993 by the GA of the UN, will strengthen and complement that process.⁴³

2.1.5 Geneva Conventions and its Additional Protocols

Civilian populations are usually the main targets of armed conflicts. The optional protocol I to the Geneva Conventions of 12th August 1949⁴⁴ prohibit the attack on civilians during armed conflicts. It provides that;

“The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence, the primary purpose of which is to spread terror among the civilian population are prohibited.”⁴⁵

The scale and magnitude of suffering by women and children should not give the impression that humanitarian law has become irrelevant in contemporary conflicts. The disrespect or lack of awareness of the law show how difficult it is to ensure that parties to a conflict adhere to its provisions, and demonstrates the corresponding need for a strong commitment to respect it on the part of politicians, armed groups especially the rebel forces and the general public.⁴⁶ Most of today’s armed conflicts are not waged by one country against another, but exist between armed groups within the same nation, the group which is most affected are women and children.⁴⁷ More than 3,000,000 children are currently participating as soldiers in armed conflict worldwide.⁴⁸ The forced involvement of children in war is a violation of the existing legal standards. Article 77(2) of the Additional Protocol I to the Geneva Conventions calls upon belligerents to refrain from involvement or recruitment of children below 15 and 18, the protocol calls upon states parties to give priority to older ones. Article 4 of the Additional Protocol II also regulates recruitment of children into armed conflict. Article 77(3) (c) provides that:

“ Children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities.”

Article 77(1) of additional Protocol I of 1977 incorporates the principle of protection of children in armed conflict. It provides in part that, children shall be the object of special respect and shall be protected against any

⁴³ Preamble of the DEVAW.

⁴⁴ Sudan acceded to the Geneva Conventions of 12th 1949 August in 1957.

⁴⁵ Protocol 1, addition to Geneva Conventions of 12th August 1949 article 51(2).

⁴⁶ Kataike Noel B (1999) 14.

⁴⁷ Samuel Tindifa (2001) *Makerere Law Journal*/ 53 65.

⁴⁸ Amman Conference on the Use of Children as Soldiers- Jordan April

2001<http://www.hrw.org/campaigns/crp/amman_declaration.htm> {accessed on 09-08-2001}.

form of indecent assault. The parties to the conflict shall provide them with the care and the aid they require, whether because of their age or for any other reason.

The often-invoked Article 3 to the Geneva Conventions urges belligerents to respect civilians, but the controversy lies in its applicability, i.e. whether it applies to all situations of armed conflicts. It has been argued that it does not actually define armed conflict of a non- international character, but only recognizes armed conflict between organized belligerent groups in a state. The article however, prohibits violence to life and persons not taking part in hostilities, which is aimed at promoting humane treatment of all non-combatants. Regardless of whether the conflicts are of an international character or not, belligerents are under an obligation to protect civilian targets. In effect, civilians are not active combatants that come under the purview of protocol II. Although protocol II does not define civilians, Article 50 of Protocol I does. Civilians are defined as;

- “1. A civilian is any person who does not belong to one of the categories of persons referred to in Article 4 A (1), (2), (3) and (6) of the Third Convention and in Article 43 of this Protocol. In case of doubt whether a person is a civilian, that person shall be considered to be a civilian.
2. The civilian population comprises all persons who are civilians.
3. The presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character.”

Geneva Conventions and its Additional protocols provide adequately for the protection of civilians during armed conflict. The GOS and SPLA do not respect the obligations under Geneva Conventions and its additional protocols. GOS did not ratify the two additional protocols, arguing that Protocol II, which relates to the protection of civilians in internal armed conflicts, violates the principle of state sovereignty. The SPLA has been abducting young children below 18 for the purpose military training and combat despite the fact that such recruitment is illegal.

2.1.6 Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

Once in the hands of their abductors, women and children are at their mercy with no law protecting them against torture, cruel or degrading treatment or punishment and their rights to liberty. The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)⁴⁹ 1984 obliges state parties to take measures to prevent torture hence;

“Each state party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.”⁵⁰

⁴⁹ Sudan signed CAT in 1986 but has not yet ratified it.

⁵⁰ Article 2(1).

The Committee which was established under the Convention is mandated to look into the various measures that have been adopted to give effect to the undertaking under the convention.⁵¹

2.1.7 Declaration on the Protection of Women and Children in Emergency and Armed Conflict

The preamble to the Declaration on the Protection of Women and Children in Emergency and Armed Conflict recognizes the suffering experienced by women and children in many areas of the world, especially in those areas subject to aggression.⁵² The Declaration calls upon belligerents to refrain from indiscriminate attacks on civilians which leads to the infliction of incalculable suffering especially on women and children. The Declaration prohibits the use of chemical and bacteriological weapons in the course of military operations. Their use, which constitutes one of the most flagrant violations of the principles of international humanitarian law is severely condemned.⁵³ The Declaration prohibits all violations against women thus;

“All forms of repression and cruel and inhuman treatment of women and children, including imprisonment, torture, shooting, mass arrest, collective punishment, destruction of dwellings and forcible eviction, committed by belligerents in the course of military operations or in occupied territories shall be considered criminal.”⁵⁴

Parties to declarations are morally obliged to ensure that the principles contained therein are respected. However given the fact that they are not legally bound by it, failure to meet its obligations would not lead to stiff penalties.

2.2 REGIONAL HUMAN RIGHTS INSTRUMENTS

In various African countries, including long-standing conflict situations in Angola, Ethiopia, Liberia, Somalia, Sudan, Sierra Leone and the DRC women and children are affected by abduction, rape and land mines.⁵⁵ The effect of the conflict on women and children differ from one country to another. The Sudan is bound by several regional human rights instruments such as the African Charter on the Rights and Welfare of the Child, the Charter on the Rights of the Arab Child of the League of Arab States and Amann Declaration on the Use of Children as Soldiers.

⁵¹ Article 19 of the Convention.

⁵² Preamble of the Declaration.

⁵³ Article 2.

⁵⁴ Article 5.

⁵⁵ The African Women's Report, (1998) 1.

2.2.1 African Charter on Human and Peoples' Rights

Sudan as a member in the African Union⁵⁶ (AU) is a party to the African Charter on Human and Peoples' Rights (ACHPR) and thus under an obligation to protect women and children rights, it provides that:

“The state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of the women and child as stipulated in international declarations and conventions.”⁵⁷

The Charter does not provide for the protection of women and children in situation of armed conflict, this is despite the fact that many African countries have been affected by civil war and internal disputes for several years. Although it was founded to manage inter-African conflict, the ex OAU handling of internal conflict in member-states has been severely curtailed by its adherence to article 3(2) of its Charter, which prevents the organization from the interfering in the internal affairs of states.⁵⁸

Even though the Charter had provided for the protection of women and children in situations of armed conflict, the enforcement mechanism for the ACHPR is weak, but this should not be seen as an insurmountable setback. The Charter provides a complaint mechanism that allows one state party to charge another with a violation of the provisions of the Charter. This charge shall be brought to the notice of the recalcitrant state party. It may also be brought to the attention of the African Commission on Human and Peoples' Rights (CHPR). The CHPR is charged with hearing complaints about an amicable solution to the charge. Article 50 of the African Charter permits the CPHR to deal with matters, which are submitted after exhausting all local remedies, if they exist.⁵⁹

2.2.2 The African Charter on the Rights and Welfare of the Child

The African Charter on the Rights and Welfare of the Child talks about the protection of children during armed conflict:

“ States parties to the present Charter shall, in accordance with their obligations under international law, protect the children population in armed conflicts and shall take all feasible measures to ensure protection and care of children who are affected by armed conflicts. Such rules shall also apply to children in situations of internal armed conflicts, tension and strife.”⁶⁰

⁵⁶ Recently established in May, 2001 to replace the Organization of African Unity which had been in existence since 1963.

⁵⁷ Article 18(3).

⁵⁸ Abiodun Onadipe and David Lord, African Conflict and the Media <<http://www.c-r.org/occ-papers/occ-af-conf.htm>> {accessed on 18-10-2001}.

⁵⁹ U.N GAOR Human Rights Commission, para 5, U.N. Doc CCPR/C/21/Rev.1 (1989).

⁶⁰ Article 22(3).

Article 2 of the African Charter on the Rights and Welfare of the Child 1990, prohibits the involvement of children in hostilities which sets the age at 18 and does not make any exceptions for recruitment into the armed forces.

Abducted women and children are subjected to hard labour, they are involved in cutting trees for fuel, herding cattle for a long distance with very little food. If any one of the abducted persons attempts to run away he/she will be subjected to torture. This forced labour violates an obligation of Sudan under the African Charter on the Rights and Welfare of the child, which states;

“Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s physical, mental, spiritual, moral, or social development.”⁶¹

This Charter contains provisions which protect the rights of a child in peace and war times, this is a positive step because it reflects the real needs of the African child in most African countries which are affected by civil war. The African Committee of Experts on the Rights and Welfare of the Child has several mandates. The functions of the Committee are; to promote and protect the rights enshrined in the Charter and to monitor the implementation and ensure protection of the rights enshrined in the Charter.⁶² Every state party to the present Charter is to undertake to submit to the committee reports on the measures they have adopted which give effect to the provisions of this Charter and on the progress made in the enjoyment of these rights.

2.2.3 Amman Declaration on the Use of Children as Soldiers

The Amman Conference which was attended by Sudan in April 2001, led to the creation of The Amman Declaration, which calls upon all armed forces and armed groups to end the recruitment and use of children under 18 and further to immediately demobilize or release into safety children already being used as soldiers.⁶³

2.2.4 The Charter on the Rights of the Arab Child of the League of Arab States

The Charter on the Rights of the Arab Child of the League of Arab States 1986, which came earlier than CRC, contains basic principles which call for protection of the family as a whole. It states;

“ The family is considered the nucleus of society based on integration guided by religion, good conduct and national love. The government, however, carries the responsibility for protecting it against feebleness and disintegration. Members of the family must be given complete security and basic

⁶¹ Article 15(1).

⁶² Article 42

⁶³ Article 4.

services which would enhance its social caliber and productivity so that in return the members will be endowed with warmth, passion, satisfaction, clear minds, social security and cultural advancement.⁶⁴

All member states in Arab League have committed themselves to protect all the child rights, as can be evidenced as follows;

“ We are committed to securing the rights mentioned in the UN Declaration of the Rights of the Child for Arab children with no discrimination.⁶⁵

This Charter though adopted before the CRC has failed to be effective mainly because of the lack of a specific committee that is charged with ensuring the implementation of the Charter. Nonetheless, the Arab States will have to submit periodic reports to the Arab League of Nations in connection with the procedures undertaken and achievements performed in the spirit of the provisions of the Charter.

2.3 NATIONAL LEGISLATION

2.3.1 Constitution

The Sudanese Constitution of 1998 not only guarantees the protection and promotion of human rights and freedoms, it also guarantees equality and freedom from discrimination. The Constitution explains the duty of the state in the protection of children and the youth;

“The state shall care for children and youth and protect them from exploitation and physical and spiritual neglect, and shall direct policies of education, moral care, national guidance and spiritual cleansing to grow a good generation.”⁶⁶

In addition, the Constitution guarantees the protection of the family and women;

“ The state shall care for the institution of the family, facilitate marriage and adopt policies to purvey progeny, child upbringing, pregnant women and mothers. The state shall emancipate women from injustice in all aspects and pursuits of life and encourage the role thereof in the family and public life.”⁶⁷

Abducted women and children in captivity are subjected to forced labour, torture and are sometimes killed. However, all these things are in violation of the Constitution, which states:

⁶⁴ Basic Rule c.

⁶⁵ Basic Rule e.

⁶⁶ Article 14.

⁶⁷ Article 15.

“ Every human being shall have the right to life, freedom, safety of person and dignity of honour save by right in accordance with the law; and he is free of subjection to slavery, forced labour, humiliation or torture.”⁶⁸

2.3.2 Terrorism Combating Act

Many women and children are victimized by war as soldiers or as part of terrorized civilian population, the SPLA plants mines around the areas of water in Bahr el- Ghzal which is deemed terrorism under the Terrorism Combating Act of 2000:

“ Whoever commits an act, which causes serious damage to the environment, and exposes the people’s life to danger, shall be deemed to have committed a terrorist offence, and shall, upon conviction, be punished with imprisonment, for a term, not exceeding twenty years, and with fine.”⁶⁹

The mines planted by the SPLA affect the abducted women and children in several ways. For one the children and women are usually involved in the herding of cattle. As they take the animals to watering points they find themselves at risk of being maimed and/or killed after getting in contact with these mines. The Act is thus a useful piece of legislation that criminalizes the planting of mines.

2.3.3 Criminal Act

The militia’s tribes continue the abduction of women and children in spite of the fact that abduction criminalized under the Sudanese Criminal Act of 1991, which states:

“Whoever abducts any person below puberty or insane person by taking or inducing him, in order to remove him away from the custody of his lawful guardian without the consent of such guardian shall be punished with imprisonment for a term not exceeding seven years and he may be also be punished with fine.”⁷⁰

It has been reported that the GOS has decided not to institute any proceedings against the abductors or forced labour owners, because if it does so it shall not receive any cooperation from them.⁷¹ Nonetheless kidnapping, forced labour and unlawful detention are illegal under national laws; For example under the Criminal Act it is provided that:

“Whoever commits forced labour on any person by unlawfully compelling him to work against his will, shall be punished with imprisonment for a term not exceeding one year with fine or with both.”⁷²

⁶⁸ Article 20.

⁶⁹ Section 12.

⁷⁰ Section 161,

⁷¹ Human Rights Watch (no 11 above).

⁷² Section 163.

Implementation of laws in conflict areas is generally poor. However, proper implementation will reduce the practice of abduction of women and children.

CHAPTER THREE

ANALYSIS OF THE PROBLEM THROUGH THE WORK OF THE COMMITTEE FOR ERADICATION OF ABDUCTION OF WOMEN AND CHILDREN (CEAWC)

As we saw in chapter two most international, regional and national law have been violated by both GOS and SPLA. Also it was seen that the GOS established CEWAC with the hope that abduction of women and children as a result of conflict is eradicated. This chapter considered the activities of CEWAC. It further looked at the efforts of UNICEF in releasing child soldiers from the SPLA.

3.1 ESTABLISHMENT OF CEAWC

The problem of abduction of women and children has been exacerbated by the armed conflict. It has been backed by the creation of the CEAWC in conformity with the consensus adoption of the Sudan Resolution at the 55th session of CHR in Geneva in 1999. Since the year 2000 CEAWC has addressed the problem of abduction in a concrete way, and has achieved significant results. However, due to the magnitude of the problem, CEAWC has not yet reached a full realization of its mandate. To honour the GOS's commitment, the Minister of Justice issued in May 1999 a Ministerial Decree establishing CEAWC with a mandate to:⁷³

- a- Facilitate the safe return of affected women and children to their families as a matter of priority by giving full support to the efforts of tribal leaders concerned.
- b- Investigate reports of abduction of women and children and bring to trial any person/s suspected of supporting or participating in such activities.
- c- Investigate the cause of abduction of women and children subjected to forced labour or similar conditions and recommend ways and means of achieving the eradication of this practice.

Membership⁷⁴ of CEAWC include, representatives from police, army and security members who are expected to assist in eradicating the problem. This is despite the fact that sometimes the security forces obstruct officials who are working hand in hand with CEWAC in their struggle against abduction.⁷⁵ CEAWC though established in 1999 with a specific mandate, it also enjoys special powers provided for under the Criminal Procedure Act of 1991, the Ministry of Justice Act of 1983 and the Republican Decree 97/1994. In particular it has the powers of arrest, investigation, searching and bringing criminal cases to trial. The national laws of the Sudan consider abduction of women and children as a crime, specifically Sections 162, 163, 164 and 165 of the Criminal Act, which provide punishments for crimes such as abduction, forced labour, kidnapping and detention.

⁷³ Ahmed El Mufti (2000) 1.

⁷⁴ A full list of the membership composition is included in Annex 1.

⁷⁵ The detention of James Agware the Chairman of the Dinka Committee several times by security forces in Darfur.

CEAWC works hand in hand with the international community in order to accomplish its mandate. It works in close cooperation with several organizations such as UNICEF, Save the Children's Fund (United Kingdom) (SCF UK), Swedish Save the Children and Heads of Missions European Union (HOMS (EU)). That cooperation was reflected in CEAWC brain storming Workshop of 30 May 1999 attended by EU and UNICEF. The workshop adopted participatory brainstorming to arrive at the following underlying causes of abduction:⁷⁶

- a- Tribal conflicts that repeatedly lead to abduction of women and children.
- b- Poor interaction between the tribes.
- c- The weakness of state presence and law enforcement in remote areas.
- d- Conflict of interests and competition over resources.
- e- Negative foreign interference.
- f- Socio-economic underdevelopment.
- g- The need for capacity building of the country to resolve conflicts.

CEAWC has Liaison Officers Committees (LOC) at state and province levels to help Tribal Peace Building Committees in conducting field missions to identify trace and document the abducted persons. The liaison officers Committee are composed of representatives from: the office of the Director of Public Prosecution, police, armed forces, security and state government.⁷⁷ CEAWC has 22 Tribal Peace Building Committees, whose membership was agreed upon by the concerned tribes.⁷⁸ CEAWC has three Peace Building Centers in Nyala, El Fula and Aweil, which are used by the Liaison Officers and the Tribal Committees to house abducted persons pending their reunification and to carry out their mandates.⁷⁹ The LOC work together with the Tribal Committees, who usually assist in documentation and reunification of abductees. The Tribal Committees knowledge of the various tribes helps in easing their work.

As part of its immediate action on the ground, CEAWC actually succeeded on 23 June 1999, through its liaison officer in Darfur, in returning the abducted child "Meryal Shol Deng" from Goz beyna South El Fashir to his mother "Nyata Lor" in Abeyi.⁸⁰ This girl has been abducted from her village in Dinka area by Arab Tribe (Baggara). Moreover, to avoid disturbing the existing tribal institutions agreed upon by all tribes concerned, the Dinka Committee, which has been working in tracing, documenting and reunifying of abducted women and children for about ten years, is now integrated in CEAWC as the main mechanism for carrying out its mandate.⁸¹ According to the work program agreed upon with UNICEF, CEAWC's first field mission is expected to identify,

⁷⁶CEAWC Press Release No. (3).

⁷⁷ Ahmed El Mufti (n 73 above) 2.

⁷⁸ As above.

⁷⁹ As above.

⁸⁰ CEAWC Press Release No. (1).

⁸¹ CEAWC Press Release No.2.

trace and reunify 2000 abducted women and children, and identify another 3000 within two months. The mission was instructed to use the forms designed with the help of SCF (UK) to make the results verifiable.⁸² The total number of cases documented by CEAWC so far is 1,230 and the total number of reunification cases by CEAWC as of July 2000 is 353 (see Annex 2).

3.2 CEAWC ACTIVITIES AND CO-OPERATION WITH THE INTERNATIONAL COMMUNITY

CEAWC has established and trained 22 Peace Building Tribal Committees,⁸³ which are ready to look for 4,900 new cases every three months. The membership of these Tribal Committees include, members of individual tribes in areas where abduction takes place. The numbers of members who sit on these committees vary. However each committee consists of at least a chairman, co-chairman, financial secretary and rapporteur. Since March 2000, CEAWC has received funding for one single committee (Adeela) from SCF (UK).⁸⁴ Funding is required for facilitation of these committees. Specifically they require reasonable communication and transportation facilities because of geographical considerations as well as to take care of persons who have been retrieved from abduction. Such persons are kept in transit homes pending their reunification with their families. Their needs are often demanding, they need clothing, medical care and shelter. Projects to address the root causes of abduction and consequently eradicate that practice altogether have not yet received any funding.⁸⁵ The root causes of the problem are economic, social, cultural and political. The vast size of the Sudan aggravates the problem; there are several aspects which are inadequate; there is no concrete presence of the state in rural areas, high level of illiteracy, inadequate fresh water resources and health care all result in the lack of a minimum level of development. Further still there is also poor interaction between tribes and inevitably minimal tolerance for each other.⁸⁶

There is a lack of political will on the part of the GOS in respect of ensuring that the mandate of CEAWC is achieved. CEAWC currently operates entirely on donor support. This is very unfortunate given the fact that GOS is under an obligation to ensure that the problem of abduction is reduced to a minimum. Thus, more support from the GOS is needed.

⁸²CEAWC Press Release No.3.

⁸³ El Obeid, El Fashir, Kutom, Om Kaddada, Zalingi, El Geneina, Wadi Salih, El Fulla, Babanosa, El Muglad, El Meriam, Adeela, El Daein, El Tibon, El Dibab, Nyala, El Nuhood, Buram, Id El Fursan, Gabal Marrah, Abyei, and Shaeriya.

⁸⁴ Ahmed El Mufti (n 73 above) 3.

⁸⁵ As above.

⁸⁶ CEAWC Press Release No. (3).

3.2.1 Workshops

In collaboration with CEAWC, SCF (UK) organised a workshop in Nyala South Darfur on the 11th and 12th of August 1999. The objective of the workshop was to train CEAWC liaison officers in the identification, tracing and reunification of abducted women and children. The workshop arrived at the following outputs:⁸⁷

First: overall outputs of the workshop

- a- Enhancing the cooperation, coordination and joint work between CEAWC and the local leaders and activists for the purpose of accomplishing the work of the committee.
- b- Intensifying local propagation and a awareness of the need for the eradication of abduction of women and children through the local mass media available in the state.
- c- Asking the international organizations and the international community to place pressure on SPLA to reunify abducted women and children with their families.

Second: out puts in the field of the committee and the liaison officers' work:

- The investigation and the inquiry for identification of the abducted should be carried out in a very precise way.
- Keeping records of all cases of returned women and children in a clear and definite way.
- The order to return and receive an abducted child should be issued by the a group of persons representing the various concerned bodies rather than individually.
- The best interest of any abducted children and women should be taken into consideration when dealing with each separate case.

CEAWC continued its cooperation with the UNICEF and other international community; it held a workshop on “Human Rights- Based Programming for Children in the Armed Conflict” with support from UNICEF, EU and Swedish Save the Children (12-16 February 2000) in Khartoum. It called for the implementation of the principles of universality of human rights through development and humanitarian programs and activities giving priority to vulnerable groups like abducted women and children.⁸⁸ CEAWC continues its activities in conflict areas and with funding from SCF (UK) has convened a workshop in El Muglad on May 2000.⁸⁹ This workshop was an opportunity to highlight the magnitude of the problem at the grassroots, to enhance public awareness and to coordinate local and national efforts to address the problem and resolve its negative impact. The target groups

⁸⁷CEAWC Press Release No. (4).

⁸⁸CEAWC Press Release No. (9).

⁸⁹CEAWC Press Release No. (11).

include, inter alia, tribal leaders, community and tribal chiefs as well as government agents. This workshop aimed at achieving enhanced public confidence in that area to promote cooperation with CEAWC in the process of eradication of abduction of women and children.

3.2.2 Identification and Reunification

CEAWC begins its work by identifying the abductees with co-operation of both the Liaison Committees and Tribal Committees who know not only the areas where abductions are carried out but the various affected families. The Dinka Committee plays a big role because of the experience they have in that regard. The details concerning identification are usually done on a special form prepared by SCF (UK); the next stage is the tracing among villages of tribes which are habitually abduct women and children. The third stage is documenting abductees in special forms. After that abductees are kept in the custody of a specific Peace Building Committee pending their reunification. CEAWC has faced some problems in documenting some abductees. The problem cases involve young children who are unable to remember their name or even their origins.

The number of cases identified by CEAWC first field mission in South Darfur is as follows:⁹⁰

- a- 18 have been reunified.
- b- 26 have preferred, before the Dinka Committee, not to go back to Aweil and to stay where they are.
- c- 11 have been transferred by UNICEF flights on 15 October 1999 to the Peace Building in Aweil for their final reunification.
- d- The locations of the remaining abductees are known.
- e- 8 have been transferred by UNICEF flights on 15 October 1999 to Khartoum for the completion of their reunification.

Despite the great efforts of CEAWC and UNICEF to resolve the problem of abduction of women and children, the CSI continued to allege that there are many children missing. UNICEF Representative in Khartoum Mr. Thomas Ekvall by his letter of 25 July 2000 denied the allegation made by CSI in their letter dated 5 July addressed to the Human Rights Commissioner alleging that there are 133 missing or lost children under the GOS/ UNICEF program for the eradication of abduction of women and children in the Sudan.⁹¹ The response confirmed that there have been no reports as indicated in the allegation and provided the details pertaining to four groups sent to Aweil for reunification and safely returned to their families in their home villages and that during the first confirmatory field mission by Operation Life Line Sudan (OLS), 136 abducted were confirmed

⁹⁰ CEAWC Press Release No. (2).

⁹¹ CEAWC Press Release No. (13).

to have safely arrived to their families, 8 abducted were reported to be in Aweil, and 33 others who were also reunified in SPLA controlled areas currently under confirmation by another OLS Southern Sector team. The fate of the 177 abductees who arrived in Aweil for reunification in SPLA areas is as follows:⁹²

169 -traveled to SPLA held areas.

7- opted to remain in Aweil.

1 -Deng Dut Kon reunified in Wedwel but returned to Aweil for schooling.

The Dinka Committee continued its activities; it reunified in Khartoum the two children Atak Bol (male-12 years) from El Daein with his uncle on 25 July 2000 and Ayok Ayok (male-18 years) from Adeela with his cousin on 29 July 2000.⁹³ The abduction of women and children is not limited to inter- racial (between Arabs and African Nilotic tribes) violence but extends to intra-racial (African Nilotic tribes themselves) violence. A case in point is the continued visits by CEWAC to Pibor town in Jonglei State (which comprises mainly of African Nilotic tribes) to dwell on the case of the ten Dinka and Anyuak⁹⁴ children who had been abducted by the Murle.⁹⁵ The OLS work in cooperation with CEAWC to assist in the reunification of the abducted by flying them directly to SPLA controlled areas.⁹⁶ Reunification usually takes place immediately with the assistance of UNICEF.

3.2.3 Interaction with International Media and International Non Governmental Organisations

CEAWC has a policy of disseminating its activities and acquainting the international community with the progress made in the field of eradication of the abduction of women and children in the Sudan. CEAWC met with the Canadian delegation chaired by Canadian special envoy to the Sudan Senator Lois. M Wilson. The meeting reviewed the activities of CEAWC and the need to acquaint the international community with the progress made in the field of eradication of abduction of women and children in the Sudan.⁹⁷ In addition, CEAWC on 10 February 2000 met the representatives of Amnesty International in London and Vienna.⁹⁸ CEAWC releases information on its activities through the international media. On 13 February 2000, the Chairman of CEAWC met with Dale Gaulak, a media correspondent for Vatican Radio, national public Radio and Washington broadcast. The meeting reviewed the activities of CEAWC and the joint efforts exerted by the

⁹² As above.

⁹³ As above.

⁹⁴ An African Nilotic Tribe.

⁹⁵ CEWAC Press Release No. (12).

⁹⁶ CEAWC Press Release No. (13).

⁹⁷ CEAWC Press Release No. (9).

⁹⁸ As above.

government, the donors and the tribal mechanisms to eradicate the abduction of women and children in conflict areas in Sudan.⁹⁹

ASI visited Sudan on 18 October 2000, met with the State Minister for External Relations, Bishop Gobreial Reureg who highlighted the adverse impact of civil war in Southern Sudan on the lives of the people, particularly women and children and the program carried out on an official level by the government in taking the phenomena stemming out of the war. He also stressed the peace approach as the best way out to cut roots of abduction in Sudan.¹⁰⁰ Also ASI met the Minister of Man Power, Major General Alison Manani Magaya, he called for lasting resolutions to tribal disputes through effective development programs in the targeted areas, particularly, the transition zones where problems based on conflicts over water and pasture persistently occur.¹⁰¹ The delegates of ASI met with the representative of the Rizeigat tribe, the Nazir of Rizeigat spoke about the historical relation between the Rizeigat and Dinka tribes describing it as blood and mutual interest relation (there is marriage relationship between the Dinka and the Rizeigat). He also referred to indigenous mechanisms that used to be setup by both tribes to settle disputes and attributed the difficulty of the work of these mechanisms to the persistent hostile acts of the rebels in planting mines, looting cattle and killing and abducting innocent people living in the area.¹⁰²

The creation of CEAWC and its current activities has watered down the propaganda being spread by persons in the media circles about the situation in Sudan, particularly in relation to the allegation of slavery. The resolution adopted by the CHR in Geneva on 18 April 2000 on the Situation of Human Rights in the Sudan has:¹⁰³

- a- Welcomed the creation of CEAWC, which has been in operation since May 1999 as a constructive response on the part of the Government of the Sudan and the cooperation extended to the Committee by the local communities and the support of the international community and NGOs.
- b- Called upon the GOS to continue to investigate reports of the abduction of women and children taking place within the frame work of the conflict in Southern Sudan, to bring to trial any persons suspected of supporting or participating in such activities, to facilitate the safe return of affected women and children to their families as a matter of priority and to take further measures to eradicate the practice of abduction of women and children, in particular through the aforementioned committee.
- c- Called upon the international community to expand its support for activities, in particular those of CEAWC, aimed at improving respect for human rights and humanitarian law during the conflict.

Gerhart R. Baum, the Special Rapporteur on the Situation of Human Rights in the Sudan says,

⁹⁹ As above.

¹⁰⁰CEAWC Press Release No. (15).

¹⁰¹ As above

¹⁰² As above.

¹⁰³CEAWC Press Release No. (11).

“The work of CEAWC, notably its efforts in the identification, retrieval and reunification of former abductees with their own families, plays an important role in addressing the consequences of abductions. CEAWC is however suffering from financial constraints and insufficient political backing. I am convinced that political support would prove extremely useful to provide a better visibility to this body, which should also be granted more authority, especially at the regional and local level.”¹⁰⁴

The GOS should do more to follow up its commitment to eradicate the problem by better controlling tribal militias and bolstering both the resources and the authority of CEAWC.

3.3 CHILD SOLDIERS RELEASED BY SPLA

Child soldiers are being used in more than thirty countries around the world including Angola, Colombia, Lebanon, Liberia, Sierra Leone, Uganda and Sudan. Children are forced to take part in atrocities.¹⁰⁵ Children have often been the victims of SPLA atrocities. The SPLA’s purposeful abduction and isolation of southern Sudanese children can be seen as a corrupted and less sophisticated version of the Nazi or Soviet use of youngsters for political and military ends, the result of which is a grouping of child soldiers with in the SPLA known as the “Red Army”. A former SPLA commander, who left the organization in 1996, has described the usual SPLA operating method. Farouk Saleh Mohamed Abdallah was a member of the SPLA for several years and trained child soldiers in Dima camp in Ethiopia. He stated that:

“We took them by force from their homes, from their parents and guardians. We confined them to one place. The children that we usually looked for were between the ages of five to 16 years.”¹⁰⁶

The GOS support for the LRA must be stopped immediately and Ugandan Government’s support for the SPLA must be stopped because two parties are being used child soldiers. The children abducted by LRA have had their lives shattered. For instance, a child as young as 10 years can handle an AK 47 rifle and it is these same children who are used to open ways across mine fields and are usually in the front lines when in operations against Uganda People’s Defence Forces UPDF. Many die in this way since they are in the middle of the crossfire.¹⁰⁷ There seems to be respect for international standards for protection children, so 48 captives of the LRA returned to Uganda from Sudan where they had been forced into rebellion. The abductees, five of them

¹⁰⁴ Oral Statement on the Human Rights Situation in the Sudan by the Special Rapporteur on the Situation of Human Rights in the Sudan, Mr. Gerhart R. Baum, at the 57th session of the Commission on Human Rights 29 March 2001 <<http://www.unhcr.ch/hurricane.../072FE7F713DE0FC1256A29002A3757?opendocumen>> {accessed on 10-08-2001}.

¹⁰⁵ Human Rights Watch (2001) “ Stop the use of Child Soldiers”<<http://www.hrw.org/campaigns/crp/index.htm>> {accessed on 09-08-2001}.

¹⁰⁶ Sudan Foundation, (1998). Human Rights File Number 3. An Open Letter to Mrs. Mary Robinson, UN Commissioner for Human Rights “Sudan’s Missing Children” < <http://www.sufo.demon.co.uk/human003.htm>> {accessed on 28-08-2001}.

¹⁰⁷“ The State of the World’s Children” UNICEF Report 42.

infants, two children aged three and six, 18 teenagers, 12 men and 11 women, some 29 returnees left for the northern district of Kitgum by plane and 19 went to Gulu district in the north by road.¹⁰⁸

The SPLA is involved in a planned, long-term policy of abducting children for use by their organisation. The SPLA's direct role in abducting tens of thousands of young Southern Sudanese boys and holding them against their will in abysmal conditions has been well-documented.¹⁰⁹ Almost 3,500 children, who were taking part in Sudan's civil war as soldiers as recently as five months ago, have returned to their communities and families in Southern Sudan, with the assistance of the UNICEF.¹¹⁰ All but 77 of the 3,500 child soldiers, who were released by the SPLA in February 2001, have now been returned to their original home communities, according to a UNICEF press statement. The 70 remaining boys came from inaccessible areas or places of chronic instability, and were still being cared for at a camp near Rumbek.¹¹¹ CEAWC has no direct role in releasing those children but it always urges all parties such as SPLA and GOS to protect these children's rights.

The children were demobilised by the SPLA in fulfillment of a pledge the rebel group had made to Carol Bellomy, Executive Director of UNICEF, during a visit to Southern Sudan in October 2000. The UN temporarily moved them from the conflict zone of Bahr el- Ghzal into transit camps in safe areas.¹¹² Approximately 200 of the returnees have not gone back to their immediate families, either because they were orphans with no close living relative, or because their families have been displaced, according to the UN agency. Those children have been taken in by communities and allocated to families by chiefs, as is usual under traditional provisions for the care of vulnerable children.¹¹³ While in the transit camps, 72 of the better-educated young Sudanese were given training to work as primary school teaching assistants, according to UNICEF. 40 others were trained as water pump mechanics, others received training in food cultivation, and about 90 were given special teaching to promote better hygiene, sanitation and HIV/AIDS awareness.¹¹⁴ There are still some 4,000 children in the SPLA awaiting demobilisation. UNICEF and its partner organisations such as Radda Barnen and SC (UK) continue to work to improve conditions in the children's home areas, with additional resources allocated for education, health and water.¹¹⁵

CEAWC received on 3 September 2000 a copy of a complaint from the Governor of North Bahr el- Ghazal State Mr. Kawage Makuei Mayar to the effect that an officer of SPLA in the area of Korak (SPLA controlled area) detained his wife and her two children and a companion while they were on a visit to relatives in the area. The

¹⁰⁸ 48 Ugandan Rebels' captives Return Home<<http://sudan.net/news/posted/3203.htm>> {accessed on 31-08-2001}.

¹⁰⁹ Sudan Foundation, (1998). Human Rights File Number 4. An Open Letter to Mrs. Hillary Clinton published by Sudan Foundation London-United Kingdom "Sudan's Missing Children" <<http://www.sufo.demon.co.uk/human004.htm>> {accessed on 28-08-2001}.

¹¹⁰ Former SPLA Child Soldiers returned Home<<http://www.sudan.net/news/posted/3320.htm>> {accessed on 31-08-2001}.

¹¹¹ As above.

¹¹² As above

¹¹³ As above.

¹¹⁴ As above.

¹¹⁵ As above.

wife managed to escape leaving behind her children and the companion who are still held in detention. CEAWC acted by communicating to UNICEF to secure the release of the detainees and to help in putting an end to abduction made by SPLA in the State. UNICEF contacted OLS South to take up the matter with SPLA authorities.¹¹⁶ By their efforts the detainees was released.

¹¹⁶CEAWC Press Release No. (12).

CHAPTER FOUR

ECONOMIC, SOCIAL AND PSYCHOLOGICAL IMPACT OF ABDUCTION ON WOMEN AND CHILDREN

4.1 ECONOMIC AND SOCIAL IMPACTS

Women and children after reunification tend to feel insecure, believing that they will be abducted again. The abduction of women and children in conflict areas in the Sudan has had and continues to have enormous effects. Abductions result in death, disability, displacement and trauma suffered by the population. In addition, the civil war has led to the destruction of social and economic infrastructure, including health clinics, trading posts, schools, roads, bridges, railways, supply of food and energy facilities.

Land mines continue to be a problem, in some areas of Bahr el- Ghzal and Bahr el- Arab. Their existence has prevented the use of some water points and agricultural land, since they are planted with the specific intention of disrupting the social and economic lives of persons in the said areas. The majority of reported mine victims in the affected areas were women and children; however, children were more likely to be involved in mines accidents because of their role in herding cattle. Given the fact that abductees are mainly involved in conducting these activities, it follows that they end up being the casualties. In 1997 Sudan signed the Convention of the Prohibition of the Use, stockpiling, Production and transfer of Anti-Personnel Mines and their Destruction (The Ottawa Mines Treaty), but did not ratify it. Thus there is a lack of commitment on the part of the GOS to enforce the legal obligations under the treaty.

Tribal conflict and drought have had a negative impact on the environment. This has occurred directly as a result of intentional burning of forests, and indirectly, due to the over exploitation of natural resources. The indirect effect of tribal conflict on women and children also can be devastating, as the supply of food diminishes and results in famine. Famine has affected the Western Upper Nile region, east of Bahr el Ghzal and Bahr el Ghzal. In both areas it has been caused by scorched earth attacks on civilians by government-funded militias. There are an estimated 150,000 people at risk of starvation in Western Upper Nile.¹¹⁷

In many parts of Africa, women play a central role in agriculture and their economic contribution is very important. The financial contribution of women, which used to be considered a supplement to the family income, has now become its essential mainstay. This forces many women to work constantly to make ends meet, aiming at quantity rather than quality.¹¹⁸ In Rwanda for example, after the genocide, the economy was

¹¹⁷Human Rights Watch (1998) "Famine in Sudan." <<http://www.hrw.org/reports/1999/sudan/SUDAWEB2-02.htm>> {accessed on 27-08-2001}.

¹¹⁸ Anne-Marie Mukwayanzo (2000) African Institute of South Africa / 115 118.

affected because women who constitute the vast majority of the adult working population were unable to get back into the system immediately. Furthermore, women are central to economic development and reconstruction. The important role of women in the economy and in reconstruction is augmented by their key role in agricultural production.¹¹⁹ In conflict areas of Sudan women played important role in agriculture, they working in farms by themselves, so the abduction of those women affect directly the income of the family and in the economy of the state as the whole.

Some international human rights instruments such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) guarantees protection of women and children, so the GOS as state party to ICESCR¹²⁰ is obliged to ensure social security:

“ The states parties to the present covenant recognize the rights of every one to social security, including social insurance.”¹²¹

The same convention guarantees the protection of the family as a unit of society, and the protection of children. It specifically provides that children should not to be subjected to forced labour. Article 10 provides:

1. “ The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while its responsible for the care and education of dependant children. Marriage must be entered into with the free consent of the spouses.”
3. “Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.”

As the rehabilitation process begins, it is very difficult for abducted women and children in conflict areas in Sudan to rebuild social and family relations.

4.2 PSYCHOLOGICAL IMPACT

Throughout history, violence against women has become an integral aspect of militarization and war.¹²² Women and children are deliberate targets of contemporary civil war. In some form or another when perpetrated by the state’s security forces, armed opposition groups or by other state or non-state actors violence against women is

¹¹⁹ Hamilton, Heather B. Rwanda’s Women: The Key to Reconstruction< <http://www.jha.ac/greatlakes/b001.htm>> {accessed on 01-11-2001}.

¹²⁰ Sudan acceded to ICESCR at 1986.

¹²¹ Article 9.

¹²² Radhika Coomaraswamy (1998) Asian Center for Women’s Human Rights/23 24.

rampant in the context of armed conflict, whether such conflict is found in Rwanda, Sri Lanka or the former Yugoslavia.¹²³ In conflict situations worldwide rape and sexual assault are being used as strategic weapons. Rape destroys women physically and psychologically at a social level. Women's experience of rape and sexual violence sometimes leads to divorce and separation makes them less desirable as marriage partners, leaving them with few survival options. Women must be given adequate protection, there must be an end to impunity for crimes committed against women and children in conflict areas.

One gender-specific element of this trauma is the effect on the large numbers of women and girls who have given birth as a result of being raped during conflicts. However no statistics are available on the number of rapes. The abduction of women and children in Sudan as a tribal conflicts have led to a total destruction of the family unit especially those which have been affected by abduction. Children and young people are worst hit, for they lose at least one parent and lack adequate shelter. They end up becoming juvenile delinquents. The break up of family structures has also led to a disturbing increase in prostitution. In particular, young girls engage in prostitution in order to survive. The psychological effects of this experience are felt for a lifetime. There is a general feeling of sadness and depression amongst the affected groups.

War generally causes trauma to a child. The CRC provides for a child's right to psychological recovery after war. This is provided as under Article 39 of the Convention:

“ States parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, or abuse; torture or any form of cruel, inhuman or degrading treatment or punishment, or armed conflict. Such recovery and reintegration shall take place in an environment which fosters the health, peer-respect and dignity of the child.”

Children suffer a great deal in conflict areas and thus need extra support and counseling to enable them cope with their past abduction experience. The CRC obliges state parties to take all feasible measures to ensure protection and care of children affected by armed conflict.”¹²⁴

To enable the psychologically traumatized former abductees to lead a normal life again, they must undergo psychological counseling in order to come to grips with the experience. The suffering of these people is a major concern for social workers in CEAWC, since abduction results in trauma, i.e. emotional shock which often has a long lasting effect. In children this trauma arises as a result of forced separation from parents or guardians, displacement from home, or other extreme experiences that may cause disability often lead to lack of sleep, nightmares, startle reactions and lack of concentration. The abducted child suffers more than their adult

¹²³ As above.

¹²⁴ Article 38(4).

counterparts because of their level of maturity. Women experience similar trauma, however it is often compounded by the physical trauma of rape, including injuries to the genitals and reproductive organs resulting from brutal and frequent rape, which may have resulted in permanent disabilities or infertility. In addition, they may be exposed to STD's and may even contract HIV/AIDS.¹²⁵ The former abductees are frequently denied an education or the opportunity to learn civilian job skills and many find it difficult to re-join peaceful society. They need effective and appropriate programs to ensure rehabilitation and reintegration into society.

CEAWC has no role to assist abductees after reunified with their families, because some of them their families in the areas which is under control of SPLA and some of them in villages which are not easy to CEAWC to go there with its limited resources.

4.3 WOMEN, PEACE BUILDING AND RECONCILIATION

Women must be given an opportunity in making peace. Women by their nature hate war and like peace. Women always try to spread peace in their families. A woman thus has a role in resolving problems among family members and inevitably among tribes (eg. southern tribe of Al-Latoka). In the Al-Latoka tribe a woman may attain the status of leader of the tribe (sultan) who has a high authority in resolving problems and spreading the culture of peace. If one were to follow the process of peace in Sudan since independence, it would be observed that women have not played any role in the formulation of certain key agreements such as the Addis Ababa Agreement 1973, Koka Dam Agreement 1986 and Murgani-Garang Agreement 1988. All governments in that time did not give women any opportunity to contribute in peace dialogue.

The participation of women in peace dialogues appeared for the first time under the recent government in the Peace Conference of 1989.¹²⁶ Agnes Lokudo¹²⁷ was the first woman who contributed in the IGAD peace dialogue in Nairobi in May 1993 and in March 1994. The first woman from SPLA who participated in IGAD peace dialogue was Alokair Malwal.¹²⁸ This development is very significant. It shows that women's role as peacemakers is being utilized not only by the Government but also by the rebel groups. As a form of behavior, peace should take root in the spirit of every citizen while still very young. As such, women have a central role to play in educating young children to observe peace and respect human rights. Women also play a key role in issues that pertain to reconciliation since they are

¹²⁵ Hamilton (n 119 above).

¹²⁶ National Information Center, Women and Peace in Sudan <<http://www.sudanow.net/arabic/society/womanindex.htm>> {accessed on 23-09-2001}.

¹²⁷ Ex governor of Bahr el-Gabal State, now she is an Ambassador in Ministry of External Relations.

¹²⁸ National Information Center (n 126 above).

usually willingly to forget the past and work towards rebuilding social relations. However these women require a lot of support and encouragement in their roles as heads of households, public representatives and agents of construction and as peace builders.¹²⁹

¹²⁹ Hamilton (n 119 above).

CHAPTER FIVE

CONCLUSION AND RECOMMENDATIONS

5.1 CONCLUSION

This research concentrated on the abuses committed against abducted women and children in conflict areas in Sudan. The militia tribes who are responsible for the abduction are a highly organized force that has so far outmaneuvered the efforts of the CEAWC to bring the abduction of women and children to an end within a short time. CEAWC's effort to eradicate the abduction of women and children are clear. It has succeeded to some extent in tracing, documentation and reunification of many abductees in spite of the problem of funding. The ASI and CSI, who led the allegation of slavery in Sudan, now believe that the problem is one of abduction and not slavery.

The success of the militia tribes in abduction of women and children has been achieved through the use of light weapons, which are readily available to all. The abductors have committed some of the worst atrocities not only to the abductees but also to the relatives of those maimed or killed. The GOS and the SPLA can put an end to the human rights abuses against women and children by publicly observing and respecting the international human rights instruments, regional and national laws. Although human rights are guaranteed by international, regional, and national laws, the situation of women and children is still pathetic in conflict areas. The abduction of women and children means the loss of families and societies.¹³⁰ One can argue that much as there exists a variety of legislations concerned with the protection of women and children they well intentioned provisions cannot be useful if they are not properly implemented. CEAWC has succeeded, during its first year, to carry out part of its mandate but it has not achieved all the required results due to insufficient funds. There are hundreds of cases documented by CEAWC which require funding in order to achieve any result.

The impact of armed conflict on women and children must be addressed over and over again until it comes to an end. From psychosomatic trauma to physical battering, armed conflict is destroying the lives of women and children. It is a shame to see women and children considered by society as "weak creatures" when in reality it is they who bear the burdens caused by the armed conflicts.

¹³⁰ Ritu Menon (1998) Asian centre for Women's Human Rights/ 301 301.

5.2 RECOMMENDATIONS

To end the violation of human rights abuses against women and children in conflict areas in Sudan, there is need for active involvement of all parties concerned namely; the SPLA, GOS, Sudan Civil Society, NGOs, INGOs and the UN special agencies. The first stage is to acknowledge the scale of the problem. The second is for all concerned parties to develop the will to take the difficult political steps required to prevent further human rights abuses against the continued plight of many women and children.

5.2.1 To the SPLA

1. End all forcible abduction of children and release all children currently held as captives or child soldiers.
2. Put a stop to rape, sexual abuses and other forms of torture or ill treatment.
3. Stop planting land mines around Bahr el-Ghazal and Bahr el-Arab.
4. Develop a program to end abduction of women and children.
5. Disarm and disband all armed groups operating in SPLA territory, which are not directly part of the SPLA or subjected to SPLA discipline.
6. Respect international humanitarian law and protect civilians.
7. Carry out direct dialogue between the SPLA and GOS to end the war.

5.2.2 To the GOS

1. The GOS should facilitate the work of CEAWC in order to ensure that the thousands of people who have been abducted are released and reunified with their families as a matter of urgency.
2. The GOS should initiate dialogue with the SPLA with a view of ensuring a peaceful settlement of the disputes that have arisen.
3. The GOS should publish details about the number of freed abductees and the penalties imposed on perpetrators of abductions.
4. The GOS should be asked to publish information about the action it has taken to stop attacks on civilians and prevent new abductions taking place.
5. The GOS should ensure that the CEAWC has sufficient resources to open investigatory offices in conflict areas to enable it to implement the various laws that are being violated by the parties involved.
6. By facilitating the expansion of community oriented psycho- social services, the GOS will have helped the ever increasing number of psychologically traumatized former abducted women and children to lead normal lives again.
7. A Truth Commission should be established to have evidence of human rights abuses by all parties since 1988 so as to identify the perpetrators of the crimes committed and to bring them to justice.

8. The GOS must ratify all the relevant international human rights instruments such as CEDAW, CAT and Ottawa Mines Treaty.
9. The GOS must punish all armed persons whether under responsible command or not, who engage in attacks on civilians.
10. The GOS must enforce criminal laws against abduction, kidnapping, forced labour and all women and children abuses.
11. The GOS must disarm and disband all militias.

5.2.3 To Civil Society

Civil Society can monitor the Sudan Government's progress in fulfilling its international obligations to protect women and children in conflict areas by making national campaigns and public out cries against the injustices suffered by women and children in conflict areas. The local community in the rural areas should be sensitised about their rights and effects of the law, to enable them to understand what procedure to take in order to maintain their peace, security and human dignity.

5.2.4 To the International Community

1. Member states of the UN, AU, Arab League and the human rights structures created by those bodies should be concerned about the civil war in the Sudan and its consequences.
2. An investigation in conflict areas should be established on the impact of war on the human rights of women and children and the progress of the GOS in implementing in practice its positive obligations under international human rights instruments.
3. To call on donor governments to support initiatives to resolve conflict and rehabilitate the conflict areas so as to place emphasis on establishing respect for human rights and confronting the legacy of human rights abuses by all parties.
4. Donors expand their funding to CEAWC as requested by the Resolution of the UNCHR on the Situation of Human Rights in the Sudan of April 2000, in particular, the root causes project.
5. Protection of civilians against mines in Bahr el-Ghazal and Bahr el-Arab areas.
6. The fund by donors (for reunification) must be availed quickly, priority should be given to programs related to the reunification of all abducted documented by CEAWC before the information in the forms becomes out of date.

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ANNEXES

ANNEX NO.1

The Eradication of Abduction of Women And Children Order, 1999

In exercise of the powers conferred upon him by the Republican Decree 97/1994, the Ministry of Justice Act of 1983 and the Code of Criminal Procedures Act of 1991, the Minister of Justice and Attorney General, Being the Chairman of the Advisory Council for Human Rights, hereby makes the following Order: -

Title and Coming into Force

1. This Order shall be cited as “The Eradication of Abduction of Women and Children Order, 1999,” and shall come into force as of the date of signature.

Establishment of the Committee for the Eradication of Abduction of Women and Children

2. (1) There shall be established a Committee called. “ The Committee for the Eradication of Abduction of Women and Children- CEAWC.”
- (2) The composition of CEAWC shall be as follows: -
 - a-The Rapporteur of the Advisory Council for Human Rights- Chairman.
 - b- A representative of the Public Prosecutor-member.
 - c- A representative of the Ministry of Internal Affairs- member.
 - d- A representative of Armed Forces- member.
 - e- A Representative of the Internal Security- member.
 - f- A Representative of the Human Rights and Public Duties Committee of the National Assembly- member.
 - g- A Representative of the Bar Association- member.
 - h- Ali Ahmed Al Nasri- member.
 - i-A representative of the Women’s Union-member.
 - J- Omda/ James Agware and other concerned tribal leaders-members.
 - k- A representative of the National Council for Child Welfare-member.
 - l- A representative of the External Security- member.

Mandate of CEAWC

3. The mandate of CEAWC shall be as follows: -
 - (1) To facilitate the safe return of affected women and children to their families as a matter of priority by giving full support (whether financially, administratively or otherwise) to the efforts of the tribal leaders concerned.
 - (2) To investigate reports of the abduction of women and children, and to bring to trial any persons suspected of supporting or participating in such activities.
 - (3) To investigate into the causes of the abduction of women and children subjected to forced labour or similar conditions and recommend ways and means to obtain the eradication of this practice.

Powers of CEAWC

4. CEAWC shall have all the powers of the Minister of Justice and Attorney General under the Criminal Procedure Act of 1991, the Ministry of Justice Act of 1983 and the Republican Decree 97/1994 in connection with abduction of women and children, in particular the powers to arrest, investigate, search and bring cases of criminal relevance to trial.

Liaison Officers of CEAWC in the States

5. In each of the States of North Bahr el- Ghzal, West Bahr el- Ghzal, South Darfur, West Darfur, North Darfur, South Kordofan, West Kordofan and North Kordofan, CEAWC shall have as its Liaison Officers the chief Prosecutor, the chief of the Police, the chief of the Armed forces, the chief of the Internal Security and the Director of the office of the Wali.

Finance

1. (1) The Government shall provide the necessary financial resources for CEAWC.
(2) CEAWC may accept national and international donations.
(3) The financial accounts of CEAWC shall be properly kept by the Administration of Finance of the Ministry of Justice and its internal auditing unit.

Head Office

2. CEAWC shall have its head office in the Ministry of Justice, and shall use the office facilities and the secretariat of the Advisory Council for Human Rights.

Interaction with the International Community

3. CEAWC shall consult, cooperate and coordinate with the international community in carrying out its mandate.

Made under my hand this-----day of May 1999.

Ali M. O. Yassin
Minister of Justice and Attorney General
Chairman of the Advisory Council for
Human Rights

ANNEX NO.2

The following schedule shows the total number of traced, identified, documented and reunified cases as at July 1999- July 2000:¹

S.N.	Field mission	Place	Documented	Reunified
1.	CEAWC first field mission	South Darfur	229	
2.	CEAWC second field mission	El Fulla	100	
3.	CEAWC third and fourth field missions	West Kordofan	201	
4.	CEAWC fifth field mission	Adeela	200	
5.	CEAWC sixth field mission	El Daein	3000	
6.	CEAWC seventh field mission	Nyala	200	
	Total		1230	353

¹ Ahmed El Mufti (2000) 28.

BIBLIOGRAPHY

BOOKS

Baden, Sally (1997) "Post-Conflict Mozambique: Women's Special Situation, Population Issues and Gender Perspectives to be Integrated into Skills and Employment Promotion," International Labour Office- Geneva- first published 1997 August.

El Mufti, Ahmed -CEAWC Chairman July (2000). "Human Rights of Women and Children in the Sudan- Chronology of Activities of the Committee for the Eradication of Abduction of Women and Children (CEAWC) May 1999-July 2000". Khartoum- Sudan.

Kataike, Noel B. (May 1999) A study of the Manipulation and Abduction of the Child into the Child Soldier during Armed Conflicts in Northern Uganda, Gulu District: Makerere University, Kampala, LL.B Dissertation.

Raoul Wallenberg Institute of Human Rights and Humanitarian Law (1998). Universal Declaration for Human Rights 50th Anniversary in 1998: Un Human Rights Fact Sheet No. 1-25,6th ed.

CHAPTERS FROM BOOKS

Menon, Ritu " Borders and Bodies: Recovering Women in the National Interest" in Indai Lourdes Sajor (ed) (1998) Common Grounds, Violence Against Women in War and Armed Conflict Situations, published by Asian Center for Women's Human Rights (ASCENT). Philippines.

Mukwayanzo, Anne-Marie "The Impact of the War on Women and Children" in Denis Kadima and Claude Kabemba (eds) (2000) Whither Regional Peace and Security? The Democratic Republic of Congo after the War: first published in November 2000 by Africa Institute of South Africa. Pretoria- South Africa.

Radhika, Coomaraswamy " Message from the UN Special Rapporteur on Violence against Women" in Indai Lourdes Sajor (ed) (1998) Common Grounds, Violence Against Women in War and Armed Conflict Situations, published by Asian Center for Women's Human Rights (ASCENT). Philippines.

ARTICLES

Adar, Korwa, G. "Conflict Resolution in a Turbulent Region: The Case of Inter- Governmental Authority on Development (IGAD) in Sudan" (2000) Africa Journal on Conflict Resolution Volume 1 Number 2, published by the African Centre for the Constructive Resolution of Disputes (ACCORD) Durban- South Africa / 39.

Tindifa, Samuel B “ International Humanitarian and Human Rights law and the Protection of Minorities and Indigenous Children in Armed Conflict” (2001) Makerere Law Journal. Paper presented at an International Workshop on Impact of Armed Conflict on Minority and indigenous Children in the Great Lakes and Horn of Africa Region. Published by the Makerere Law Society- Faculty of Law- Makerere University / 53.

REPORTS

African Women’s report 1998, by United Nations- Economic Commission for Africa, Addis Ababa- Ethiopia.

Anti-Slavery International,(2000) London. Report on “ Information on Sudan Compliance with ILO Convention No. 29 on Forced Labour (ratified in 1957).”

Human Rights Watch (1998). Report on “Famine in Sudan, the Human Rights Causes,” printed in the United States of America by Human Rights Watch February 1999.

Reports on the Human Rights Committee, 37 U.N. GAOR Supp. (no. 40) Annex V, general comment 7 (16), paragraph 1 (1982) U. N. Dock A/37/40 (1982).

Sudan Foundation, (1997). Human Rights File Number 2. The McNair Report on “ Slavery and Slavery-like Practices in Sudan.” Published by Sudan Foundation. London-United Kingdom.

UNICEF/ World Vision June 1997. Report on “ Shattered Innocence- Testimonies of Children in Northern Uganda”.

UNICEF (1997) Report on “ The State of the World Children,” UNICEF at a Glance. For their Future, New York.

WEBSITES

Abiodun Onadipe and David Lord, African Conflict and the Media< <http://www.c-r.org/occ-papers/occ-af-conf.htm>> {accessed on 18-10-2001}.

Amman Conference on the Use of Children as Soldiers –Jordan April 2001<http://www.hrw.org/campaigns/crp/amman_declaration.htm> {accessed on 9-08-2001}.

Former SPLA Child Soldiers returned Home<<http://www.sudan.net/news/posted/3320.html>> {accessed on 31-08-2001}.

Hamilton, Heather B., Rwanda's Women: The Key to Reconstruction<<http://www.jha.ac/greatlakes/b001.htm>> {accessed on 01-11-2001}.

Human Rights Watch, (1998). Report on "Famine in Sudan"
<<http://www.hrw.org/reports/1999/sudan/SUDAWEB2-13.htm>> {accessed on 27-08-2001}.

Human Rights Watch (1998) "Famine in Sudan." <<http://www.hrw.org/reports/1999/sudan/SUDAWEB2-02.htm>> {accessed on 27-08-2001}.

Human Rights Watch "Stop the use of Child Soldiers
(2001)"<<http://www.hrw.org/campaigns/crp/index.htm>> {accessed on 09-08-2001}.

Human Rights Watch World Report 2001. "Sudan, Human Rights Development."
<<http://www.hrw.org/wr2k1/africa/sudan.htm1>> {accessed on 10-08-2001}.

National Information Center, Women and Peace in
Sudan<<http://www.sudanow.net/arabic/society/womanindex.htm>> {accessed on 23-09-2001}.

Oral Statement on the Human Rights Situation in the Sudan by the Special Rapporteur on the Situation of
Human Rights in the Sudan, Mr. Gerhart R. Baum, at the 57th session of the Commission on Human Rights 29
March 2001 <<http://www.unhchr.ch/hurricane.../072FE7F713DE0FC1256A29002A3757?opendocument>>
{accessed on 10-08-2001}.

Sudan: Contents and Link Navigator Bar <<http://www.sudan.net/contents.shtml>> {accessed on 15-10-2001}.

Sudan Foundation, (1999). Peace File Number 15. An occasional paper published by the Sudan Foundation
London- United Kingdom. "The International community, the Sudanese Civil War, the Sudan People's
Liberation Army and the future of Sudan." <<http://www.sufo.demon.co.uk/pax015.htm>> {accessed 28-08-2001}

Sudan Foundation, (1998). Human Rights File Number 1. An occasional paper published by the Sudan
Foundation London- United Kingdom. "Where are the Children? John Garang, the SPLA and Sudan's Missing
Children". <<http://www.sufo.demon.co.uk/human001.htm>> {accessed on 28-08-2001}.

Sudan Foundation April 1998. Report on “Sudan’s Missing Children” Human Rights File Number 3. An Open Letter to Mrs. Mary Robinson, UN Commissioner for Human Rights published as an occasional paper by the Sudan Foundation, London- United Kingdom <<http://www.sufo.demon.co.uk/human003.htm>>{Accessed on 28-08-2001}.

Sudan Foundation, (1998). Human Rights File Number 4. An Open Letter to Mrs. Hillary Clinton published by Sudan Foundation London-United Kingdom “Sudan’s Missing Children” <<http://www.sufo.demon.co.uk/human004.htm>> {accessed on 28-08-2001}.

48 Ugandan Rebels’ captives Return Home<<http://sudan.net/news/posted/3203.htm1>> {accessed on 31-08-2001}.

CEAWC PRESS RELEASES

CEAWC Press Releases. An updating of CEAWC activities, prepared by Dr. Ahmed El Mufti, the Chairman of CEAWC, who is also the Rapporteur of the Advisory Council for Human Rights (here in after referred to as ACHR) in Khartoum- Sudan.

Press Release No. (1) 11 July 1999.

Press Release No. (2) 15 July 1999.

Press Release No. (3) 16 August 1999.

Press Release No. (4) January 2000.

Press Release No. (6) January 2000.

Press Release No. (9) February 2000.

Press Release No. (11) February 2000.

Press Release No. (12) June 2000.

Press Release No. (13) August 2000.

Press Release No. (14) September 2000.

Press Release No. (15) October 2000.

