

International Humanitarian and Human Rights Law Issues

Forced to abandonment of livelihood of cultivating land, keeping crops and livestock The GOS attacks on civilians and civilian areas have forced people to flee these areas. In fleeing these civilians have been forced to abandon their livelihood of keeping crops and tending livestock. GOS forces and militia have often stolen livestock and destroyed crops. Even if these civilians are able to return to their village after the hostilities have ceased, the crops are often destroyed or ruined from lack of attention and the livestock is gone. The general climate of insecurity created by the attacks often prohibits these civilians from planting more crops.	Article 6 ICESCR "The States Parties to the present Covenant recognize the right to work, which includes the right everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right."	⇒ Inasmuch as the GOS attacks are aimed at forcefully displacing the civilians, such attacks also force these persons to abandon against their will their traditional form of livelihood. These attacks, therefore, also violate the right of these persons to make their living as they have chosen to do. These attacks are also contrary to the obligation incumbent on the GOS to "take appropriate steps to safeguard this right."
Denial of access to humanitarian/medical assistance The GOS have denied and continue to deny flight access in certain areas of the WUN to WPF and other NGOs who provide food assistance to IDPs inside Southern Sudan. In particular access is currently denied in the areas of Ruweng	Customary International Law and Art. 14 Protocol II (see above) prohibit starvation of civilians as a method of warfare.	⇒ International humanitarian law recognizes the right to humanitarian access. Frequent GOS flight bans to areas where displaced persons are concentrated may constitute a violation of the right of those civilians to humanitarian access. ⇒ In addition, these flight bans mean that humanitarian organisations have no ability to provide food and other assistance to the population of IDPs. As a result many of these IDPs have no means of subsistence. This is tantamount to using hunger as a weapon and violates the customary international law rule (noted above) which prohibits the use of starvation as a method of warfare.