

International Humanitarian and Human Rights Law Issues

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| | <p>has not offered himself voluntarily</p> <p>Art. 1 FLC requires each party to the convention to suppress the use of forced or compulsory labour in all its forms in the shortest possible period.</p> <p>Article 1 of the Abolition of Forced Labour Convention requires each party to "suppress and not to make use of any form of forced or compulsory labour" inter alia "as a means of racial, social, national, or religious discrimination."</p> <p>Art. 23(3) ICCPR</p> <p>No marriage shall be entered into without the free and full consent of the intending spouses</p> | <p>otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, thereby placing such persons outside the protection of the law."</p> |
| <p>Abductions and Exploitation of Children</p> <p>(see above)</p> <p>Conscription of Children into Armed Forces and Militia</p> <p>Some children who are abducted by the militias allied with the GOS are forcibly conscripted into their military forces or used to participate actively in hostilities.</p> | <p>Article 8 of the Convention on the Rights of the Child ("CRC")</p> <p>(1) "States Parties undertake to respect the child's right to maintain his or her identity, including ... family relations as recognized by law without unlawful interference.</p> <p>(2) Where the child is illegally deprived of some or all the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity."</p> <p>Art. 19(1) CRC requires parties to:</p> <p>"to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment, or exploitation, including sexual abuse, while in the care of the parent(s) ... or any"</p> | <p>⇒ The international customary and conventional law rules relating to slavery and forced labour set out above are applicable to the abduction and exploitation of children.</p> <p>⇒ In addition to the violations set out above, the abduction and exploitation, sexual abuse of children by the militia "employed" by the GOS, is contrary to the provisions of the CRC.</p> <p>⇒ As stated above although the GOS has set up CEAWAC, it continues to "employ" militia both to guard the GOS train and as part of the GOS forces and thus to facilitate and condone their practice of abducting women and children. Thus the GOS is also in violation of its duties under the CRC to take positive steps to</p> <ul style="list-style-type: none"> take all appropriate legislative, administrative and social measures to protect the child from all forms of physical or mental violence, maltreatment, exploitation including sexual abuse; |