



**General Assembly**

Distr.  
GENERAL

A/HRC/4/72

13 March 2007  
Original: ENGLISH

---

HUMAN RIGHTS COUNCIL  
Fourth session  
Item 2 of the provisional agenda

**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251  
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”  
RIGHTS OF THE CHILD**

**Report of the United Nations High Commissioner for Human Rights  
on the abduction of children in Africa \***

---

\* The present document was submitted late so as to include the most up-to-date information possible. As such, it has not been edited, except for paragraph numbering and table of contents. This document, including annexes, is reproduced as received.

### Summary

This report is submitted in accordance with paragraph 14 of Commission on Human Rights resolution 2005/43. In that resolution the Commission requests the Office of the United Nations High Commissioner for Human Rights (OHCHR) - working with Member States, the International Labour Organization, the United Nations Children's Fund and other relevant United Nations agencies, international organizations and non-governmental organizations - to undertake a comprehensive assessment of the situation of the abduction of children in Africa.

The resolution urges States to submit information, progress reports and observations on the implementation of the present resolution and requests those States that have established mechanisms to combat the abduction of children to report on their progress to the Office of the High Commissioner. The resolution also requests relevant international organizations to submit reports on this issue. Accordingly, the Office of the High Commissioner for Human Rights sent notes verbales to Member States on 12 September 2005 requesting information, progress reports and observations. OHCHR also requested input from relevant international organizations. At the time of drafting this report, OHCHR has received input from five States.

This report compiles information from the States' responses and presents an overview of information received from relevant international organizations particularly the International Labour Organization, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the Office of the Special Representative of the Secretary-General for children and armed conflict as well as information from the Representative of the Secretary-General on human rights of internally displaced persons, and the Special Rapporteur on the sale of children, child prostitution and child pornography.

The report recommends that **in order to optimize the impact of the work being done on the issue of abduction of children, special attention should be given to the need to avoid duplication and to harmonize the work of the different United Nations mechanisms working on that matter.**

**CONTENTS**

	<i>Paragraphs</i>	<i>Page</i>
Introduction .....	1 - 5	4
I. CONSULTATIONS AND APPROACH .....	6 - 12	4
II. ACTIONS UNDERTAKEN BY THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS .....	13 - 16	5
III. INFORMATION PROVIDED BY MEMBER STATES .....	17 - 31	6
IV. INFORMATION PROVIDED BY THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR CHILDREN AND ARMED CONFLICT .....	32 - 36	9
V. INFORMATION PROVIDED BY THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES .....	37 - 40	10
VI. DESK REVIEW .....	41 - 52	11
VII. CONCLUSIONS AND RECOMMENDATION .....	53 - 55	15

## **Introduction**

1. The Human Rights Council, by decision 2/102 of 6 October 2006, requested the High Commissioner for Human Rights to “continue with the fulfillment of her activities, in accordance with all previous decisions adopted by the Commission on Human Rights and to update the relevant reports and studies”. On the current issue of abduction of children in Africa, a comprehensive annual report (E/CN.4/2006/65) was submitted to the 62nd session of the Commission on Human Rights pursuant to Commission resolution 2005/43. The information in the report remains relevant. The Office of the High Commissioner for Human Rights understands decision 2/102 to preserve the previous annual reporting cycle in respect of this issue until otherwise decided by the Council. The current report to the Human Rights Council accordingly addresses developments in respect of abduction of children in Africa over the last year.”

2. Paragraph 14 of resolution 2005/43 requests the Office of the United Nations High Commissioner for Human Rights (OHCHR) - working with Member States, the International Labour Organization, the United Nations Children’s Fund and other relevant United Nations agencies, international organizations and non-governmental organizations - to undertake a comprehensive assessment of the situation of the abduction of children in Africa.

3. Paragraphs 15 and 16 of the resolution urge States to submit information, progress reports and observations on the resolution’s implementation and also urges those States that have established mechanisms to combat the abduction of children to report on their progress to the Office of the High Commissioner. The resolution also requests that relevant international organizations submit reports on this issue.

4. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has received information from five Member States - Japan, Lebanon, Mauritius, Senegal and Venezuela - in response to the note verbale sent on 12 September 2005.

5. The report compiles information received from these five Member States and from the International Labour Office (ILO), the United Nations Children’s Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Office of the Special Representative of the Secretary-General for children and armed conflict (SRSG/CAAC), the Representative of the Secretary-General on human rights of internally displaced persons, and the Special Rapporteur on the sale of children, child prostitution and child pornography.

## **I. CONSULTATIONS AND APPROACH**

6. Abduction violates many of the rights protected both by international humanitarian law and international human rights law; in particular those stated in major human rights instruments such as the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, to which all African States are parties, except Somalia; as well as its optional protocol on the involvement of children in armed conflicts and the optional protocol on the sale of children, child prostitution and child pornography.<sup>1</sup> The rights violated include, inter alia, the rights to life, to freedom from torture or other cruel, inhumane and degrading treatment or punishment, liberty, to an adequate standard of living, health, and the right to be protected from economic and social exploitation.

7. In compliance with the request of the Commission, OHCHR convened three inter-agency meetings with representatives from ILO, UNICEF and UNHCR, in June, September and October 2005, in order to determine how to proceed with a comprehensive assessment. On one occasion, the meeting also included an NGO representative. OHCHR met separately with representatives of NGOs, led by World Vision International, who were interested in participating in, and donating funds for, the implementation of the resolution. These meetings sought to determine the nature and timing of their involvement.

8. The inter-agency consultations addressed the definition of abduction to be used, the methodology to be applied, the division of responsibilities and the time lines for implementation.

9. On the question of the definition of abduction, the group acknowledged that there is significant ambiguity, as there is no applicable definition in international law. Moreover, the language in the resolution is indicative rather than definitive. The group also recognized the considerable overlap between abduction and other phenomena, such as trafficking, but identified one distinction in that abduction refers to a particular act, while trafficking refers more to processes, of which abduction may constitute one element.

10. The group furthermore acknowledged that the drafting of a definition is within neither its mandate nor its area of competence. It was thus decided to adopt a working definition, drawing partially from (a) the definition of abduction included in the draft common terminology for the monitoring and reporting system on children and armed conflict being considered by the steering committee of the Task Force on Children and Armed Conflict, and (b) the references to “end-uses” contained in the resolution.

11. As such, the group proposed the following working definition: “Abduction is the removal, seizure, apprehension, taking, taking custody, detention or capture of a child (under 18 years) temporarily or permanently by force, threat or deception for involvement in armed forces or armed groups, for participation in hostilities, for sexual exploitation and forced labour”.

12. On the question of methodology, the inter-agency group agreed to conduct a desk review, referring to NGO pilot studies, to achieve an understanding of the nature and extent of the phenomenon of abduction. The desk review would cover all relevant information at the disposal of the respective agencies, including existing publications and information from the field. The inter-agency group decided that the desk review would constitute the core of the report to the sixty-second session of the Commission.

## **II. ACTIONS UNDERTAKEN BY THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS**

13. On 12 September, OHCHR issued a note verbale to all States, drawing attention to paragraphs 15 and 16 of the resolution and requesting information on the implementation of the resolution.

14. Also on 12 September, OHCHR sent letters to the following organizations, drawing attention to paragraph 15 of the resolution and requesting the submission of relevant reports: the United Nations Development Programme, the Office of the Special Representative of the Secretary-General for children and armed conflict, the United Nations Children's Fund, the International Labour Organization and Office of the United Nations High Commissioner for Refugees.

15. In November 2005, OHCHR circulated a questionnaire to UN and NGO representatives in African countries. The questionnaire was aimed at eliciting an overview as to the nature and extent of abduction of children in each country. The responses to this questionnaire were evaluated in February 2006.

16. Four UN agency offices and eight NGOs from ten countries, responded to the questionnaires. For the respective countries, the survey identified purposes for which children are, or have in the past been, abducted, locations where abductions take place, the identity of abductors, their methods of abduction, conditions of children's captivity, existing national legislation, as well as state programmes and services by other actors to prevent abduction and enforce legislation.

### III. INFORMATION PROVIDED BY MEMBER STATES

17. In a letter dated 12 October 2005, the Government of **Lebanon** provided information on its legal framework and provisions relating to abduction of children. It noted that the Criminal Code does not address the issue of abduction of children per se, but does address the issue of children deported illegally. The law states that a person abducting or hiding a child less than 7 years old, or exchanging or illegally handing a child over to the child's father, is liable for imprisonment for a period not less than five years. Article 495 of the Criminal Code states that a person abducting a child under 18 years, even with consent, can be imprisoned for six months to three years; if the child is under 12 years of age, the penalty would be stricter, including hard labour. The letter further notes that Lebanon has ratified the Optional Protocol on the sale of children, child prostitution and child pornography of the Convention on the Rights of the Child, and has entered into agreements on child deportation with France and Canada. The Higher Council for Childhood has made efforts to gather relevant actors to analyse the issues and monitor cases, with a view to proposing mechanisms to protect children pre-emptively and to return abducted children to their parents.

18. In a letter dated 27 October 2005, the Government of **Japan** provided "responses to the Commission on Human Rights resolution 2005/43 of 19 April 2005 entitled 'Abduction of children in Africa', particularly to its paragraph 10 which requests States to provide African States and African regional mechanisms with the necessary assistance, including technical assistance, in order to devise appropriate programmes to combat abduction of children and to protect refugee and internally displaced children in Africa who are exposed to the risk of being abducted, and to develop and implement programmes for the reintegration of children in the peace process and in the post-conflict recovery and reconstruction phase". The letter noted the following:

- As of October 5, 2005, the Government of Japan had disbursed US\$ 52.78 million to UNHCR for the purposes of supporting refugees, internally displaced persons and other persons of concern to UNHCR in 2005;

- In October 2005, the Government of Japan disbursed about US\$ 4.6 million to the International Organization for Migration (IOM) for the purpose of supporting sustainable return of internally displaced persons in the Sudan;
- As of October 2005, the Government of Japan had disbursed about US\$ 2.5 million to the International Committee of the Red Cross (ICRC) for the purpose of supporting ICRC humanitarian assistance activities, such as protection and assistance to populations affected by conflicts in 2005;
- In March 2005, the Government of Japan disbursed about US\$ 15 million to UNICEF for emergency humanitarian assistance in Uganda, Sierra Leone and Rwanda for the provision of safe settlement for conflict-affected children, including refugee and internally displaced children.

19. In a letter dated 11 November 2005, the Government of **Morocco** noted that it had ratified the following Conventions:

- The Convention on the Rights of the Child and its two Optional Protocols, on the involvement of children in armed conflict, and on the sale of children, child prostitution and child pornography;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- The fourth Geneva Convention of 12 August 1949 relative to the protection of civilian persons in time of war; and
- The Convention for the Suppression of the Traffic in Persons and of the Exploitation and the Prostitution of Others and its Optional Protocol.

20. The Government of Morocco noted that it was working on the adequacy of legislation pursuant to its international obligations, especially with regard to trafficking, child sex abuse and pornography. The Parliament was considering the adoption of a draft amendment to the Criminal Code concerning the abolition of torture. Moroccan law No. 4-99, with regard to military service, stipulated, in its article 5, that the minimum age for joining these services is 20, and children should not be accepted. The Government also raised the subject of children abducted at the Tindouf camps, Algeria, with their families.

21. In a letter dated 16 November 2005, the High Commissioner for Human Rights and the Promotion of Peace of **Senegal** noted that sub-Saharan Africa - where nearly 40 per cent of the world's children who are not attending school reside - had specific concerns about international trafficking in children, children in armed conflict, questions related to infancy and commercial exploitation of children. It explained that child victims of international trafficking were often exploited through work in mines, agriculture or construction, although in Senegal the use of children for begging is the form of exploitation that requires the greatest attention.

22. The letter emphasized that trafficking and exploitation of children was not encouraged by any of the States, notably the members of the Economic Community of West African States (ECOWAS). Rather, certain individuals abuse the tradition of the extended African family to exploit child labour. At the community level, the ECOWAS plan of action against trafficking has allowed the establishment of cooperation frameworks to coordinate actions and undertake joint programmes. Joint initiatives among States of origin and of destination have led to the

arrest of traffickers and allowed a number of children to return home. In 2004, Senegal and Mali adopted a cooperation agreement to address human trafficking.

23. The letter notes that Senegal traditionally had paid special attention to the protection of children and had signed and ratified the most important international conventions on human rights and the protection of vulnerable populations. On 29 April of this year, Senegal adopted a law amending the penal code, which already addressed the abduction of vulnerable persons. The new law establishes and defines certain crimes including the offence of trafficking in persons and the offence of exploiting the begging of another. The law further provides victims with social and legal assistance and protection, such as a project to combat the worst forms of child labour, which has been implemented throughout the country with the objective of preventing and reducing the exploitation of children.

24. On the subject of children in armed conflict, the Government of Senegal had arranged for a massive return of displaced persons, following the peace accords concerning the region of Casamance. The Government also has undertaken a vast reconstruction programme to facilitate the social reintegration of children.

25. In the letter it was further observed that the favourable environment necessary to implement Senegal's undertakings in regional and universal conventions had been made possible by the engagement of the Government as well as civil society and the press. In his message to the nation in April 2005, the President of the Republic condemned all forms of economic exploitation of the child.

26. In a letter dated 2 December 2005, the Government of the **Republic of Venezuela** provided an overview of its legal regime governing the protection of children. The letter describes the 2000 Law for the Protection of Children and Adolescents (LOPNA) as unprecedented in its recognition of children as individuals and citizens with rights. Previously the law was based in the notion of the child as *menor*, reflecting a symbolic and legal handicap. To the contrary, the new law is based in respect for the development of the individual. Among other things, LOPNA guarantees the right of personal integrity, which establishes the equal responsibility of the State, the family and the community for the protection of children.

27. Article 32 of LOPNA defines the right of personal integrity as including physical, psychological and moral components. It requires the State, the family and the community to protect children from any form of exploitation, maltreatment, torture, abuse or neglect that affects personal integrity. It also requires the State to provide assistance to children who have been injured by an attack on their personal integrity.

28. The Government of Venezuela observes that proper identification of the individual is essential in the fight against abduction and trafficking of children. In this regard, LOPNA confirms the right to a name and a nationality, the right to be registered at birth and the right to documents of identification. The law contains several important provisions protecting the rights to know one's parents, the right to be raised in a family, and the right to maintain a relationship and contact with one's parents.

29. With these provisions, Venezuela notes that it has established a legislative mechanism to prevent the separation of children from their families and to close any loopholes that would allow crimes infringing the rights of the child. The letter indicates an exemplary list of crimes contained in LOPNA that reflect how the abduction of children is related to a variety of prejudicial and illicit ends. Thus, for example, the law addresses illegal transport and accommodation of children, sexual exploitation and abuse, child pornography, child labour, trafficking and illegal deprivation of liberty.

30. The National Council on the Rights of the Child has also undertaken initiatives to prevent trafficking in children. These include the adoption and implementation of regulations governing the domestic and international travel of children and rules on domestic and international adoption.

31. In a letter dated 12 December 2005, **Mauritius** indicated that it had acceded to the Hague Convention on the Civil Aspects of International Child Abduction, which provides for cooperation among contracting States for the return of children wrongly removed or retained. The Child Development Unit of the Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection, which is responsible for implementing the provisions of the convention, presently is prosecuting 22 cases of child abduction.

#### **IV. INFORMATION PROVIDED BY THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR CHILDREN AND ARMED CONFLICT**

32. In a memorandum dated 1 November 2005, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict provided the information that follows: the Office of the Special Representative advocated for the adoption of Security Council resolution 1612 (2005) on children and armed conflict, which endorsed the monitoring and reporting mechanism (MRM) proposed by the Secretary-General in his 2005 report to the Security Council and the General Assembly on children and armed conflict (A/59/695-S/2005/72). The Security Council requested that the Secretary-General implement the monitoring and reporting mechanism initially in countries listed in annex I of the report (Burundi, Côte d'Ivoire, the Democratic Republic of the Congo, Somalia and the Sudan). The MRM will focus on six grave violations against the rights of war-affected children, including abduction. The purpose of the MRM is to provide "timely, objective, accurate, and reliable information" on such grave violations relevant to compliance and decision-making by national governments, regional organizations, the Commission on Human Rights and other United Nations entities.

33. Resolution 1612 (2005) also creates a Security Council Working Group on Children and Armed Conflict to review monitoring reports and recommend concrete and targeted measures against violators. Under France's leadership, the Working Group met for the first time in November 2005 to discuss the implementation of the MRM. The Working Group will also ensure that the Security Council reviews progress made in protecting children exposed to armed conflict and addresses measures to be taken against repeat offenders.

34. Developments with regard to the activities of the Security Council Working Group since November 2005 include the following: The Working Group has held 6 meetings and is expected

to meet until the end of the year to consider the country reports of Nepal and Sri Lanka. The Secretary-General has submitted to the Working Group the first country-specific report on children and armed conflict in the Democratic Republic of the Congo (S/2006/389). In September 2006, the Working Group issued recommendations to the Security Council on the basis of the report of the Secretary-General, and it also considered the report of the Secretary-General on children and armed conflict in the Sudan (S/2006/662). The situations of Burundi and Côte d'Ivoire were considered during the Working Group's meeting in November. In addition to these country-specific reports of the Secretary-General, the United Nations Secretariat also submits for consideration of the Working Group at its bimonthly meetings a horizontal reporting note that highlights relevant development in all situations of concern for children. The horizontal reporting note represents a vital tool to flag critical emerging situations and update developments in other situations of concern.

35. As part of the implementation process, the Office of the Special Representative convened the Task Force on Children and Armed Conflict to brief the group on Security Council resolution 1612 (2005) and to agree on the steps necessary for the implementation of the MRM. The Steering Committee on Monitoring and Reporting, co-chaired by the Office of the Special Representative and UNICEF, met to discuss briefing notes to the field on the interpretation of Security Council resolution 1612 (2005) and the implementation of the MRM. These documents were sent to the United Nations Country teams, UNICEF representatives, OHCHR field offices and Special Representatives of the Secretary-General in memoranda co-signed by the Special Representative, the UNICEF Executive Director, the Under-Secretary-General for Peacekeeping Operations, Department of Peacekeeping Operations and the Administrator of UNDP. Steering Committee members are drafting additional documents to facilitate the implementation of the MRM in the field. The first monitoring report was received from the Democratic Republic of Congo in from the field were received by the Office of the Special Representative in June 2006.

36. The Office also advocated that Member States include a condemnation and call to justice for those who abduct children in situations of armed conflict. The Office continues to monitor recent reports of cross-border abductions of children for use by Government-allied militias in Côte d'Ivoire and reports of abduction and movement of children in the Great Lakes and the Horn regions of Africa.

## **V. INFORMATION PROVIDED BY THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

37. In a communication to OHCHR dated 26 January 2007, UNHCR re-iterated that the issue of the abduction of refugee, internally displaced and other children of concern to UNHCR remains of concern to the office. The abduction of children is one example of threats to the safety and security of refugees, in addition to falling victim to other criminal acts, conflicts within the refugee or host community, sexual and gender-based violence, trafficking, torture, war crimes and other serious violations of human rights and humanitarian law.

38. UNHCR therefore maintains that measures to address the challenge of abduction of children must take into account and address the broader security context. Protection measures against abduction must be integrated into wider efforts to enhance security and protection of refugees

and other displaced persons, especially children. In particular in, but not confined to the African context, the infiltration of refugee camps by armed elements undermines the civilian and humanitarian character of asylum and the integrity of the national and international refugee protection system.

39. In order to address this issue, which is of serious concern, UNHCR has finalized and officially launched its Operational Guidelines on Maintaining the Humanitarian and Civilian Character of Asylum. These guidelines were produced upon request of the Executive Committee of the UNHCR Programme (Conclusion No. 94) to provide advice on the disarmament of armed elements and the identification, separation and internment of combatants. The guidelines are a result of a consultative process engaging a number of relevant partners, most notably the ICRC. The guidelines also include a chapter on practical measures to enhance security in camps, as UNHCR considers that the humanitarian character of camps and separation of combatants must be part of a comprehensive security strategy.

40. UNHCR wishes to re-emphasize that under-age recruitment - particularly if based on the abduction of the child - constitutes a serious human rights violation. As such, it may make the concerned child eligible for refugee status, if the child has a well-founded fear of being subjected to under-age recruitment for reasons of race, religion, nationality, membership of a particular social group or political opinion. In cases where no such nexus to one of the 5 grounds of the 1951 Convention Relating to the Status of Refugees can be established, non-refoulement obligations deriving from the Convention on the Rights of the Child and other human rights instruments may apply and in this context UNHCR would like to draw particular attention to the applicable standards expressed by the Committee on the Rights of the Child in its general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin. (CRC/GC/2005/6).

## VI. DESK REVIEW

41. The following refers to specific situation that illustrates the issue of abduction of children on the African continent and provides an overview of relevant documentation regrouped according to the main “end uses” of abduction as stipulated in the working definition. While these classifications do overlap, the distinctions are preserved with a view to gaining new insights into analysis of the problem.

### **Armed conflict**

42. According to a survey undertaken by the International Programme on the Elimination of Child Labour (IPEC) in Uganda in June 2004 on “Child labour and armed conflict in Uganda”: “A total of 213 children found in households reported that they had ever been abducted and of these 30 (14.1 per cent) stated that they had been abducted on more than one occasion. There were by far more male (167) than female (46) abductees. However, females were more likely to have been abducted more than once; out of the 46 female abductees 10 (21.7 per cent) had been abducted more than once compared with 20 out of the 167 male abductees (12 per cent). Most of the former abductees were in the age group 14-17 (46.7 per cent) followed by those 10-13 (33.6 per cent) and only 18 were in the age group 5-9. Clearly the strategy is to abduct those old enough to be of use to rebels either as combatants or porters or

even wives. The case study of Goribi presents a testimony on the circumstances of abduction” (p. 47). About a half (46.6 per cent) of abductees are abducted for a period of less than six months, males are likely to stay a shorter time than females (58.7 per cent compared with 32.5 per cent stayed for less than six months). Older abductees are also more likely to escape, as expected (p. 58).

43. The 2003 ILO-IPEC publication on “Use of children in armed conflict”<sup>2</sup> notes that “There is also a distinctive pattern of trafficking in some African countries related to the exploitation of children under armed conflict. This involves the abduction and transportation of children for and by both government and rebel militias. There is also evidence that during periods of armed conflict, children in vulnerable situations are trafficked and sold into brothels by both armed forces and by exploiters who take advantage of the social disruption and family break-up caused by the conflict” (p. 2). The 2003 publication “*Enfance blessée, l'utilisation des enfants des conflits armés en Afrique centrale*”, 2003,<sup>3</sup> further observes that in the Democratic Republic of the Congo there is recruitment by abduction of very young children (starting at 6) to serve as guards of sacred items.

44. The UNICEF draft country programme document for Uganda of March 2005 (E/ICEF/2005/P/L.2) noted that “about 20,000 children have been abducted since 1986, serving as soldiers, porters and sex slaves. Around 35,000 children, unaccompanied by adults, commute into towns each night to avoid abduction, becoming exposed to new hazards” (para. 2).

45. With respect to Sudan, in a press release of May 2003, UNICEF noted that since the formation of the Government of Sudan’s Committee for the Eradication of the Abduction of Women and Children in May 1999, UNICEF had supported work by the authorities and tribal communities in western Sudan to find abducted children and women and to reunify them with their families. It further endorsed the research of the Rift Valley Institute, finding that the number of children and adults whose families do not know where they are - some 10,380 according to the data released today by the Institute - demonstrates how serious the problem of abduction remains, even though the incidence of abduction has fallen over the past two years.

46. In 2004, UNHCR reported that internally displaced persons (IDPs) in Liberia experienced physical attacks, threats and intimidation by the fighters from all sides, as well as the abduction of women and children. This situation improved considerably with the arrival of the peacekeeping forces and as the humanitarian community regained access to the camps.

47. The Representative of the Secretary-General on the human rights of internally displaced persons provided input making the following key points, as substantiated by the Global IDP Project (now the Internal Displacement Monitoring Centre):

- Abduction is a common and systematic practice in situations of internal displacement. In Africa, the phenomenon of abduction has been reported in Uganda, the Sudan, Sierra Leone, Liberia, Angola and Democratic Republic of the Congo;
- Displaced children may be targets of abduction and armed recruitment by non-State actors (paramilitary and rebel groups) and government forces;
- Abduction may be a cause of internal displacement, and internal displacement may also be a cause of abduction;
- Certain internally displaced children, such as unaccompanied and separated children, are more vulnerable to abduction;

- Abduction may affect internally displaced boys and girls differently: boys are more frequently engaged in combat and other military activities; while girls may also fight on the front lines, they are more vulnerable to abduction for sexual purposes and forced marriage;
- Abduction of internally displaced children often occurs near or inside IDP camps and schools.

48. The Representative made, inter alia, the following recommendations:

- Each unaccompanied and separated child should be registered;
- Vulnerable children with particular or compelling protection needs should be identified;
- Effective reporting and referral mechanisms for incidents of abuse, exploitation and military recruitment of children must be established;
- The collection, assessment and monitoring of data should be disaggregated by age and sex;
- Displaced children should be informed about plans being made for them, including placing and care, tracing and family reunification. Moreover, displaced children and adolescents should be consulted and participate in needs assessments, aid distribution and the design, monitoring and evaluation of assistance programmes;
- Special efforts should be made to ensure full and equal participation of girls in education programmes;
- Special efforts should be made to provide outlets for creative and social activities, as well as educational and training opportunities for adolescents and young people;
- Extra consideration should be given to monitoring the reintegration of ex-combatant children and adolescents within the displaced community.

### **Sexual exploitation**

49. The Special Rapporteur on the sale of children, child prostitution and child pornography **in carrying out its mandate also pays special attention to the issue of abduction of children.**

50. UNHCR reported on the situation prevailing in camps in Sierra Leone, with particular reference to traumatized girls who experienced multiple violations of their rights which sometimes was the result of a combination of abduction, captivity, exposure to inhuman acts and severe sexual abuse by fighters. UNHCR also referred to the fact that it had not been easy to counsel some of these children, especially those who are still emotionally attached to their former abductors.

### **Forced labour**

51. The 2005 ILO publication “A global alliance against forced labour”,<sup>4</sup> draws attention to the links between armed conflict and forced labour. It states that “forced labour and services can also be imposed by the State in the context of armed conflict. In some African countries, there have been widespread reports of forced abduction and conscription into government and government-supported military groups, as well as insurgent forces, together with the use of adult and child forced labour” (p. 25).

52. The same report provides allegations of abduction in Sudan, stating that “there were continuing reports of abductions and slavery in late 2004, particularly in the region south of

Darfur, where abduction of women and children has been attributed to militia groups. In the meantime the Government has observed that, whereas its Committee for the Eradication of Abduction of Women and Children (CEAWC) considers that legal action is the best measure to eradicate such abductions, tribal groups have requested CEAWC not to resort to legal action unless their own amicable efforts have failed. The challenge is to foster such tribal conciliation meetings within a framework of peaceful coexistence, while at the same time ensuring that there is no impunity for abductors who exploit forced labour” (p. 44).

## VII. CONCLUSIONS AND RECOMMENDATION

**53. The right of children to be protected from abduction is incontrovertible, yet the abduction of children in Africa remains largely unstudied. International organizations have not yet devoted significant attention to the concern.**

**54. As mentioned above, the Security Council has established a monitoring and reporting mechanism to provide timely and accurate information on violations committed against children affected by armed conflict, specifically including abduction. All actors should participate in the efforts being carried out by this new mechanism to ensure systematic and comprehensive reporting.**

**55. In order to optimize the impact of the work being done on the issue of abduction of children, special attention should be given to the need to avoid duplication and to harmonize the work of the different United Nations mechanisms working on that matter.**

### Notes

<sup>1</sup> 22 African states are parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and 27 are parties to the Optional Protocol on the sale of children, child prostitution, and child pornography.

<sup>2</sup> See [www.ilo.org/public/english/standards/ipecc/publ/download/factsheets/fs\\_armedconflict\\_0303.pdf](http://www.ilo.org/public/english/standards/ipecc/publ/download/factsheets/fs_armedconflict_0303.pdf).

<sup>3</sup> See [www.ilo.org/public/french/standards/ipecc/publ/download/fr\\_wounded3.pdf](http://www.ilo.org/public/french/standards/ipecc/publ/download/fr_wounded3.pdf).

<sup>4</sup> Report of the Director-General: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, 2005; see [www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var DocumentID=5059](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var DocumentID=5059).

-----