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Introduction to Women and War

Meredeth Turshen and Ousseina Alidou

We are pleased to present our first bilingual issue of the *Bulletin*. It is designed for an audience of Africans and concerned Africa scholars who want to know more about how the many conflicts in Africa are affecting African women. The issue draws on a bilingual workshop that we organized in December 1998 on women in the aftermath of civil war, which brought women from the conflicts in Casamance, Liberia, Niger, and Sierra Leone to Dakar. And it will be distributed at another conference on the Aftermath, "Women in Post-war Reconstruction" to be held in Johannesburg 20 to 22 July 1999.

The contributions of articles from a variety of backgrounds in this ACAS issue reflect: a) the wartime actions and aftermath visions of women who experienced war and participated in the negotiation of peace accords, b) scholars whose views could contribute to a greater understanding of various aspects of wars and their consequences, and c) contributions of activists whose *témoignages* shed light on the politics that determine how differently the international community reacts to various cases of violence in the provision of relief services. Each contribution offers some new perspective that complements the others in increasing our understanding of the interplay between gender, the politics of identity in postcolonial nation-states, and war in Africa.

Claudine Chaulet's article, presented at the international colloquium on contemporary forms of violence and the culture of peace that was held in Algiers 20

to 22 September 1997, examines the urgency

of anticipating the provision of an adequate mechanism of healing for the entire Algerian society and the vision for restoring a peaceful, tolerant, and realistic social order even before the end of the ongoing bloody civil war in Algeria. Chaulet, an Algerian sociologist, points out that while it is crucial for Algeria to draw upon the strength of other countries, such as Rwanda, South Africa, and Bosnia, and acknowledge and the limitations of their experiences in the aftermath violent conflicts, the process of creating a new order must be inspired by a serious and genuine reflection by the entire Algerian society, including its leadership. Algerians should question themselves and examine the historical, political, sociocultural, and economic foundations of the civil war. Rather than suppressing memory, she contends that disclosure of wounds resulting from massive violations of human rights is necessary in assisting the society to heal. As a step forward Chaulet identifies four areas of work: reparations, justice, social reconstruction, and the prevention of renewed cycles of violence. She concludes that memory is necessary for peace; that hatred can be prevented by understanding the events, by laws against bigotry, and by punishing acts of revenge; that victims must be cared for and international aid solicited (but not intervention in the guise of humanitarian assistance); and that a spirit of compassion is needed for a traumatized population.

While she stresses the importance of framing the entire process within Algeria's

own core values, she calls upon the consciousness of the international community to respond to issues of human atrocities and to assist in the process of conveying proper justice in the aftermath. For example, the Islamic Umma could assist the Algerian Islamic clergy to determine which crimes constitute a violation of human rights and to condemn the misuse of religion to justify crimes against humanity. Also, the establishment of an international tribunal could assist in dealing with genocide. Finally, Chaulet cautions that a democratic society must educate its citizens to watch out for new forms of violence that may erupt as a result of the ex-combatants' failure to gain power. This failure may further enmesh ex-combatants in mafia-like structures involved in drug trafficking and other illegal ventures, thus creating a new structure of terror in the society.

We include in this issue the Shadow Report on Algeria prepared on 20 January 1999 by the International Women's Human Rights Law Clinic at the Law School of the City University of New York and Women Living under Muslim Laws for the United Nations Committee on the Elimination of Discrimination against Women. Human rights treaties obligate national governments to submit periodic reports on their progress. Shadow reports, which are created by nongovernmental organizations, parallel and critique these government reports. Shadow reports fulfill several purposes: they enable NGOs to participate in the international treaty monitoring process; they provide NGOs with a concrete tool to hold governments accountable for the commitments made at world and regional conferences; and NGOs can use them to educate the public and build political pressure to force governments to meet their obligations to promote and protect women's human rights.

Also in this issue is the full text of the Kampala Declaration on Human Rights in Sudan, which is the final communiqué of the Conference on Human Rights in the Transition in Sudan that was held in Uganda 12 February 1999. We draw your attention to section IV on women's rights, which raises the issues of women's rights and gender sensitivity. Of especial interest is the demand that women be fully represented in any committees drafting the Constitution or laws including personal law. It seems to us that women's participation in all legal reforms following civil war is critical to the outcome of the transition period and to the long-term health and stability of the country.

In presenting the issue of women and war, we feel it is of utmost importance to speak out against the role that girls are being forced to play, part of the larger issue of the use of children as soldiers. We therefore asked Carol Thompson, who has done research on the use of child soldiers during the apartheid South African war (1980-1992) against Mozambique, to present this issue for us. Her article, *War Is Not Child's Play*, not only describes the problem, but also presents it in an activist framework so that our U.S. readers can take action. At the end of this introduction are additional references for US activists.

Barbara Koffa, a Liberian journalist who participated in the Dakar Workshop, writes about the fate of child soldiers in post-war Liberia. With the educational system in ruins, the few remaining teachers are struggling not only to teach but to rehabilitate children. Many children refuse and run away to rejoin rebel groups in the bush.

We reprint a brief report on women in Chad by Amnesty International to draw attention to one of the least-reported and longest wars in Africa. This war is especially disheartening because Chad was one of the African nations to create a truth

commission, which produced an unusual report that implicated the United States, not only in the arms trade, but also in the training of torturers. Yet reconciliation is not on the horizon. In fact, new fighting has broken out on the Chad/Niger border, which incited the Nigerien Association for Human Rights to denounce and condemn the abuses of human rights and ask for an international inquiry into the situation. The association also invited the governments of Niger and Chad to show good will and assist in punishing those responsible for the atrocities according to international law.

Also underreported is the conflict in Casamance, a rich region of Senegal sandwiched between Gambia and Guinea Bissau, which sought to secede as a result of long-standing grievances about the State's neglect of the region and unequal access to national resources. The outbreak of war in Guinea Bissau last year and Senegal's decision to intervene in that war have greatly aggravated the crisis in Casamance. We present here a proposal for a research project, *Women and War in Casamance*, by Seynabou Mal of the Cultural Association for Aid and Educational and Social Advancement, which is located in Ziguinchor, the main city of Casamance. Mal presented the proposal to CODESRIA as part of last year's project on the prevention of conflict in West Africa. She proposes to conduct research on the role that women could play in restoring peace in Casamance. Historically women with spiritual authority were influential in mediating sustainable peace between warring groups. Her research aims to examine the extent to which women's organizations in Casamance could draw on this historical tradition and be instrumental in the negotiation for a peaceful resolution of the conflict, conscientization of the population and the Senegalese government on preventive strategies, and reconstruction

of the society in the aftermath of the conflict.

For reasons of comparison and in solidarity, the *Bulletin* includes two articles on situations outside the African continent. We invited Anne Fuller, an activist with ten years of experience in Haiti, to discuss the particular problems of women after a coup d'état and under a military regime. Her article, "Challenging Violence," examines the separation of human rights work from the concerns of women's rights activists in Haiti. This division is found in many countries and certainly applies to Africa.

The second article is a report from the Autonomous Women's Center Against Sexual Violence in Belgrade, Serbia, on their activities during the period 25 March to 24 April 1999. The article seems significant to us for a number of reasons: it is an example of women's solidarity across religious and ethnic lines during wartime; it speaks to the terrors of war, the strength of women, and the originality of women's groups in finding helpful responses under difficult circumstances. Anyone wishing to contact the center can send an e-mail to: awcasv@eunet.yu

The NATO attacks have brought to light inequities in the treatment of refugees in Africa and the Balkans. A report, *Relief Camps for Africans, Kosovars Worlds Apart*, by T. Christian Miller and Ann M. Simmons, appeared in the *Los Angeles Times* on 21 May 1999. It notes that aid workers are struck by contrasts in food, shelter and health care, and they cite culture and race as reasons. The Office of the UN High Commissioner for Refugees spends about 11 cents a day per refugee in Africa. In the Balkans, the figure is \$1.23, more than 11 times greater. Some refugee camps in Africa have one doctor for every 100,000 refugees. In Macedonia, camps have as many as one doctor per 700 refugees. Refugees at most camps in Albania have

readily available clean water. In Eritrea, families as large as 10 are given about 3 ½ gallons of water to last three days. The camps in Africa hold as many as 500,000 people. Up to 6,000 refugees there die each day from cholera and other public health diseases. In Macedonia, the largest camp holds 33,000 people. So far, there have been no deaths from public health emergencies such as an epidemic or starvation.

African refugees sleep out in the open or under makeshift shelters made from branches, leaves or mud or from plastic sheeting provided by an aid agency. They rarely have canvas tents or prefabricated housing. Most of the 300,000 Eritreans deported from Ethiopia back to Eritrea in February 1999 make their homes under trees, in riverbeds or simply at roadsides without any kind of shelter. They are stranded in a semiarid terrain, where the afternoons are blazing hot and the nights freezing cold, and there are 1,200 tents for about 16,000 families. "You've got to maintain people's dignity," said Bob Allen, a camp manager who has worked in both Africa and Europe for the relief agency CARE. "The life in Africa is far more simple. To maintain the dignity and lifestyle of Europeans is far more difficult." Ross, a CARE worker who came to the Balkans from Sierra Leone, said race plays a big role. It's easier for Europeans and Americans to identify with the Kosovo refugees they see on television than with those in remote parts of Africa, he said.

The final section of this Bulletin is devoted to the West African Workshop on Women in the Aftermath of Civil War held in Dakar 11 to 13 December 1998. We present two statements on the seven-year conflict in Niger. The one by Zara Mahamane--who lives in Agadez and works with TANAT, a non governmental organization (the name means 'consultation' in Tamajaq)-- looks at the plight of Tuareg

women in the aftermath of the Tuareg rebellion in northern Niger. Zara provides an assessment of the historical foundations of the Tuareg rebellion. She indicts successive post-independent governments for their reluctance to adequately redress socio-economic inequalities suffered by nomadic populations, particularly the Tuareg, and for the problems of inadequate political representation in state institutions. She analyzes how the government retaliated mercilessly against Tuareg who were implicated in the rebellion as well as against innocent women, the elderly, and children. Zara contends that it was, in fact, the government's violation of Tuareg human rights during the rebellion that triggered a new consciousness about the place of the Tuareg in the nation and the need to fight to reclaim their rights.

Zara discusses the effects of the war on Tuareg women--the loss of husbands, male children, and other relatives, and the reconfiguration of family structure to the detriment of women. In the aftermath the government has demobilized and reintegrated male ex-combatants but made no provision for Tuareg women who also fought for the dignity of the Tuareg. While they continue the struggle for justice and reparations from the government, Tuareg women are transferring the organizational skills they acquired during the conflict to self-empowerment in the aftermath. Finally, Zara calls for the inclusion of women in programs to conscientize the entire society on preventive approaches to conflicts and for the compensation both men and women on an equal basis in the aftermath.

The other statement on Niger is by Mme Ben Wahab, a former minister in two previous governments of the Second Republic and president and representative of the women's wing of the Front for the Defense and Restoration of Democracy (FRDD), a political party created after the

coup d'état of 27 January 1996 which mediated between the government and the former leaders of the Tuareg rebellion. Mme Wahab's insights regard the peace agreement and the measures taken by both parties--the government and the ex-rebel leaders--to enforce its terms: reintegration of ex-combatants in para-military and military services and public services, creation of public schools, creation of more public service facilities (health and administration), installation of more water pumps to address local needs, and creation of women's health care centers. While the Tuareg rebellion is more or less contained, this is not the case of the Tubu rebellion in northeastern Niger; the Tubu have not adhered to the peace agreement. She highlights the negative consequences of war on Tuareg women and how this could eventually transform the traditional matrilineal structure of the Tuareg family which empowered women. Mme Wahab believes that rebellion in Niger, like unrest in other African countries, resulted from groups that were fed up with autocratic systems of governance, abuse of power, and the lack of distributive justice at the national level--characteristics of post-independence dispensations. She argues that civil wars could be prevented by maintaining democratic principles and abiding by the norms of the Republic.

A third paper from the workshop, "Women in the Sierra Leone Conflict," written by Elizabeth Bai-Marro, speaks movingly of her (gospel) ministry's attempts to rehabilitate women and girls who were raped, abandoned, and turned to prostitution.

She suggests that the social stigma on women victims of sexual violence during wartime could be alleviated by conscientizing religious bodies, the community, and the victims. Religious institutions must create adequate structures for the rehabilitation and social reintegration of women victims of sexual violence and find accommodation for children of rape.

The report of the workshop is reproduced in English and French, as is the Declaration adopted by the workshop, which established the African Women's AntiWar Coalition.

We would like to thank Bill Martin and Caleb Bush for their invaluable assistance in producing this issue of the Bulletin.

The U.S. Campaign to Stop the Use of Child Soldiers. For information, contact:

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Resources:

Coalition to Stop the Use of Child Soldiers:

<http://www.child-soldiers.org>

U.S. Campaign to Stop the Use of Child Soldiers: <http://www.us-childrensoldiers.org>

The report by Graça Machel on the impact of armed conflict on children (1996) is available at:

<http://www.unicef.org/graca/graright.htm>

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Documentation Centre on Child Soldiers:

<http://www.rb.se/childwardatabase>

Se Guérir de la Violence

Claudine Chaulet

C'est le corps social algérien qui est blessé. Comment pourra-t-il cicatriser, entrer en convalescence, retrouver sa capacité d'activité et de vie?

Il faut d'abord que la violence s'arrête, évidemment. Il n'est pourtant pas trop tôt pour réfléchir à l'après, pour se préparer: le processus d'apaisement sera long et difficile, déjà certaines des conditions qui le rendront possible peuvent être mises en évidence.

La réflexion proposée s'appuie sur la sociologie, et sur l'expérience d'autres pays, qui ont connu comme l'Algérie des crises d'extrême violence et leurs conséquences matérielles, morales, sociales. Il ne s'agit pas de leur emprunter des solutions—chaque société doit trouver en elle-même, dans son histoire et sa culture, les ressources nécessaires pour dépasser son propre malheur—mais de prévoir les questions qui se poseront et de commencer à leur chercher des réponses.

Certes, il serait plus rassurant de considérer le présent comme un cauchemar, et d'imaginer qu'au réveil tout sera comme avant. Mais il ne faut pas se leurrer, aucune société ne sort indemne d'une épreuve de déchirement, et c'est par un travail sur elle-même que chacune peut se reprendre. L'histoire même de l'Algérie le démontre qui voit maintenant ressurgir des maux négligés et des fantômes mal exorcisés depuis l'indépendance. Et cette fois, le travail sera d'autant plus difficile qu'il ne s'agit plus d'une guerre contre l'autre—qui a pu se terminer par le départ de l'armée et de la majorité de la population adverses—mais d'un affrontement interne entre des gens que rien n'opposait à priori et qui continueront

"après" à vivre dans le même pays. C'est donc la question de recommencer à vivre ensemble qui est posée, malgré l'horreur, malgré la haine, malgré les pulsions de vengeance du présent.

La question ne se pose pas seulement aux victimes et à leurs proches, mais à la Nation tout entière. Car si chacun, pour se défendre de la peur et pour limiter la douleur à ce qui est humainement supportable, tend à restreindre sa sensibilité au cercle des parents, des voisins, des amis ou des collègues, en réalité chaque fois qu'un Algérien ou une Algérienne est meurtri par un autre Algérien, ce n'est pas lui ou elle seule qui est atteint, mais l'ensemble de la société, l'ensemble des gens qui ne se connaissent peut-être pas, qui n'ont ni les mêmes lieux de vie, ni les mêmes conditions de travail, ni les mêmes soucis, ni les mêmes goûts, mais qui étaient appelés à être solidaires dans le même avenir. Et chaque fois qu'est détruit une école, un bus, une entreprise, cela ne concerne pas que ceux qui s'en servaient ou y travaillaient, mais la totalité de la population qui a besoin de services et de travail. Et chaque fois qu'est éliminé un homme de culture ou un travailleur ou une femme au foyer, ce n'est pas seulement aux siens qu'ils manquent, mais à tout le peuple qui a besoin d'idées, de production, de familles heureuses. Le drame est commun, la renaissance ne peut qu'être préparée en commun. C'est d'autant plus important que la connaissance des faits et leurs interprétations ont été fragmentées, chacun ne retenant des faits et des rumeurs que ce qui lui parvenait par l'intermédiaire de son cercle de relations habituelles, exaltant sa souffrance quand celui-ci était

concerné, s'abandonnant à un lâche soulagement quand le malheur paraissait s'éloigner.

Au sein de la communauté nationale, chacun est concerné, indissociablement, par le malheur de tous. La situation algérienne actuelle se distingue d'autres conflits en ce que la violence n'oppose pas des populations distinctes par l'origine—comme c'était le cas pour l'apartheid en Afrique du Sud et les guerres de décolonisation—ou “l'ethnie”—comme on le prétend pour les Balkans ou l'Afrique des Grands Lacs—ou la religion—comme nombre de guerres à travers l'histoire—qu'elle n'oppose pas non plus des classes sociales, ou les citadins aux ruraux, ou les générations entre elles. Ce sont des semblables qui meurent et souffrent de la main les uns des autres, parce qu'ils ne se reconnaissent plus comme membres d'une même Nation. Ainsi, le cas algérien est plus proche de ce qu'ont vécu certains pays développés avec le nazisme, le fascisme et certaines formes de totalitarisme que des situations de fracture qui détruisent la Yougoslavie, certains pays d'Afrique ou des Andes, le Sri Lanka ou quelques archipels asiatiques.

Rétablir la Nation en tant que communauté incluant des différences reconnues et acceptées, c'est refaire un futur pour tous. L'Etat, qui est l'exécutif de la Nation, y aura un rôle majeur à jouer, mais aussi chaque citoyen, par son comportement quotidien vis à vis des autres et sa capacité à maîtriser ses pulsions individuelles.

D'après l'expérience des autres pays, le travail de dépassement du drame comporte quatre composantes qui seront abordées ici successivement, bien qu'elles soient entremêlées dans le temps et en constante interaction: le travail de réparation; le travail de justice; le travail de reconstruction sociale; le travail de prévention des récidives.

Le travail de réparation

Toute personne qui a perdu un être cher doit pouvoir faire ce que les psychologues appellent le travail de deuil, l'ensemble des rituels et des échanges sociaux qui permettent, non pas d'oublier la personne décédée, mais en se remémorant sa vie et les circonstances de sa mort, de surmonter la violence de la douleur pour pouvoir se remettre à vivre. Tout parent d'une victime doit pouvoir le faire: dans le contexte culturel algérien, cela signifie pouvoir inhumer le corps selon les traditions et avec la participation de tous ceux qui seraient venus normalement aux obsèques et en visites, et pouvoir visiter une tombe édifiée là et comme elle l'aurait été en fonction des habitudes du milieu social.

C'est déjà une importante difficulté en ce qui concerne tous les disparus, qu'ils aient été tués par les terroristes ou par les forces de sécurité, ou qu'éventuellement ils se soient éloignés et puissent revenir. Le besoin de toutes les mères et de toutes les épouses, en premier, de s'exprimer à travers les rituels funéraires rendra nécessaire la recherche et l'identification des cadavres, pour leur assurer une sépulture digne. C'est une tâche épouvantable, que se sont imposées les Rwandais pour les victimes du génocide, les adversaires bosniaques, et que réclament les familles des disparus dans les divers pays d'Amérique Latine. C'est nécessairement une tâche collective, car il ne s'agit pas seulement de soulager les proches d'un individu, mais d'exprimer la perte que subit la collectivité chaque fois qu'elle perd l'un des siens. On ne dépasse pas le passé en le refoulant dans l'oubli, mais au contraire en le regardant en face—une partie de la violence algérienne actuelle ne vient-elle pas de ce que l'Algérie de 1962 a cru pouvoir ou devoir oublier, au lieu d'être lucide sur elle-même et les débordements de violence qui avaient entaché la lutte de libération elle-même, contre les fidèles du

MNA, ou à Melouza, ou à l'égard de familles des harkis?

Il y a aussi les victimes encore vivantes, qui doivent recevoir immédiatement l'aide de la collectivité à travers l'Etat, et en même temps le soutien moral et affectif des membres de la société. Il faudra d'autant plus de moyens et de dévouement que les cas sont plus dramatiques, orphelins, parents privés de leurs enfants, enfants amputés, femmes violées, personnes torturées, et l'aspect psychologique de ces soutiens devra s'étendre à tous ceux qui, même s'ils n'ont pas été touchés physiquement, ont été traumatisés par l'horreur d'un massacre, ou la peur panique. En fait, c'est toute la population qui, après avoir vécu des années dans l'ambiance de récits terrifiants, est concernée, et en particulier les jeunes enfants qu'il faudra calmer et élever dans une culture de paix.

L'attention aux victimes doit aussi concerner les conditions de vie. Il n'y a pas à proprement parler de "réfugiés" ou "déplacés" dans le pays, mais de nombreuses familles ont fui leur habitat habituel, sous la menace ou par peur, et de nombreuses personnes ont, pour les mêmes raisons, quitté leur travail ou leurs études, ou même le pays. Aucun apaisement ne sera possible tant que les uns et les autres n'auront pas eu la possibilité de retrouver leur logement (remis en état, ainsi que les services publics locaux si nécessaire) et/ou leur travail—la terre qu'ils travaillaient en particulier—en toute sécurité. Et il restera encore à trouver des formes de réinsertion sociale chaleureuses pour les survivants de familles ou de groupes massacrés.

Pour tout cela, il faut une mobilisation des moyens de l'Etat, mais aussi la participation active de la société à travers des associations comme par simple intervention de solidarités spontanées. L'aide d'organisations internationales ou de pays amis pourra être utile, pour les soins

spécialisés, pour la réinsertion des réfugiés. Le plus important est que l'ensemble de ces tâches soient remplies sans être laissées aux seules institutions, comme des actions techniques, mais que la participation populaire marque dans les faits une volonté commune de réparer, pour que les conditions qui ont rendu possibles ces atteintes à la société par certains de ses membres puissent être dépassées. Et qu'elles soient menées au plus vite, sans distinction entre les victimes, car les proches des violents sont eux aussi les victimes de la violence qui s'est emparée de leurs proches.

Le travail de justice

L'oubli n'est pas possible. La mémoire est nécessaire pour la société. Le pardon ne peut être accordé que par les victimes, à titre individuel, en connaissance de ce qui s'est passé et par effort personnel. Faute de savoir, ce sont les fantasmes de vengeance qui, plus ou moins refoulés, finissent par prendre le dessus, parfois très longtemps après comme le montrent quelques facteurs des violences actuelles—ailleurs comme en Algérie.

Seule la justice, une justice rendue au nom de la collectivité nationale, peut permettre de dépasser l'instinct de vengeance qui inévitablement s'empare des individus et de leurs petits groupes de proches, d'autant plus fortement que le crime a été monstrueux.

Mais qui juger, et comment juger? Selon quelles lois, alors que les lois existantes ont été préparées au cours de périodes où personne ne pouvait imaginer ce qui se passe maintenant? Comme le montrent le bon sens et le droit international, il faut distinguer des niveaux de responsabilité.

Les exécutants doivent être punis, mais sans doute surtout rééduqués, dans la mesure où ils n'étaient pas pleinement conscients au moment de leurs actes, poussés et entraînés qu'ils étaient par les obsessions qui leur

avaient été inculquées, et pour une part sans doute par les drogues qui leur avaient été administrées. Ils sont nombreux, souvent jeunes. La peine de mort devrait être exclue, la prison de longue durée n'est certainement pas une solution. On pourrait penser à les faire participer ■■ la réparation de leurs actes, recherche des corps, soins aux victimes, remise en état des installations détruites, destruction des armes, déminage. L'expérience menée par la commission "Vérité et Réconciliation" animée par l'évêque Desmond Tutu en Afrique du Sud semble montrer, aux réactions de certaines victimes, que le principe de l'aveu en échange de l'amnistie est trop faible (et sans doute trop culturellement marqué) pour permettre de dépasser les situations les plus dures. Au Rwanda, la surcharge des prisons et le fait que certains tueurs ou leurs complices soient encore en liberté ne semble pas permettre l'apaisement. En Amérique Latine, des sortes de chantiers de rééducation ont été créés pour des membres de groupes armés ayant abandonné les armes. Mais le risque est immense, quand le nombre de concernés est important, de ne pas pouvoir assurer l'encadrement éducatif nécessaire, et donc de créer de dangereux lieux d'internement extrajudiciaires incontrôlables.

Dans le contexte algérien, il est peut-être possible de s'inspirer des anciennes procédures de la "diya" qui, sous l'autorité d'un médiateur respecté, établissaient publiquement la réalité des faits, avec reconnaissance de la faute commise sous forme de versement public d'une somme importante, après quoi le coupable était placé sous la responsabilité de sa famille et de son groupe social d'appartenance. Cette antique façon de rompre la chaîne indéfinie des vengeances, qui trouve sa référence dans l'Islam, pourrait-elle inspirer des formes de punition adaptées au contexte actuel? Le

principe à retenir serait une épreuve pour mériter la réinsertion.

Mais il y a surtout les instigateurs. Ceux-là sont pleinement responsables et, quand il s'agit de ces quasi-génocides que sont les massacres indifférenciés de petits groupes désignés par leur localité de résidence, leur profession ou leur différence de mode de vie, ou de ces crimes contre l'humanité que sont le meurtre des faibles et le meurtre avec volonté de faire souffrir et atteintes aux cadavres, ils sont imprescriptibles.

Bien plus, ces actes, en tant que volonté de négation de la part d'humanité que porte toute créature, ne concernent pas seulement la Nation dans laquelle ils se sont produits, mais l'humanité tout entière—et, s'agissant de musulmans, la Oumma toute entière. Depuis les procès de Nuremberg qui ont condamné les dirigeants nazis, et jusqu'aux poursuites encore en cours contre les survivants de ces dirigeants qui avaient pu jusque là se dissimuler, la communauté internationale s'est constituée en juge légitime. Des cas récents de génocide ont suscité l'instauration de Tribunaux internationaux pour la Bosnie et le Rwanda. D'autres situations historiques suscitent des besoins de jugement au nom de l'Humanité, pour le Cambodge, plusieurs pays d'Amérique, des conflits encore en cours en Afrique...au point que certaines éminentes personnalités estiment nécessaire la création d'un Tribunal International permanent toujours prêt à se saisir des atteintes graves à l'humanité qui risquent de survenir où que ce soit. Ce n'est donc pas seulement en tant qu'Algériens soucieux de reconstruire une société viable, mais en tant que Nation responsable devant l'ensemble des Nations, et croyants responsables devant Dieu, qu'il faut nécessairement aborder la question des instigateurs et des donneurs d'ordre, en conformité avec les conventions internationales auxquelles l'Algérie adhère.

Certes les actes condamnables sont souvent des paroles, des écrits, des modes de fonctionnement organisationnels qui peuvent avoir l'apparence d'une activité politique ou professionnelle, voire relever de la simple expression d'une opinion. Mais il n'est évidemment pas possible de condamner un égorgé, en laissant en liberté et en activité ceux qui l'ont conditionné au point de le rendre capable de faire ce qu'il a fait, ou l'ont laissé faire. D'autre part, les "dépassements" imputés aux différentes composantes des forces de sécurité doivent faire l'objet d'enquêtes et de sanctions publiques, pour que le doute et les rumeurs ne puissent plus troubler l'opinion algérienne et l'image de l'Algérie à l'extérieur.

L'Etat de droit ne serait qu'une mystification si le respect formel des lois devait aboutir à condamner seulement les exécutants et à ignorer, voire à renforcer, ceux qui participent à la lutte pour le pouvoir sans se salir les mains. Et si la loi est insuffisante pour condamner l'installation de la sauvagerie dans les esprits et les habitudes, il faut la préciser: Sur ce point le recours volontaire à l'expérience des juristes internationaux qui ont déjà eu à traiter de situations comparables ne ferait que renforcer la capacité de se déterminer et l'image de l'Algérie. Au Rwanda, on poursuit un animateur de radio dont les appels au meurtre ont participé à la folie collective; en Bosnie un dirigeant qui a encouragé l'épuration ethnique; en Afrique du Sud, ce sont les précédents hommes d'Etat qui sont appelés à venir rendre compte des réalités de l'apartheid devant la commission. De la situation actuelle de l'Algérie sont responsables ceux qui ont fait croire à la nécessité d'une "épuration" à prétexte religieux, ou qui ont laissé dire, ou qui ont laissé faire, ou qui ont répondu avec des méthodes comparables. Il faut ajouter que, puisque des appels au meurtre ont été lancés au nom de la religion, il est important

que les Oulamas, d'Algérie et de toute la Oumma, participent à leur condamnation et en démontrant la fausseté religieuse.

Le travail de justice sera difficile et long. Il est nécessaire. Il n'est pas trop tôt pour en clarifier les conditions de mise en oeuvre.

Le travail de reconstruction sociale

Il ne s'agit pas seulement de la remise en état des bâtiments, des entreprises et des infrastructures qui ont été matériellement détruits, ni des réparations financières auxquelles ont droit les victimes, ce qui représente déjà une charge aussi considérable qu'urgente. Mais surtout de tout ce qui est nécessaire pour pouvoir recommencer à vivre en paix: de la reprise des habitudes de convivialité et des pratiques quotidiennes au travail, dans le voisinage, dans les rues et par les déplacements entre régions. Cela suppose que la confiance est revenue, donc que la confiance dans la justice, les services de sécurité, les institutions publiques, l'Etat, est rétablie. Cela suppose que les manques et les dysfonctionnements—ceux qui ont un temps rendu la population sensible aux imprécations—soient comblés et corrigés. Le plus important est évidemment que la jeunesse retrouve l'espoir, donc que des emplois dignes et des logements pour se marier lui soient accessibles. Et que soit bannie la hogra.

La reconstruction sociale fait intervenir des facteurs immatériels. Le premier est l'apprentissage de la démocratie, non parcequ'elle est à la mode, mais parceque le jeu concurrent de l'expression des besoins et des aspirations est le seul moyen de tenir compte de tous et de réduire les tensions avant qu'elles ne durcissent en positions bloquées incompatibles. Les formes institutionnelles de celle-ci—élections, partis, journaux—ne suffisent évidemment pas, et comme elles ont été introduites en période de crise, elles devront trouver leur

vrai sens en période de paix, au service de l'apaisement. Les associations, de leur côté, vont avoir à passer de la réponse aux urgences (soutiens et dénonciation) à la proposition, aux projets.

Le second est la culture, dans tous ses champs. La production d'oeuvres d'aujourd'hui. La diffusion d'informations et d'éléments de réflexion par les médias, et leur capacité à isoler la violence en refusant les condamnations abstraites autant que les spectacles qui l'excitent en prétendant la défouler: peut-être peuvent-ils participer à l'effort de mémoire collective (des émissions en direct pour la recherche des disparus ou de témoignages?), en tout cas ils ont un devoir de parler vrai et concret, humain. L'enseignement de tous niveaux devrait d'abord se libérer lui-même de toutes les formes de violence pratique et symbolique qu'il a longtemps charriées, avant de pouvoir répandre une vision concrète et souple de l'histoire, du monde, de la science, de la culture et de la religion.

Même la culture quotidienne qui donne forme aux relations avec les proches aurait à se libérer des formes de violence qu'elle porte, dans les excès de langage, dans la dureté de l'éducation, dans les contraintes imposées aux femmes, dans l'hostilité entretenue envers les gens d'origine différente, pour participer à l'exorcisme des tendances qui ont participé, à leur mesure, au drame en cours. Il y a une civilité d'aujourd'hui à inventer, pour vivre mieux les changements au quotidien.

Et la société algérienne attend ses créateurs culturels, elle a besoin de connaître ceux qui existent déjà, elle ne peut se passer de ceux qui lui permettront de comprendre son présent et de se penser dans l'avenir.

Les conditions culturelles de la reconstruction sociale sont en préparation dès maintenant.

Les énergies et les aspirations trop longtemps méconnues ou brimées

participeront à la reconstruction, si elles sont libérées.

Le travail de prévention des récidives

Il est essentiel. D'abord il faut être capable d'arrêter la reproduction des facteurs qui ont rendu la crise actuelle possible, en s'appuyant sur une analyse correcte des causes et des enchaînements de tensions qui l'ont provoquée. Encore faudrait-il qu'il y ait accord général sur leur configuration, ce qui est loin d'être acquis, et qu'il soit possible de démêler l'enchevêtrement des influences exogènes et des changements internes.

Sans doute un consensus est-il possible sur la crise de la jeunesse, sur le besoin d'une culture de tolérance, et sur la nécessité d'une démocratie concrète, maintenant que la majorité de la population aspire à la réalisation individuelle et à la responsabilité citoyenne—et à la paix. Il reste à repérer les cheminements possibles d'une sorte de rééducation collective qui libère de la peur, de la honte et des instincts de vengeance pour concentrer les énergies sur ce qu'il peut y avoir de commun dans les aspirations d'avenir. Le chantier est ouvert à tous.

Il y a une prévention beaucoup plus précise à organiser. L'histoire récente d'autres pays montre que l'une des évolutions fréquentes des groupes armés insurrectionnels, après leur échec à parvenir au pouvoir, est la perte de leur idéologie initiale et la dérive vers un fonctionnement de type mafieux. Une telle menace pèse particulièrement sur l'Algérie, où les groupes armés sont depuis longtemps en contact avec les milieux du trabando et du trafic de drogue (au moins celui qui part du Maroc, mais sans doute—à travers les relations des "Afghans" et les échanges avec les Turcs d'Europe—avec les filières récentes les plus organisées des drogues dures) ainsi que, évidemment, avec les réseaux internationaux du trafic d'armes et sans doute (ils ont l'expérience de la

falsification des papiers et des relais en Europe) du trafic international de main d'oeuvre qui est une des activités profitables des nouvelles filières criminelles. La transformation des groupes armés en véritables mafias signifierait pour le pays la pérennisation du racket, de la terreur sur les témoins potentiels, des manoeuvres corruptrices sur les agents de l'Etat, de la perte de confiance dans les institutions, et du déshonneur international. Elle serait un obstacle quasi-insurmontable au retour à la paix civile dans la dignité.

Une telle évolution semble déjà amorcée si on en juge par ce qu'on sait du comportement des groupes armés à l'égard des gens qui tentent d'échapper à leur emprise. C'est le cas en particulier en Mitidja de l'est, où la terreur semble avoir pour résultat de dégager les terres et terrains de leurs occupants légitimes, de façon à ce qu'ils ne puissent pas faire valoir leurs droits au moment de la mise en application des mesures annoncées de "privatisation des terres"--ce qui permettrait à d'autres de se les approprier facilement.

Il serait trop facile de considérer les massacres de villageois comme des résurgences de vendettas archaïques (dans la région la plus moderne d'Algérie, et alors que les vengeances traditionnelles n'ont jamais concerné que les hommes en état de se battre!) alors qu'elles ressemblent beaucoup plus, par leur sauvagerie même qui est "moderne", aux expéditions punitives des mafias italiennes ou aux raids des gardes armés des propriétaires brésiliens chargés de vider les terres des paysans qui en vivent.

Prévenir une telle évolution suppose une réaffirmation organisée de la présence de l'Etat et des droits des occupants, un renouvellement du pacte entre l'Etat national et les travailleurs de la terre, qui soit assez solide pour résister à la pression des citoyens en quête de terrain et de l'argent douteux en quête de lieux où fructifier. Cela nécessite

aussi un travail en commun avec les institutions internationales chargées de la lutte contre le crime organisé, qui seules ont l'information nécessaire pour repérer les filières et les réseaux en constant remaniement dans le cadre de la mondialisation des échanges. Cela exige enfin une extrême rigueur dans la gestion de l'après crise. Sans doute un renforcement de la législation et des services spécialisés; en tout cas l'élimination du laisser faire, de l'indulgence paresseuse et des connivences qui ont facilité l'organisation de la logistique des groupes armés bien avant l'ouverture visible de la crise.

Conclusion

Une première réflexion montre l'ampleur et la difficulté des tâches qui seront celles de l'apaisement, et auxquelles il faut se préparer alors même que la mort continue à frapper. On pourrait suggérer la mise en place de groupes de travail motivés et bien informés, très ouverts sur tous les acteurs sociaux concernés, que le présent colloque peut contribuer à susciter.

Dès à présent on peut retenir les points suivants:

- La mémoire est nécessaire pour la paix. Cela doit mettre en garde contre les compromis qui essaieraient d'obtenir un arrêt des opérations armées en échange d'un oubli qui laisserait latents, mais prêts à reprendre, les germes de violence.
- La prévention des reprises de haine exige l'information et la réflexion de tous, une compréhension des événements et des malheurs, donc une conception nouvelle du rôle des médias, des intellectuels et des leaders d'opinion.
- La législation actuelle doit, en conformité avec les engagements internationaux du pays, être renforcée et/ou complétée (loi contre l'incitation à la haine raciale, politique, sociale et

religieuse; loi prévoyant un dispositif du type "indignité nationale" pour écarter de la vie publique et des responsabilités culturelles/religieuses ceux qui ont suscité la haine ou ont essayé de s'en servir; loi sur les sanctions adaptées aux formes qu'a prise la criminalité de crise).

- La prise en charge des victimes doit être totale, y compris leur réinstallation éventuelle quand elles ont du fuir, et associer les moyens de l'Etat aux soutiens affectifs des bonnes volontés.
- Les actes de vengeance doivent être réprimés sans indulgence, dès lors que la justice s'exerce au nom de tous.

- L'aide internationale, pour connaître les expériences d'autres pays qui ont vécu des crises comparables et en sont sortis, peut être demandée sans honte en tant qu'elle se distingue totalement d'une ingérence imposée.
- L'esprit de compassion pour les victimes, pour la population traumatisée, pour la Nation visée dans son unité, est actuellement l'inspiration qui peut guider de la façon la plus juste sur la voie du retour au vivre ensemble.

Shadow Report on Algeria

Submitted to the Committee on the Elimination of Discrimination Against Women

International Women's Human Rights Law Clinic and Women Living under Muslim Laws

Algerian women face many obstacles to realizing the goals of the Convention on the Elimination of All Forms of Discrimination -- the elimination of all forms of discrimination and the full exercise and enjoyment of all human rights by women on a basis of equality. This shadow report focuses, however, on one of the central obstacles to women's equality and advancement -- the rise and ongoing threat of a politicized, violent religious fundamentalism and its project to impose its particular view of Islam through the theocratization of the state and/or through violence and terror. For almost three decades, women have been a particular target of fundamentalist violence and oppression; in recent years, the fundamentalist's attacks have amounted to war crimes and crimes against humanity, directed against women and the civilian population.

The International Women's Human Rights Law Clinic (IWHR) and Women Living Under Muslim Laws (WLUML) join in submitting this Shadow Report. IWHR prepared this Report based on its experience as legal counsel for nine individual plaintiffs and one women's rights organization, the Rassemblement Algérien des Femmes Démocrates, in a case charging crimes against humanity, war crimes and sexual slavery against a leader of the Islamic Salvation Front (FIS)¹ and, further, on our study and advocacy of the human rights of women in relation to this Committee and in other human rights forums. WLUML assisted in the preparation of this report based on our experience as a support and

solidarity network linking women who struggle against fundamentalist forces in Algeria as well as in many other Muslim and non-Muslim societies and, further, on our study and advocacy of the human rights of women in diverse Muslim countries and communities throughout the world.

Cognizant that the focus of state reporting under the Convention is the consistency of state law and policy with the Convention, it is nonetheless essential that the Committee carefully examine factors in the situation which present a significant obstacle or difficulty that must be addressed if the Convention's promise is to be fulfilled. The Women's Convention -- particularly articles 1, 2(e)(f) and (g), 3, and 5(a) -- is unique in the thoroughgoing attention it requires to the private or non-official sources of discrimination. Moreover, under Article 18, reports "may indicate factors and difficulties affecting the degree of fulfillment of obligations under the present Convention." In the case of Algeria, the fundamentalist insurgency -- dedicated to implementing the institutionalization of extreme discrimination against women -- a form of gender-apartheid--presents one the greatest "difficulties affecting the degree of fulfillment" of gender equality.

It is particularly urgent that this Committee -- given its particular charge to protect and advance the rights of women -- examine the impact of the fundamentalist insurgency. Because of the traditional and slow-to-change state-centered approach of the international human rights community and the tendency (at least before the Taliban took power in Afghanistan) to see the

violations of women's human rights as mere "private" or "cultural" matters, the international community has largely ignored the fundamentalist campaign of violence and atrocities. Thus, despite wide acknowledgment that the fundamentalist insurgents have committed the overwhelming majority of atrocities against the civilian population, in particular against women, the focus has been almost exclusively on the smaller number, albeit grave, violations by the state against the fundamentalist insurgents. Unfortunately, this lack of balance has undermined feminist and democratic forces in Algerian society and relegates to a much less visible place the attacks on women. As the report of the Secretary-General on minimum humanitarian standards submitted on 5 January 1998 pursuant to the Commission on Human Rights resolution 1997/21, recognizes that "it is often situations of internal violence that pose the greatest threat to human dignity and freedom," and "in situations of internal violence it is also important to address the behavior of non-State armed groups." (E/CN.4/1998/87 at ¶ 8,9)

This Shadow Report will outline the history of the rise of the fundamentalist movement, its ideology and its escalating attacks on women. It will also identify some key ways that the State has accommodated, absorbed and responded to that agenda, and its impact on women's equality. Additionally, the report will make recommendation to the Committee on this issue.

I. Fundamentalism in Algeria

A. Early Fundamentalist Attacks on Women

Since the war of independence from France's colonial occupation which ended in 1962, the Algerian state has been run by the National Liberation Front (FLN) as a one-party system maintained by the military.

The significant role of women in the liberation war appeared to lay a foundation for gender equality in Algeria. Not long after independence, however, fundamentalist forces began to make themselves felt in Algeria, particularly in their attack on gender equality. In the 1970's Islamists² in universities attacked students who supported a non-Islamists agenda -- in particular women who refused to abide by the Islamists' notion of their proper role and behavior. Specifically, women students were attacked for their political activism and their forms of dress. Such attacks included throwing acid on female students.

Fundamentalists continued to organize during the 70s and 80s and in 1984 they scored a significant political victory in the passing of the family code, which deprived women of many fundamental rights and reduced them to minority status. Throughout the history of the fundamentalist movement in Algeria, there was strong opposition from many segments of civil society, especially the feminist community. From 1980 to 1984, every time the family code was proposed, women activists organized major protests. The Code, passed in 1984, without its provisions being subject to public notice or public debate, has been a continuing target of protest and opposition by women's groups.³

The attack on women received broader attention when, in late 1989, Islamists staged campaigns against and burned down the homes of women who were not living with a male relative. In one case:

[o]n June 5th, 1989, the local authority of the town received a petition, with 197 signatures, calling for their neighborhood to be cleared of the presence of three women who were considered to have inappropriate lifestyles. They threatened these women. They mobilized

groups of young boys to harass the women daily. When these 'undesirables' did not leave the community, a group of ten men decided to take action. On June 21, 1989 during the night, they came together, deliberated, and decided that fire was the only way to 'purify' the neighborhood..."Oum Ali" is a 34 year old woman, recently divorced, living alone with seven children. Abandoned by her husband before the divorce, illiterate, and without a job, she is the poorest of the poor, because under Islamic Law Family Code 52, neither she nor her children are protected - they do not receive any financial support... [The fundamentalists] accused her of prostitution, they accused her of making the neighborhood impure, of affecting the morality, the religiousness of the Muslims, and the spiritual health of the town...

In the middle of the night on June 22, 1989, the fundamentalists burned her house down, and her handicapped three year-old died in the fire. Thirteen men were arrested and the fundamentalists demonstrated in favor of the men. They did not deny the crime, but felt it was justified.⁴

B. The Emergence and Ideology of FIS and The Armed Groups

In 1988-89, in response to popular opposition to the lack of democracy and civil liberties, profound corruption, lack of education, jobs, housing and the pauperization of the population, from a broad spectrum of society -- including secularists, independent democrats, students, workers, villagers and others as well as extreme Islamists who later formed the political party the Islamic Salvation Front

(FIS) and its armed groups -- the Algerian Constitution was modified to allow for a multi-party parliamentary system. To take advantage of this opening in their bid to seize state power, fundamentalists founded FIS in 1989 as an "umbrella" organization of all the Islamists groups.⁵ Unlike other segments of civil society who had advocated the constitutional change, the FIS's stated goal from its inception was to transform Algeria into a totalitarian non-democratic Islamist state through either electoral or violent means.

FIS consistently supported violence as a means to imposing their agenda. A popular FIS motto is "For it, we will die and for it we will stay alive. For it we will encounter God. For its sake we wage war. For the Islamic State." At the central office for the FIS campaign's notice boards proclaimed "The Islamic state must spread the faith both inside and outside the country, either by persuasion or by terror."⁶

Even more telling are the anti-democratic statements made by founding FIS leaders, Abassi Madani and Ali Belhadj. For example in December of 1989 Abassi Madani, President of FIS, stated "We do not accept this democracy which permits an elected official to be in contradiction with Islam, the Shari'a, its doctrines and values."⁷

In February of 1989 the Vice President of FIS, Ali Belhadj stated: "There is no democracy because the only source of power is Allah through the Koran, and not the people. If the people vote against the law of God, this is nothing other than blasphemy. In this case, it is necessary to kill the non-believers for the good reason that they wish to substitute their authority for that of God."⁸

A cornerstone of the fundamentalist agenda is the imposition of gender-apartheid and the targeting of women who deviate in any way from their very restricted prescribed role within the fundamentalist

framework. After legalization of the FIS and prior to the elections, Ali Belhadj stated that "the woman is a producer of men, she produces no material goods, but this essential thing which is the Muslim."⁹ Abassi Madani also stated: "recent demonstrations of women against violence and intolerance are one of the greatest dangers threatening the destiny of Algeria...[they are] defying the conscience of the people and repudiating national values."¹⁰

During that time when FIS legally controlled a substantial number of municipalities one of FIS's imam Abdelkader Moghni stated: "Women should go home and leave their jobs for the thousands of young unemployed men. They waste their time, spending their salaries on make-up and dresses."¹¹ This rhetoric was backed up by political action on the part of FIS elected officials as well as the threat of force.

Fundamentalist violence against women continued during the period between the legalization of FIS and the cancellation of the elections. In December of 1989, a female judo athlete was assaulted for violating fundamentalist dictates.¹² From February through April of 1990, fundamentalists launched series of assaults on women students at various university residence halls. In one case, a young woman was whipped while on the way to a lecture.¹³ In many instances, over a period of months and without any police intervention, female students were driven back into the residence hall by fundamentalists with hatchets to impose a "curfew" on the female students.¹⁴

The fundamentalist agenda to institutionalize extreme discrimination against women -- the beginning elements of gender apartheid -- became even clearer between 1991 and 1992 when the FIS exercised official power in a number of municipalities. While FIS often co-opts the

language of human rights, even in relation to women, the programs they implemented that year through fiat and threat of violence to resisters -- sex segregation in the schools and on the buses, prohibiting girls from sports, imposing the wearing of the veil, forced religious worship, and prohibition from certain employment -- clearly demonstrates the contrary.¹⁵

C. The Escalation of Violence Against Women and the Civilian Population

After the cancellation of the 1992 elections, the strategy of reaching fundamentalist goals through violence against the civilian population intensified. FIS vice-president, Ali Belhadj, stated in October 1994 that "the far sighted leaders must put all their potential in the service of the jihad and coordinate all forms of jihad, notably the armed jihad, which is the most noble and highest form."¹⁶ Consequently, FIS and its armed groups have waged a war against the State using attacks on civilians, in particular women, as a method of warfare.

Their targets shifted over time. Beginning in 1992, the fundamentalists attacked the State security forces and police, however, these were not the only targets. The armed groups chose female relatives of members of the police, security forces or the government as their first civilian targets for rape, torture, and assassination. In the years between 1992 and 1995, the FIS and its armed groups chose the next round of victims for assassinations, tortures, kidnappings and other atrocities -- civilians who or openly resisted or provided leadership for an alternative to FIS's vision. The armed groups assassinated and threatened to assassinate through communiques, the posting of lists, and direct attacks and harassment, journalists, feminists, intellectuals, teachers, foreigners, and artists, all members of civil society who had no association with, and many who were

publicly long-standing opponents of, the government.¹⁷

In particular, women who did not comply with Islamist dictates became, and continue to be, the visible symbol of opposition to FIS and thus targets for violence. Consequently, one prominent feminist, Nabila Djahnine, was assassinated by the fundamentalists armed groups. Other leaders and outspoken feminists, such as Zazi Sadou and Khalida Messaoudi have lived under death threats for several years. In particular, women who did not comply with Islamist dictates became, and continue to be, the visible symbol of opposition to FIS and thus targets for violence. These Algerian thus feminists represent the ultimate challenge to the fundamentalists leadership.¹⁸

It is not only prominent women, however, who are and have been under attack. FIS and its armed groups spread terror through posting or sending communiqués which order women to comply with their dictates under the threat of force or assassination. One communiqué required women to wear the veil or be killed. A month after the fundamentalist issued this communiqué -- in March of 1994 -- two young women were shot down at a bus station for not wearing a veil (*New York Times* March 31, 1994). Seventeen year-old Katia Bengana was shot the previous month for not being veiled.¹⁹ Any woman who is perceived as non-compliant was, and is still, a target. The armed groups threaten and attack diverse women, including athletes, teachers, working women, as well as unveiled women. They also have threatened and attacked those who serve to beautify women -- hairdressers, seamstresses and shopkeepers as well as women who courageously walk the streets with make-up or some other sign of resistance.²⁰

Beginning in 1995, the attacks on civilians became even more indiscriminate.

In 1995, for example, on the eve of Ramadan, a bomb, asserted by FIS leader Anouar Haddam, to have been directed by the mudjahiddin to the police station, exploded on the Boulevard Amirouche, one of the busiest streets of Algiers at the busiest moment of the year. The street was filled with women and children, who had been excused early from school. 38 people were killed and 256 injured, most of whom were women and children. Everyone understood the bombing, not "bad luck" as the FIS leader claimed, but as a purposeful, religiously freighted attack.²¹

While ongoing indiscriminate violence receives little attention from the international press, the armed groups brutal campaign of village massacres, also recently coinciding with Ramadam, have received more attention. Hundreds of villagers, men, women and children have been massacred. Moreover, in the context of the village massacres, the armed groups have rounded up young women and girls between the ages of 11 and 35, taken them to camps and raped them repeatedly, and then killed them. The sexual slavery and torture they endured was accompanied by other forms of torture including burnings, beatings and the mutilation of breasts and genitals.²²

The systematic nature of this practice is chillingly illustrated by a communiqué issued by a local GIA emir (the theological, administrative and military authority of the fundamentalists). The communiqué claims the rightful authority of the emir to give the women for rape to the mudjahiddin or "fighters of the faith." The Communiqué begins: "It Is the Emir Who Gives the Woman." It then instructs them on the "rules" of rape -- including who may be raped, when and by whom. For example, it instructs that a mujahid cannot rape both a mother and daughter; and that a father and son cannot both rape the same woman. It also instructs the "fighters" that they may

not beat women assigned to other men (implicit of course is that they may beat those assigned to them).²³

Fundamentalism today in Algeria thus remains a very severe threat and the violence is ongoing.²⁴ While the extremists appear to have lost some ground recently -- militarily, culturally and politically -- the damage this reign of terror has done to gender equality is profound and potentially long-lasting unless the state takes affirmative measures to overcome its cultural impact.

D. Algerian Women's Resistance and the Building of Democracy and Equality

Algerian women are at the forefront within the civil society, organizing for peace, democracy, human rights, religious freedom and equality in most dangerous conditions. Feminists and journalists collect testimonies, take photographs and work heroically to break the silence and invisibility that surround the civilian victims in Algeria. On an annual basis and despite threats to their lives, they have organized major demonstrations to commemorate International Women's Day and to oppose the efforts of the fundamentalists to negotiate their way into power. These democratic and feminist activists have defied government roadblocks and gone into the villages after massacres to obtain testimonies and provide support. They have organized projects to aid women and children who are victims of the atrocities as well as of government corruption and non-feasance. They have written and spoken out against the fundamentalist agenda and violence. They have also challenged government violations, censorship, negligence, corruption, and discrimination and are a powerful voice in favor of gender equality and democracy that will not be silenced.²⁵

Yet, probably the most powerful form of resistance and greatest hope for the goals of equality and democracy spring from everyday and ordinary events and forms of resistance. The large number of civilians -- in which women also often take the lead -- who go on with building every day lives in the face of the unspeakable violence provide a solid foundation for equality and peace. This includes the mothers who challenged the armed fundamentalist's orders not to send their children to school and instead appeared at the school with their children and kept sending them despite terrorist attacks. This includes teachers, university professors, hairdressers, and other working women as well as mothers, sisters and family members who have refused in some seemingly small but profoundly courageous way to bow to the fundamentalist dictates -- who have continued to go to their jobs; to walk the streets; to beautify themselves as a sign of resistance; and to do the work that maintains civil society despite the great risks to themselves.²⁶

For example, F. a female teacher from Hai Rais, witnessed helplessly the murder of her husband and of her three year-old son burned alive in their home in 1997. A few days later she went back to her workplace "because I cannot leave these children without education." A headmaster of a primary school explained how for the entire year of 1994 all the classes were taught with the doors open and he patrolled the school to look out for bombs and attacks. The staff did not close the school down for even one day. Now he says, "before we start our lessons we listen to the kids telling us about the drama they lived. Because there are no psychologists available so we have to take care of that. We are not trained for such a role, we are traumatized ourselves, but it has to be the children first."²⁷

Simply going on has thus become a form of resistance. These sectors of civil society

are in need of support to keep building the society in a manner free of violence and capable of implementing a lasting democracy. Their efforts to maintain and continue running social institutions pose one of the greatest hopes for Algeria.

E. The Impact of Fundamentalism on the State

The Algerian State has responded to fundamentalist pressure and violence with both repression and accommodation to the fundamentalist agenda. Over the years, when the State's has accommodated fundamentalist demands, it has been at the cost of basic fundamental rights and equality for women.

The primary sacrifice was equality in family life. Bowing to fundamentalist pressure, the State enacted in 1984 the current family code, which violates many of the most fundamental rights of women.²⁸ This law was passed without any public debate and despite much past opposition from the woman's community. Despite tremendous efforts on the part of the women's community to have its offensive provisions repealed, the family code remains in effect. Most recently, the State rejected the recommendation of broad NGO effort to amend the code in a thorough-going way.

In responding to fundamentalist violence against women, the State has also failed to adequately assist the victims. Although, as a result of the terrible impact of the massacres and public protest, the state has begun to provide some social services to the victims, they are inadequate and must be increased. In the case of abortion, the government decreed, on the basis of a reported ruling by the High Islamic Council, that women pregnant as a result of rape may obtain abortions. But later reports indicated that the Council had retracted or repudiated its permission for abortion and it is not clear that the government decree stands and/or

that victims have been able to access this health service. Women who survive, in particular widows with children, have also not been offered adequate economic assistance. With the extremely high illiteracy and low official employment rate of women in Algeria, these women are left with few options. Moreover, while some services, including psychological counseling, are being provided to women who have been raped, stigmatized and rejected by their communities, these efforts are also inadequate.

Although after 1992, the State refused to implement as a legal matter some of the worst gender apartheid demands of the fundamentalists -- segregated buses, schools, and prohibiting athletics for women -- much more is needed to counteract the cultural impact of the fundamentalist threat to the society. As a young man from the village of Hais Rais, the site of one of the 1997 massacres and an area abandoned to the fundamentalists, stated: "We need to relearn to be human again, to shake the hand of a woman, to look at her in a fraternal way even if she does not cover her head or her arms. It is now about 5 or 6 years since we have forgotten these rather normal attitudes."²⁹

II. Role of CEDAW

We call upon this Committee, within the framework of your mandate, to recognize clearly that the program and violence of the fundamentalists present one of the most significant obstacles to the realization of women's equality and enjoyment of fundamental rights. Indeed their campaign of terror, constituting war crimes and crimes against humanity, are direct violations of international law of the most egregious dimension. We thus urge the Committee to call the state to discharge its responsibility pursuant to articles 2,3,4 and 5 of the Convention, to take immediate and effect

measures protect against, redress and counteract these violations and their devastating political, economic, and social impact on the status and rights of women in Algeria. In particular, the Committee may question the State on what affirmative initiatives it is taking to combat the aggravation of discrimination against and the subordination of women which are the consequence of fundamentalist terror against both women and men. It should also examine what measures are being taken to address the social and economic inequality and desperation of women who must find employment and livelihood in the aftermath of terror as well as the effects of more commonplace discrimination against women. It should elicit the State's commitment to eliminate all forms of discrimination as well as to prevent the re-institutionalization of discrimination -- for example in the threat to strip women again of the right to vote.

The rise of fundamentalism in Algeria and the State's failure to respond adequately, as a political matter, has resulted in a myriad of violations of the Women's Convention. Women have been denied, among others, the right to equal education, art. 10, the right to vote and participate in public life, art. 7, the right to be free from social and cultural stereotypes, art. 5, 10, the right to free choice of profession, art. 11, the right to health care, art. 12, the right to participate in recreational activities, sports and all aspects of cultural life, art. 13, the right to equality before the law, art. 15, the right to equality in marriage, art. 15, and the right to security and freedom from violence, Rec. 19.

Under CEDAW Art. 18, "[r]eports may indicate factors and difficulties affecting the degree of fulfillment of obligations..." In the case of Algeria, the Committee must identify and call upon the State to address those "difficulties" posed by the rise of fundamentalism. The "difficulties" include

not only the violence and terror imposed by the fundamentalists, but also their program to establish a theocratic state consistent with their conservative view of Islam and the dictates of Shari'a. This authority enables the Committee to question the state in regard to the influence of fundamentalists in the government and society, its capitulation in the form of the 1984 Family Code and obligation to repeal this law, its obligation to withdraw its reservations to the Women's Convention. It is also critical that the Committee insist on women's equality and human rights as a bottom line. Women react with horror when the State, from time to time, decides to negotiate with FIS, fearing that it will further trade the human rights of women for the appearance and illusion of peace.

Specifically, we recommend that the Committee:

- Urge the State, and exact its commitment, to withdraw its reservations to the Convention, reservations which legitimize and perpetuate inequality -- especially in family life -- for women and violate the object and purpose of the Convention.
- Urge the State, and exact its commitment, to accept and support legislation to enact the full series of amendments to the family code formulated and agreed upon by the NGO women's consultation.
- Urge the State, and exact its commitment, to take immediate steps to ensure that victims of fundamentalist violence receive adequate social services and counseling, including abortion when necessary to enable them to regain their self esteem and rebuild their lives.
- Urge the State, and exact its commitment, to take immediate steps to ensure that all women have equal preparation for, access to and enjoyment of employment, education, and

healthcare rights in accordance with the Convention, and that victims of fundamentalist violence be provided economic and other assistance necessary to enable them to rebuild their lives and support their families and themselves.

- Urge the State, and exact its commitment, to take measures, directed at both women and men, through support of media and community education and arts, to overcome the gender-discriminatory stereotypes and fears fostered by the fundamentalist terror as a cultural matter.
- Urge the State and exact its commitment to provide resources to and protect the flourishing of an autonomous NGO community, in particular NGO's promoting and protecting women's human rights, in order to facilitate the building of civil society and respect for human rights.

IWHR and WLUML thank the Committee for its attention to these matters.

Endnotes

¹ The case Doe v. Haddam is currently before the United States District Court in Washington, D.C. pursuant to the Alien Tort Claims Act, which provides a cause of action for violations of international law committed against aliens (i.e. non-residents or citizens of the US).

² The term "Islamist" is used to emphasize the distinction between those who have perverted the religion Islam into a totalitarian political movement and "Islamic" relating to the religion Islam.

³ Susan Slyomivics, *Hassiba Ben Bouali, If You Could See Algeria, Women and Public Space in Algeria*, Middle East Report, p.8, 11 January-February 1995.

⁴ Testimony on the case of Oum Ali, an Algerian Women, Vienna, June 1993.

⁵ FIS remained a legal political party, with an armed wing known as the AIS, until 1992. After FIS was banned and some of its leaders went into exile, other armed groups—such as GIA—

were formed by the leaders and members of FIS. The armed groups and FIS have had periods of unity and periods of friction, however, they have overall worked together towards common goals. While there was a public split in 1995, several prominent FIS leaders have since then been investigated and/or convicted of arms trafficking in Europe, with the arms being sent to GIA.

⁶ Interview with Algerian Journalist.

⁷ *Algerie Actualite*, December 24, 1989.

⁸ *Horizons*, February 29, 1989.

⁹ *Horizons*, February 29, 1989; Susan Slyomivics, *Hassiba Ben Bouali, If You Could See Algeria, Women and Public Space in Algeria*, Middle East Report, p.8, 11 January-February 1995.

¹⁰ *Agence France Presse*, December 10, 1989.

¹¹ Lamine Ghanmi, *Algiers Court Orders Fundamentalist FIS Dissolved*. Reuter Library Report, March 4, 1992.

¹² *Sports for Women Banned at Tiaret University!* Alger Republicain 1990.

¹³ *Bou-Saada: Five Widows and Their Children Violently Agressed at F'tour Time*, *Horizon*, April 11, 1990.

¹⁴ *Idem*.

¹⁵ Susan Slyomivics, *Hassiba Ben Bouali, If You Could See Algeria, Women and Public Space in Algeria*, Middle East Report, p.8, 11 January-February 1995.

¹⁶ *Lettre aux terroristes*, October 2, 1994.

¹⁷ *Algeria, Fear and Silence: A Hidden Human Rights Crises*, Amnesty International November 1996.

¹⁸ Karima Bennoune, *Algerian Women Confront Fundamentalism*, Monthly Review, p.26, Sept. 1994; Susan Slyomivics, *Hassiba Ben Bouali, If You Could See Algeria, Women and Public Space in Algeria*, Middle East Report, 11 January-February 1995.

¹⁹ Susan Slyomivics, *Hassiba Ben Bouali, If You Could See Algeria, Women and Public Space in Algeria*, Middle East Report, 11 January-February 1995.

²⁰ Karima Bennoune, *Algerian Women Confront Fundamentalism*, Monthly Review, p.26, 35 Sept. 1994; *Algerian Feminist Call Protest Rally*, Reuters World Service, March 1, 1995; *Seven Armed Muslims Kill, Two Schoolgirls Kidnapped in Algiers*, *Agence France Presse*, February 26, 1997.

²¹. *Algiers Bomb Kills 38, Wounds 256, Many Children*, Reuters World Service, January 30, 1995; *Death Toll Climbs to 40 in Algiers Blast*, Deutsche Presse-Agentur, January 31, 1995; *Algeria, Civilian Population Caught in a Spiral of Violence*, p. 21, Amnesty International November 1997.

²². Human Rights Committee Completes 63rd Session, M@ Presswire, August 4, 1998.

²³. Bob Herbert, *Terrorism By the Book*, New York Times, Op-ed, p.A9, November 30, 1997.

²⁴. Some fundamentalist leaders have attempted to distance themselves from these massacres and claimed that the State was behind them or that they were the work of the State-armed self-defense groups. Some human rights groups have echoed this claim to some extent. Inside Algeria, and particularly among survivors of the

communities attacked, the view is sharply different. In many cases, survivors have identified their attackers as the assailants enter the villages unmasked and are often from the locality. In one case, a survivor identified a former elected FIS officials as one of the perpetrators of a massacre. Testimonies collected by Zazi Sadou.

²⁵. Karima Bennoune, *Algerian Women Confront Fundamentalism*, Monthly Review, p.26, 35 Sept. 1994.

²⁶. Idem.

²⁷. Testimony collected by Zazi Sadou.

²⁸. IWRAW To CEDAW Country Reports, January 1999 at p. 7. Shadow Report of Algerian Women's Groups.

²⁹. Testimonies collected by Zazi Sadou.

The Kampala Declaration on Human Rights in Sudan

Conference on Human Rights in the Transition in Sudan

Preamble

Convened by the Steering Committee for Human Rights in the Transition in Sudan and hosted by the Pan African Movement, representatives of Sudanese civil society and the democratic political forces met together in Kampala, Uganda, to discuss the challenges of human rights during a future transition to peace, democracy and human rights in Sudan.

Deeply concerned by the grave situation of human rights in Sudan, the Conference discussed many issues relevant to the creation of a new order in which the human rights of all Sudanese will be respected regardless of gender, ethnicity, religion, belief, race, and socioeconomic background and in which the many peoples of the country will be able to live together in peace and mutual tolerance under the rule of law.

The Conference expressed its appreciation to the Sudanese civil society organizations for their constructive roles which will continue to be vital in the struggle against tyranny and oppression in their many forms, and the achievement of a future of equality, justice and human rights. The Conference also welcomed the human rights commitments made by the parties in and outside the Sudanese National Democratic Alliance and endorsed the human rights provisions of the Asmara Declaration of June 1995 and other National Democratic Alliance agreements.

The Conference was remarkable for a spirit of free exchange and democratic accountability that augurs well for a future government under the National Democratic Alliance. The civil society groups represented were reassured by the remarkable readi-

ness of the senior political leadership of the National Democratic Alliance to engage in a frank and open dialogue, answering tough questions about the past, present and future in a true democratic spirit.

The Conference participants came from all parts of Sudan and reflected all shades of democratic opinion. It was a true reflection of the diversity of the country. On many issues, participants expressed contrasting or conflicting opinions, but there was unanimity on the possibility -- indeed the imperative -- of settling these differences by discussion and democratic political process.

The Conference participants thought that the Issue Papers prepared by the Committee were well-researched and well-presented and represented a useful contribution to the process of building a democratic Sudan with respect for human rights.

The frank exchange of views by participants in their discussion of Sudan's independent history may be considered akin to the first meeting of an ad hoc national truth commission.

The Conference concludes with the following recommendations:

I. Accountability for Past and Ongoing Human Rights Abuses

The Conference examined the human rights record of the present and past governments of Sudan, particularly those during the last ten years of National Islamic Front rule, and found a long history of human rights abuses including crimes against humanity, war crimes, crimes against individuals, and crimes against the constitutional order. The Conference agreed that:

1. Those responsible for grave human rights violations under the current National Islamic Government should not be forgiven but should be brought to court to account for their crimes in accordance with the rule of law and international standards, to ensure that justice is done and seen to be done.
2. Fair trials, either through the regular courts or the office of a special prosecutor, and a truth commission have vital roles to play in this process of accountability.
3. The long history of human rights abuses in Sudan stretching back the 43 years to Independence should be examined and accounted for, through mechanisms such as specified above and the perpetrators thereof shall be brought to justice.
4. Victims of human rights abuses, and their families, are entitled to rehabilitation and compensation for what they have suffered.
5. The democratic forces and civil society should themselves begin the comprehensive documentation of the crimes and criminals of the current regime.
3. The Constitution of Sudan should be founded upon universal human rights as enshrined in international human rights covenants.
4. A National Constitution for Sudan needs to be founded upon and enshrine a national consensus and a common set of values, while also safeguarding the fundamental rights of Sudanese citizens.
5. A National Constitution for Sudan needs to be founded on the reality of cultural and religious diversity including the devolution of power from the centre. The issues of territories, states, their borders, their residents, and their rights, privileges and duties should be clearly and definitively resolved in the said Constitution.
6. The Government of Sudan should sign and ratify several outstanding international human rights instruments including the Genocide Convention, the Convention on the Political Rights of Women, the Convention on the Elimination of all Forms of Discrimination against Women, and the Convention against Torture.

II. The Constitution

The Conference discussed the many challenges facing the Sudanese people as they seek a Constitution for the country. The Conference agreed:

1. The process of adopting a Constitution is as important as the Constitution itself. That process should be transparent, inclusive, and democratic. The fine legal expertise available within the National Democratic Alliance must be complemented by a wide democratic process of Constitution building.
2. There is a pressing need for a fair representation of qualified women and men in any process of constitution-drafting.

III. Self-determination

The Conference discussed the pressing and complex issues of self-determination and heard the claims of the various peoples of Sudan. Many conflicting views were expressed. There was unanimity in support of the principles enshrined in the Asmara Declaration:

1. Self-determination is a universal and inalienable human right to which all the diverse peoples of the Sudan are entitled.
2. The exercise and the mechanism for the exercise of the right of self-determination are integral parts of the right itself. The working out of these mechanisms is an immediate task.
3. Many participants argued strongly that the right of self-determination, as

recognised in the Asmara Declaration for the peoples of Southern Sudan and Abyei District (should the latter vote to join Bahr el Ghazal), should equally be extended to all the peoples of Sudan who may wish to exercise it either during or after the Transitional Period.

4. The varying claims of the Nuba, South Blue Nile people, Beja, and others should be resolved as a matter of priority.
5. The Constitution for the Transitional Period should lay down mechanisms, structures and procedures for the free and fair exercise of the right of Self-Determination under international supervision.
6. Without prejudice to the relevant provisions of the Asmara Declaration, the right of Self-determination for Southern Sudan may be fulfilled or implemented through the options of unity, autonomy, federation, confederation or independent statehood, if such be the democratic choice of the people concerned.
7. Concrete criteria to define the nationalities or national groups that can be entitled to exercise the right of Self-Determination, and the territorial boundaries within which those groups reside, should be laid down and agreed upon before the Transitional Period.
8. The unity of Sudan is a political goal desired by many if not all Sudanese. This unity is possible only with a full political recognition and implementation of guarantees of demonstrable justice, human and human rights under the rule of law. Recognition of the right of Self-Determination is the ultimate guarantee for the different nationalities within Sudan to retain their allegiance to the unified Sudan.

IV. Women's Rights

The issues of women's rights and gender sensitivity were raised in a forthright manner throughout the Conference. The Conference agreed that:

1. A National Sudanese Women's Conference should be convened in which the democratic leadership of Sudan should meet together with women and women's organisations.
2. Women should be fully represented in any committees drafting the Constitution or the laws including the personal law.
3. Article V of the Asmara Declaration requires revision to ensure that women are accorded the full protection of international human rights conventions.
4. The many and complex social, cultural, educational and economic issues presented in the two Issue Papers focusing on women's rights should become a priority for a future Transitional Government, and indeed for the democratic opposition during its ongoing struggle.

V. The Law and Legal Structures

The Conference examined issues of the penal code, customary law, and the structure and reform of the judicial, police and penal institutions of Sudan. The Conference agreed that:

1. In all matters of law, commitments to international human rights law should be supreme.
2. In line with the Charter of the National Democratic Alliance, the 1974 Penal Code, with suitable revisions to make it consonant with international human rights conventions, was appropriate for Sudan and the rights and needs of Sudanese citizens.
3. Customary law, in all parts of Sudan, has both positive and negative elements. It reflects the needs and experiences of Sudan's peoples with their diverse

cultures. There is a need to codify it and reform some aspects of customary law, especially concerning women's rights, and native administration to make them consonant with basic human rights, and to coordinate customary law and the structures to enforce it.

4. Sudan's judicial, police and penal structures are in urgent need of drastic reform including the recruitment of qualified personnel, most of whom are now living in exile. This has the dual aims of de-NIFication's (i.e. the removal of National Islamic Front personnel and ideology) and making justice more accessible to the people, that is, cheaper, fairer and less subject to various biases and corrupting influences. Moreover legal training centres, workshops, and seminars to qualify legal personnel should be established. Planning for this reform should begin now. In the liberated areas there are needs and opportunities for Sudanese professionals to exercise their skills to the benefit of the people.
5. Independence of the judiciary as an institution and judges as state officials should be provided with along with legal aid and a reduction in the cost of litigation.

VI. Freedom of Expression

The Conference benefited much from freedom of expression, a right that was exercised to the full by the participants. There was a consensus that:

1. Freedom of expression is an essential right that must be protected.
2. Sudan requires a pro-active policy to promote freedom of expression, especially with regard to the multi-cultural nature of the country.

VII. Freedom of Religion

The Conference had a vigorous debate on freedom of religion in which many points of view were expressed. The Conference agreed that:

1. The current religious intolerance as practiced by the National Islamic Front is a violation of the rights of all Sudanese, whether Moslem, Christian or followers of African traditional religions, and that all such religious extremism can no longer play any role in Sudan's future.
2. Equal respect should be afforded to Islam, Christianity and noble spiritual beliefs. In line with the Asmara Declaration, citizenship is the sole basis for constitutional rights without any discrimination based on religion.
3. A policy is needed to enhance religious tolerance in Sudan, including measures in education and the media.
4. A dialogue is needed within and between religions in order to promote mutual understanding and tolerance.

VIII. Race Relations

The Conference had a wide representation of different peoples of Sudan, reflecting the wide cultural, ethnic and religious diversity in the country. The Conference agreed that:

1. There is a need for a far-reaching change in past and present attitudes towards cultural diversity, away from religious bigotry, cultural assimilation and the imposition of the National Islamic Front so-called 'civilisation project' towards a true recognition of the diversity of Sudan. This is essential to establish trust among all Sudanese.
2. A cultural policy to develop a tolerant and progressive national identity has many elements, linguistic, economic, social, and political. Traditional Sudanese values of tolerance and open

dialogue should be reasserted as the foundation for such a policy. This will need an active promotion in the media and educational institutions.

IX. Disarmament and the Rights of Former Combatants

The Conference discussed the challenges that will occur during and after a Transitional Period, when many former liberation fighters, militiamen, soldiers of the current regime and others will have to be disarmed and returned to civilian life. The Conference agreed that:

1. Respecting the rights of former combatants will be a priority, including providing them with education, skills, employment and other rewards. Disabled former fighters, widows and orphans will all need to be catered for. A Disarmament Commission should be established to research the subject and make appropriate recommendations without delay.
2. Building a truly national Sudanese army that reflects the diversity and values of Sudan will be an important challenge during and after the Transitional Period.
3. All efforts must be made to eradicate the existing culture of militarism in Sudan, whereby armed men may terrorise civilians with impunity and the armed forces consider a coup a legitimate political option.

X. Human Rights during the Armed Struggle

The Conference recognised that Sudanese citizens have taken up the armed struggle in order to win their rights, and have suffered and sacrificed much in that struggle. The Conference also agreed that respect for human rights cannot be postponed until after liberation: they must be respected now. It is a challenge to the Sudanese opposition, which currently controls substantial liberated areas in

Southern, Western and Eastern Sudan, to ensure respect for human rights in those areas and the building of a civil society.

Other Issues

The demands of a full, democratic discussion of the above issues left the Conference with insufficient time to consider other, important issues which had been prepared. These include long-term constitutional options for Southern Sudan, the rights of children -- the next generation of Sudanese who will in time inherit the country -- the right to food and the right to land.

For some issues, no full conclusion could be reached. The participants agreed that the Conference should not be a one-off exercise but instead the beginning of an ongoing process of democratic dialogue, in which these important issues can be discussed fully. Meanwhile, many who were unable to attend this Conference should also have the opportunity to contribute in future.

Conclusion

The Conference on Human Rights in the Transition in Sudan was a landmark and a success. The discussion, debate and recommendations were wide-ranging, an accurate reflection of the realities of Sudan, and were often practical. The spirit of the Conference was truly democratic and pluralistic.

The Conference thanks the people and Government of Uganda for their welcome and the Pan African Movement for hosting this Conference, and the Steering Committee for Human Rights in the Transition in Sudan for preparing and organising the Conference, and the donors for funding it.

The Conference was an historic opportunity in which Sudanese civil society met with itself and with the leadership of the democratic opposition in order to join forces in shaping the future of the country and ensuring that, in a future transition, the opportunity to achieve a just peace,

democracy and human rights is taken and not squandered. It is the responsibility of Sudanese civil society to continue dialogue within itself and with the democratic political forces in Sudan to help achieve this Declaration.

The Conference on Human Rights in the
Transition in Sudan
Kampala, Uganda 12 February 1999

The Conference was attended by the following:

Civil society organisations

Beja Relief Organisation
Families of the Martyr's Association
New Sudan Women's Federation
Nuba Mountains Solidarity Abroad
Nub Relief, Rehabilitation and Development Society
Nuba Mountains Organisation Abroad
South Sudan Law Society
Sudan Future Care 'Amal' Trust
Sudan Human Rights Association
Sudan Human Rights Organisation
Sudan Journalists' Union
Sudan Women's Alliance

Sudan Women's Association in Nairobi
Sudan Women's Voice for Peace
Sudan Writer's Union
Trade Union Council
Widows, Orphans, Disabled Rehabilitation Society (WODRANS)

Political parties

Beja Congress
Democratic Unionist Party
Democratic Unionist Party Women Secretariat
Haq
Legitimate Command
Sudan Alliance Forces
Sudan Communist Party
Sudan Federal Democratic Alliance
Sudan National Party
Sudan People's Liberation Movement
Umma Party
Union of Sudan African Parties

Others

InterAfrica Group
National Democratic Alliance
National Democratic Alliance Legal Secretariat
Pan African Movement

War Is Not Child's Play

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An estimated 300,000 children under 18, some as young as five years old, are currently serving in 36 wars around the world. At the beginning of this century, 90 percent of all war casualties were military; today about 90 percent are civilian. Yet the conditions for children who are forced to bear arms erase the traditional analytical categories of military, civilian and child.

In some of the wars, traditional gender distinctions have also been erased, as girls are forced to bear arms and boys are forced to render sexual service. Both have been used as cannon fodder, advanced as the first wave of infantry-style assaults with the purpose of inhibiting the enemy, who may be reluctant to fire at children.

The first question is why children face this new technique of abuse. The military answer is easy: in the last 20 years, modern technology has provided weapons which weigh less than seven pounds, cost about \$6, and can be stripped, reassembled, loaded and fired by an illiterate child of 10.

This technology has also allowed new 'games' to be taught to American youngsters; one is called Paintball, where children as young as 10 years can pay to learn war. Many sites are proliferating all over the United States, from California to New York, some on ex-military base sites (Indiana). The weapons are prototypes of the real thing; the closer the 'toy' to the real model the more expensive. One manufacturer promotes, "Get Mean, Get Extreme, Get the Attitude -- There is simply no substitute." (Airgun Design) The 'toy' comes in

semi-automatic models and is so real it is used to train law enforcement officers.

For Paintball, the children are taught military tactics, operating in commando groups. Someone 'shot' with paint is eliminated from the skirmish. Wearing camouflage fatigues, the children 'seek and destroy.' It is interesting that the Flagstaff site is called Adult Toyz Center, yet features 'pee-wee' (ages 10-14) tournaments.

Do we really want this militarization of our young people? Do we want to teach 10-year olds war tactics?

One international response to the use of child soldiers is to limit the age for military service to 18 years old, the minimum voting age in many countries and the age of maturity recognized by international human rights law. International organizations such as the World Council of Churches, Amnesty International, Save the Children Federation, Human Rights Watch, Jesuit Refugee Service, and Quaker United Nations Office are calling for a protocol to be added to the Convention on the Rights of the Child to put military recruitment age at 18 years.

The U.S. is refusing to support this protocol because the leaders want to continue to allow young people to volunteer for the military at age 17.

The use of child soldiers is the worst form of child labor abuse. As Desmond Tutu, Archbishop of South Africa, admonishes, "It is immoral that adults should want children to fight their wars for them. There is simply no excuse, no acceptable argument for arming children."

To the adults fighting wars, recruitment of children—occurring right now in Europe

(e.g. Kosovo), Asia, Africa and Latin America -- is considered desirable because of children's energy levels. Second, children are more susceptible to propaganda and therefore, more readily obey. Third, their moral values are still in formation so they can, more easily than an adult, suspend moral judgments. Right becomes one with obedience: commanders say child soldiers are "more obedient, do not question orders and are easier to manipulate than adult soldiers." Fourth, with fewer skills and less knowledge about the area, they are less likely to escape successfully. Finally, they don't demand pay.

One reason we do not allow young people to drive until age 16 is that cars can be lethal. Surely, we also want young adults, not children, to make their own decisions about learning war tactics to kill another human being.

The United States could set the example by changing the age of recruitment to 18 and by promoting the protocol. Concerned parents and citizens could speak out by refusing to allow our children to join mock

wars, called 'pee wee' Paintball, which are not child's play.

Data and quotes from the following. Full citations available.

Airgun Designs. "Get the Attitude" promo flyer. no place, no date.

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[Carol B. Thompson, a Professor of Political Science, is a member of the Northern Arizona Peace and Justice Network, which has a task force on child labor.]

Post-war Education in Liberia

Barbara B. Koffa

Seven years of war caused massive destruction of the physical infrastructure of our country. Houses, schools and other public buildings, shops and stores—nothing escaped the wrath of the warring parties. Initially, in December 1989, there were two parties--Charles Taylor's National Patriotic Front of Liberia and the Armed Forces of Liberia, the national army that supported the incumbent president Samuel Kanyon Doe. At the height of the war there were five warring factions; all resorted to the use not only of small arms but also of heavy artillery which caused the maximum damage.

The difficulties of restructuring the educational system in the aftermath of the war are extreme. We have had to deal with the psychological and physical abuse that so many Liberian girls and boys suffered. It has been an uphill battle to get them to return to the classroom, since their minds, as well as their bodies, need rehabilitation. And many who went through the rehabilitation process returned to the battlefield at the first opportunity. A large number absolutely refuse rehabilitation.

Two of the institutions that are having an impact on education are the Children Assistance Program and the Don Bosco Homes; the latter is run by the Sebastians of Don Bosco, a Catholic group. These programs offer the children vocational and literacy courses, give them psychological therapy with trained counselors, and engage them in physical activities like sports, especially football which is very popular in Liberia. Combined exercises of body and mind help to point the children in the right direction.

Compared with the period immediately after the first cease-fire in 1990, education has improved immensely, but much remains to be done. Not only were the school buildings damaged during the war, but people used the benches and chairs as firewood. Replacing them puts an additional burden on the parents: fixing the chairs and benches is a prerequisite for admission of their children or wards.

Sending children to school and buying books and uniforms represent a financial hardship. Our people's standard of living fell greatly in the aftermath of the war. The majority of parents who work as civil servants are underpaid (salaries are still based on the pre-coup scale fixed in April 1980) and they go without pay-checks for months at a time. Recently the government introduced the Assisted Enrollment Program. The scheme reduces fees for government elementary, junior, and senior schools and also pays the fees for the national exam administered by the West African Examination Council, which is taken annually by ninth and twelfth graders in all schools.

The Assisted Enrollment Program, which has increased the number of students in government schools, has caused overcrowding due to the lack of classroom space. Some students have to stand outside the classroom and miss valuable teaching time. The program has not really eased the burden on the parents who must still provide books and other supplies for their children.

Another serious problem eroding the fabric of post-war education is the lack of teachers. In many parts of the world teachers' services receive the lowest

compensation and Liberia is no exception. After the war, many teachers left Liberia for greener pastures at home and abroad. (Working with local and international NGOs is now a big trend in Liberia.) Many who fled the country during the war decided to stay abroad rather than return to their poorly paid jobs. As a result, the few remaining teachers in the school system have to make sacrifices and teach both morning and evening out of sheer dedication to the students.

Many schools have no textbooks for the students, and when books become available they are usually too expensive for the average Liberian. So, very often, students have to share books or study without them. The lack of textbooks is even more chronic in rural schools. To try to solve this problem, UNESCO sponsored a Ministry of Education project to print textbooks by Liberian authors for the students' use. Let us hope that this initiative will succeed.

The present situation is dismal. In most rural schools the teachers have to serve in many capacities and are hardly ever paid. Their sacrifice is greater than that of their urban colleagues. They sit in crumbling buildings, on mud bricks, trying to teach

children who have walked for miles to get to school. Often one teacher is responsible for three or four different grades. Some help may be forthcoming from international NGOs planning to assist these schools. However, the overall picture is desperate. Unfortunately, the National Government has failed to prioritize education. Instead, security and defense take the larger share of the National Budget. This trend will have to change, if any improvement is to occur in the education of our youth. Our country definitely needs to focus much more attention on its educational system, which is facing very serious problems in post-war Liberia.

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Femmes et Guerre en Casamance

Seynabou Mal
Association Culturelle d'Aide à la Promotion Educative et Sociale
Ziguinchor, Sénégal

Je suis membre de la Commission Femmes et Développement de L'ACAPES (Association Culturelle d'Aide à la Promotion Educative et Sociale) de Ziguinchor créée depuis 1978. Cette commission organise les femmes et les appuie en formation et financement. Mon organisation, seule, mais aussi dans le cadre plus vaste du Conseil d'Appui au Développement (CONGAD) qui regroupe plus de 100 ONG et de la Coalition pour la Paix en Casamance, travaille pour le retour de la paix. Elle mène diverses actions et c'est dans ce sens qu'une équipe multidisciplinaire que je coordonne va entamer une étude sur "femmes et guerre en Casamance". Cette étude se justifie par la place centrale des femmes dans les sociétés surtout de la basse Casamance où elles jouent un rôle économique et social très important et où elles pourraient avoir une influence plus grande sur la recherche de la paix, mais elles ne jouent qu'un rôle que nous jugeons très timoré. Nous voulons savoir pourquoi.

Nous comptons rappeler dans notre recherche la genèse du conflit Casamançais; développer le rôle et la place femme en Casamance (traditionnellement, mais aussi pendant la guerre); les changes menés par les femmes en particulier pour l'avènement de la paix; et enfin dégager des conclusions pour une plus grande mobilisation des femmes et ouvrir des perspectives une fois la paix revenue. Nous pensons que participer à cette rencontre, entendre des exposés sur d'autres situations d'autres démarches peut

nous aider. Je vous envoie un plan détaillé de certains aspects de l'étude.

La genèse du conflit Casamançais

Bref aperçu: la région naturelle de Casamance, située au sud du Sénégal dont elle est séparée par la Gambie, présente des particularités physiques, humaines et culturelles qui ont donné le sentiment à ses populations, particulièrement à l'ethnie Diola, le sentiment d'être une autre nation. Les grandes sécheresses des années 80, la distribution anarchique de terres (rares pour la riziculture), la dégradation des conditions de vie avec les plans d'ajustement structurel et la différenciation sociale accentuée entre les autochtones et les populations nord du Sénégal aboutissent à l'éclatement du conflit en 1982. De 1982 à 1990, c'est une situation de ni paix ni guerre. L'armée et les séparatistes du Mouvement des Forces Démocratiques de Casamance (MFDC) dirigé par l'Abbé Diamacoune Senghor s'affrontent sporadiquement. A partir de 1990 et depuis lors des intérêts inavoués de tout genre et la mauvaise volonté politique provoquent l'escalade de la violence. En 1998, l'horreur: les mines anti-personnels et anti-chars font des victimes par centaines. Des bandes armées sillonnent la région. Des centaines de villages sont désertés: les populations se replient dans les gros villages et les villes où existe un cantonnement militaire. Ziguinchor reçoit environ 60 000 personnes déplacées surtout des femmes, des enfants et des vieillards. Ces personnes sont accueillies par des familles des quartiers

périphériques de Ziguinchor. Les femmes ne pouvaient rester les bras croisés.

Le rôle et la place femme en Casamance

La société Diola est ce qu'on appelle généralement société horizontale c'est-à-dire sans hiérarchisation sociale, seule la valeur intrinsèque de l'individu homme ou femme était importante. Ainsi une grande partie des fonctions spirituelles revenait aux femmes qui avaient su convaincre leurs concitoyens de leur pouvoir. L'une des prêtresses les plus célèbres de Casamance est Aline Siteo Diatta, héroïne de la résistance Casamançaise de 1941 à 1943 contre l'administration coloniale.

Les femmes sont organisées autour d'une prêtresse centrale. Elles ont leurs fétiches où elles peuvent se retrancher, faire des libations. En cas de danger dans la société, de menaces sur le groupe (épidémies, conflits), les femmes s'arrogent certaines prérogatives du temporel, par exemple en cas de conflit, elles ont la faculté de s'interposer entre les belligérants pour exiger la paix. C'est alors l'arrêt immédiat des combats car personne n'a le droit de blesser, de porter la main sur elles. Elles ont eu à se manifester pendant la période coloniale et pendant la grande grève du Lycée Djignabo à Ziguinchor en 1980. Les élèves de la capitale régionale réclamaient de meilleures conditions de vie, de travail et le départ du proviseur. Un élève Idrissa Sagna est alors tué le 11 janvier par la police qui voulait arrêter une manifestation des élèves. Les femmes après une réunion autour de leur fétiche UNSANA (sorte de fédération regroupant les femmes de plusieurs sous groupe Diola) organisent une marche. Et par milliers, la tête couverte d'une calebasse ornée de perles et un balai à la main, se dirige vers la Gouvernance, le commissariat de police, puis la maison du proviseur. Elle présentèrent au Gouverneur les

revendications des élèves qui seront toutes satisfaites.

Ce n'est là qu'un exemple mais qui nous amène à nous demander pourquoi le déferlement de ces femmes à la nuit de la mort d'un élève ne se reproduit pas encore avec plus de vigueur quand tombent des milliers de personnes victimes du conflit armé, quand des centaines sont mutilées par des mines, quand des dizaines de milliers surtout des femmes et des enfants ont dû fuir leurs villages, leurs foyers? Nous espérons que nos recherches nous permettront de répondre.

Cependant, les femmes du Sénégal en général, de la Casamance en particulier ont tout de même mené des activités à partir de leurs organisations traditionnelles et "modernes" et des organisations mixtes, pour la paix en Casamance. Les mouvements pour la paix se sont surtout multipliés à partir des années 1990.

Mars 1993: les femmes se sont mobilisées et ont clamé leur désir pour la paix lors de la marche organisée par l'Association des jeunes de Ziguinchor.

Mai 1995: Festival des origines par l'Association Culturelle Agoune et Diambogne (ACAD) rassemblant les femmes Diolas de Casamance et des femmes Sérères du Sine pour la recherche de la paix. Il faut signaler qu'en 1993, l'association "Yewu Yewi" basée à Dakar avait initié un mouvement pour la paix (MOFEPAC) qui avait tout un programme dont une marche de toutes les femmes de Dakar. Mais cette marche sera interdite et les autres activités prévues ne se réaliseront pas.

13 Mars 1996: L'organisation nationale de défense des droits de l'homme (ONDH) a organisé un rassemblement à la place Jean Paul II avec la présence de Madame Abdou Diouf. Les femmes massivement représentées sont fortement intervenues pour demander la paix, l'arrêt des hostilités.

Mais c'est surtout en 1997 que les manifestations pour la paix se sont multipliées. Pourquoi 1997? Cette date marque une recrudescence de la violence en Casamance après une "longue" trêve suite à l'appel de Abbé Diamacoune le 3 décembre 1995. Des négociations devaient démarrer le 8 avril 1996 mais les tergiversations de plusieurs ordres entraînent l'échec avant même le début du Dialogue. C'est alors l'impasse. L'option militaire est reprise, les soldats ferment tous les couloirs d'accès à Ziguinchor. Les maquisards s'installent aux portes de Ziguinchor à Madina Mancague. L'armée cherche à les déloger, 25 soldats d'élite de l'armée sénégalaise sont tués en août 1997. Les mines anti-personnels et anti-chars sont alors posées par le MFDC. Les victimes se comptent par centaines.

Les réactions pour la paix se multiplient:

- Avant même l'enterrement des soldats, les femmes féticheurs de Bignona, en grande tenue d'apparat à bord de trois cars rencontrent le gouverneur, font des déclarations à la presse pour qu'on arrête cette guerre absurde, et que le sang cesse de couler. L'absurdité de cette guerre sera aussi évoquée par cette mère d'un soldat Jambar tué à Madina Mancagne qui se demandait si son enfant soldat de l'armée sénégalaise n'a pas été tué par son fils soldat du maquis.
- Les épouses des militaires manifestent dans beaucoup de villes du Sénégal, Tamba, Thiés, Kolda à l'annonce de la mort des 25 Jambars et s'adressent à la presse.
- Les femmes répondent massivement à l'appel de l'évêque et de l'Imam de Ziguinchor pour une marche à travers la ville et des prières pour la paix et les victimes des mines.
- La fédération des groupements féminins sous la férule de sa présidente Alima Souaré apporte un soutien moral et matériel aux victimes des mines. Elle

met à leur disposition à côté de l'Hopital Régional, une maison de rééducation.

- Sabel Diatta, cycliste d'origine Casamançaise a organisé une randonnée pour la paix DakarZiguinchor qui verra la participation de cyclistes français, ivoiriens gambiens, bissau-guinéens.

Mais au-delà de ces actions d'éclat, de ces actions d'envergure, les organisations des femmes, les ONG se mobilisent pour la paix en poursuivant les actions de développement et en initiant de nouvelles actions. C'est dans ce sens qu'il faut comprendre l'intérêt du forum sur la paix et le développement en Casamance initié par le CONGAD avec la "Coalition des ONG pour la paix" le 27 et 28 mars 1998. La pertinence de la tenue de ce forum est résumée pour le Président du Conseil Régional de Ziguinchor lorsqu'il dit: "Le développement est un puissant facteur de consolidation de la paix, tous ceux qui abandonnent la Casamance aujourd'hui favorisent, qu'ils le veuillent ou non, la poursuite de la crise." L'objectif du forum était d'aménager un cadre d'information et de sensibilisation sur les impacts de la crise, de favoriser un moment privilégié d'échanges et de réflexion en faveur de la restauration de la paix. La cérémonie, malgré l'absence de certains acteurs (Mr. Robert Sagna, maire de la ville, Abbé Diamacoune rencontré après) a regroupé plus de 150 participants: membres des ONG, opérateurs privés, délégués des jeunes, des élus locaux, représentant des syndicats, avec la présence de beaucoup de femmes (FAFS, LFA/ACAPES, Fédération des groupements de femmes).

Le forum a fait le diagnostic suivant:

- La crise a occasionné de lourdes pertes en vie humaines, des mutilés et des déplacements de population,
- Elle a fortement détérioré les conditions de vie des populations (santé, éducation, alimentation),

- et a entamé la stagnation ou le recul des activités économiques (agriculture, élevage, pêche, tourisme, commerce, industrie),

Sur toutes ces questions, le forum a retenu des recommandations dont certaines sont en exécution grâce à l'action du CONGAD:

- Aide d'urgence aux déplacés: en construisant 13 abris provisoires dans certaines écoles de la périphérie Ziguinchor,
- Appui à six cantines scolaires environ 1300 élèves pris en charge jusqu'à fin juillet,
- Distribution de vivres dans ces quartiers où ont afflué quelques 60 000 personnes déplacées surtout des femmes et des enfants, des vieillards accueillis dans des familles déjà très démunies,
- Appui en médicaments au district sanitaires pour la prise en charge des

personnes déplacées pendant toute la saison des pluies.

Un plan d'actions à moyen et long terme a aussi été élaboré et le forum a comblé une des lacunes notées jusque là pour la gestion nombriliste que l'état a faite de cette crise. Il a permis la prise en compte de la voix des acteurs de développement à la base, celle des ONG. Pour ce forum, le CONGAD permet de saisir la question casamançaise comme une question nationale. Notre organisation de manière particulière se donne pour mission de promouvoir la place et le rôle de la femme en Casamance, d'organiser une sensibilisation des organisations de femmes dans toutes les régions du Sénégal en vue d'aboutir à une forte mobilisation nationale des femmes en faveur de la paix.

Women in Chad

Amnesty International

[This action appeared in the Winter 1999 edition of *Interact*, a bulletin about Women's Human Rights produced by Amnesty International USA. For more on Amnesty's work for women, visit their website at www.amnesty-usa.org/women. For further information concerning Amnesty's work on Chad, contact Sarah Milburn Moore at smmoore@igc.org.]

Women and girls continue to be routinely subjected to sexual violence by members of the Chadian security forces, as well as by members of armed opposition groups. Systematic rapes continue because of a climate of impunity that encourages the perpetrators to believe that they will not be investigated or prosecuted for these types of human rights abuse. Rape and sexual abuse are forms of torture and cruel, inhuman and degrading treatment. They are in clear contravention of the many international human rights standards and treaties ratified by Chad. They also constitute criminal offenses under Chadian law.

The peace accord between the Chadian government and the armed opposition group, the Forces Armées pour la République Fédérale (FARF) was broken when violent clashes between the two sides led to the killing of at least 80 people in Moundou, southern Chad. Following these killings, the people of the two Logone regions around Moundou have suffered numerous human rights violation at the hands of the security forces and members of FARF, mainly

extrajudicial execution by the Chadian security forces. Rape was used on a large scale for political intimidation of opponents.

For example, rapes carried out by the security forces on 1 March 1998 in the southern village of Dadjigui included a 13 year-old Catholic student, a 16 year-old girl, a pregnant woman, and two girls under the age of 15. The victims are mentioned here without their names not only for their own protection, but because they represent the many women and girls who have been similarly abused by security forces but were unable to report the crimes.

Letters are needed to the following officials saying that these rapes should be investigated thoroughly and impartially, that further rape or sexual abuse should be prevented, and that all those who are guilty of these abuses should be prosecuted in accordance with international standards of fairness. Mention that rape is illegal in Chad, and that impunity for rape and sexual violence only encourages further abuse on the part of the Chadian security forces. Remind the Chadian government of its commitments, having ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to ensure the full protection of women's rights.

Write your letters to the President, Idriss Deby (Présidence de la République, B.P. 74, N'Djamena, Republic of Chad, and the Minister of the Interior, Abdramane Sallah, N'Djamena, Republic of Chad.

Challenging Violence: Haitian Women Unite Women's Rights and Human Rights

Anne Fuller

In Haiti before the 1991 coup d'état, human rights and feminism were rarely mentioned in the same breath. The concept of human rights received broad although often insincere support, while feminism and women's rights were often treated as marginal and even risible concerns. Haiti's 29 years of dictatorship under Duvalier father and son (1957-1986) was viewed through the lens of political repression (politics) and human rights violations (human rights) but rarely through a gendered scope. In recent years, however, since violence against women has begun to be accepted as a human rights concern, popular opposition to it has grown, human rights organizations have moved to adopt it as an issue, and the state has come under pressure to make reforms.

This article examines the growth and evolution of the Haitian women's movement, especially its approach to issues of violence. How has the movement located violence in relation to international human rights concerns, to politics in Haiti and to the Haitian human rights movement? How far has it succeeded in raising general awareness about violence and discrimination against women and what actual changes has it contributed to effecting? What human rights protections have Haitian women secured and how significant are they in practice?

Haiti's Record on Ratification of Human Rights Instruments

Haiti has ratified a number of major human rights treaties, including some pertaining specifically to women, and has

given significant formal recognition to human rights in its Constitution. As one of the original members of the United Nations, Haiti took part in the proclamation on December 10, 1948, of the Universal Declaration of Human Rights. The Haitian Constitution, ratified by 99% of voters in 1987, accords a place of honor to the Universal Declaration, enshrining it in its preamble alongside Haiti's 1804 independence declaration. The Constitution also specifically guarantees many of the political, civil, economic and social rights that the Declaration upholds.¹

Haiti ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1981, and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, known as the "Belem do Para Convention" in 1996. The record shows that Haiti has also ratified the Convention on the Elimination of All Forms of Racial Discrimination (1972), the International Covenant on Civil and Political Rights (1991, although signed in 1966), and the Convention on the Rights of the Child (1996).²

Ratification, however, is but one step, and in Haiti's case, it has had little practical or even formal significance. With regard to the CEDAW, under both dictatorship and democracy, Haiti has ignored its commitment to make implementation-progress reports to the Committee on the Elimination of Discrimination Against Women. Neither the initial report due in 1982, nor follow-up reports in 1986, 1990, 1994 and 1998 have been submitted.

Haitian government delegations have participated in all UN international conferences on women, although there is scant record of their role before Beijing. In Mexico in 1975, the Haitian representative spoke about protective laws adopted by her government in favor of women. (Anglade 1995, 167) The 1995 Beijing Conference saw both a governmental (from the newly created Ministry of Women's Affairs and Women's Rights) and an NGO delegation, and NGOs, in particular, disseminated a great deal of information about the conference, both before and afterward.

Women under Haitian Law

Strictly speaking, thus, the rights and protections of CEDAW and Belem do Para have become part of Haitian legislation. However, despite anecdotal evidence that Belem do Para has been cited in a Haitian court since its ratification, these instruments are not yet truly recognized by the Haitian legal system. Haiti's courts function day-to-day using codes of laws in the French tradition. Jurisprudence is little developed and Penal and Civil Codes are essentially 19th century instruments. In 1982, a landmark decree made women equal to men, particularly within marriage, but different penalties for breaches of laws continue to be applied, even though they may contradict this decree, the 1987 Constitution, and ratified treaties.

Haitian women activists cite several areas where the law discriminates against women and requires urgent change:

1. Adultery is classified as a *delit*, or second-level crime, and women who are caught are punished with three months to two years imprisonment, while men pay only a fine. Murder committed by a husband who discovers his wife and her lover *in flagrante delicto* may be excused by a judge and, in any event,

punished by no more than two years in prison.

2. Rape is never actually defined in the law but is classified among crimes against morals, ("*atteintes aux bonnes moeurs*") The courts have attributed less importance to the rape of a woman who is not a virgin on the pretext that her honor is not at issue. Medical certificates are required to prove rape and are difficult to impossible for most women to obtain.
3. Abortion is illegal under all circumstances, even for therapeutic purposes, and punishable by 3-9 years in prison. A doctor or other person who performs an abortion can be jailed for 3-15 years. Girls and young women are usually dismissed from school and domestic workers from jobs if they become pregnant and they are among those most at risk for complications from illegal abortions. Prosecutions for abortion, however, are very rare.
4. Violence is punished by laws against assault and battery, according to the circumstances of the attack and the degree of injury to the victim. Assault on a parent or adoptive parent is singled out for additional penalties, but no special mention is made of assault by men on women. Domestic abuse has traditionally been seen as an internal family matter and not penalized.
5. The rights of women in common-law marriage (*plaçage*) are not recognized. Only a minority of Haitian couples are legally married, yet the law does not recognize many rights, particularly of inheritance, of the woman living in *plaçage*, the most common form of stable union. Children born to women not married to their father also suffer. Although exclusive fidelity by women is a firmly recognized social norm, it is implicitly admitted that men have more

than one sexual partner. In a recent survey, 32.5% of men in stable unions also reported having had more than one sexual partner during the previous month.” (Adrien & Cayemittes, cited in CIFD 1991, 67) Among other distortions caused by the law’s non-recognition of widespread social practices, married man may not recognize children born of a woman other than his wife, leading such children to sometimes be falsely registered as the children of the married woman.

Measuring Violence Against Women

There is little data on the extent of the problem of violence against women. A 1996 UNICEF-supported investigation by the Centre Haïtien de Recherches et d’Actions pour la Promotion Féminine, is criticized for methodological weaknesses, and by some for its premise that violence against women and girls is “a social phenomena, an ancestral heritage, linked to our customs (*moeurs*) and habits as a people and consequently independent of social conditions, matrimonial status, religious convictions or level of education of its victims.” (CHREPROF 1996, 4) It was published in a popular illustrated version, is fairly well known and widely used despite these shortcomings.

Seven out of ten women interviewed by CHREPROF said they had been victims of violence, with the most common form (37%) being sexual violence (defined as including rape, sexual aggression, seduction [use of lies or tricks to obtain sexual favors], and sexual harassment). Fifty percent of the aggressors were husbands or boyfriends. One third of respondents said they had been victims of physical violence (blows, beatings). Girls were proportionately more frequently victims of sexual violence, and 87% of violence against girls was by family

or close friends.

The study found that level of education and relative economic status of the men and women implicated made little difference, and that violence was found in similar proportions among Catholics, Protestants, *Voudouisants*, and non religious. Sixty-six percent of victims said they had kept their experience secret, for fear of “social judgement” (32%), “reprisal” (22%) or lack of appropriate legal measures (14%).

One of the most interesting findings concerned men’s views: 90% of those interviewed said they had never used violence against a woman, but fully 80% believed that violence was sometimes justified, such as in cases where women were rowdy (*tapageuse*), extravagant, refuse to obey, or commit adultery.

CHREPROF and other sources cite a finding from an investigation into sexual behavior and AIDS (cited in CIFD 1991, 65) that 29% of women had not consented to their first sexual experience. The same study noted a prevalence of violent expressions commonly used by men to describe sexual intercourse (crushing, hitting, beating, etc.).

Studies about violence against women in Latin America may be considered to have certain relevance for Haiti. One out of four Latin American and Caribbean women is victim of physical abuse in her home, and only 5-15% report the crime, according to a recent study done for the Inter-American Development Bank. (IPS 1998b)

In a related area, with abortion illegal under all circumstances, the number of illegal abortions performed is unknown. However, Haiti has the lowest life expectancy (57 in 1996) and highest maternal mortality rate in the Western Hemisphere (600 per 100,000 in 1987-89) and this is “believed to be related to clandestine, unsafe abortions” (World Bank 1998, 13).

A World Health Organization study recently estimated that “41 of every 1,000 Latin American and Caribbean women undergo abortions in unsafe or life-threatening conditions – a proportion three times higher than the average for the industrialized countries.” (IPS 1998a)

The Development of the Haitian Women’s Movement

The first Haitian feminist organization was the Women’s League for Social Action (*Ligue Feminine d’Action Sociale*) founded in 1934 by a group of women intellectuals, professionals and activists from the middle and upper classes. It played an important role in politics for the next 25 years, focusing mainly on legal rights – suffrage, access to education, equality for married women. The Constitution of 1950 gave women a limited right to vote (with their husbands’ permission); in 1957 they obtained full equal suffrage. This was the election that brought to power François (Papa Doc) Duvalier. “...[I]n a bitter twist of fate, gaining access to the vote entailed the elimination of ‘protective’ paternalist state policies that defined women as dependent persons. The brutally repressive regime of the Duvalier’ dictatorship was to turn Haitian women into full political subjects.” (Charles, citing Castaneda, 1995, 147)

Many members of the League became victims under François Duvalier (1957-1971) and his son, Jean-Claude (1971-1986.) The arrest and torture of prominent journalist Yvonne Hakim Rimpel in 1958 was one of the earliest examples of Papa Doc’s brutal violence. Hakim Rimpel, together with her two daughters, was taken from her house in the night, stripped naked, tortured, and possibly raped. (Zéphir 1991, 27) The League immediately published a protest note signed by 36 courageous women and called for an investigation.

Soon after this, it like other independent political organizations, was driven into silence.

In the 1970s, a few charitable and professional women’s groups began to form within Haiti, while a new women’s movement was emerging among exiles in the United States and Canada. The movement was situated “within the broad framework of anti-imperialist struggles” (Charles 1995, 150), with Haiti’s liberation the priority, but eventually, Haitian women in New York and Montreal began to focus on specific women’s issues, “especially the problems encountered by women in political organizations, within households and as immigrants.” (Charles 1995, 150) They were influenced by the women’s movement in the U.S. and Canada and by the United Nations Declaration of the 1975-1985 Decade on Women.

1986-1991: Flourishing of Civil Society Organizations

With the fall of Duvalier in 1986, many activists returned to Haiti and helped create women’s organizations there, in what Charles describes as the “transnationalization” of Haitian women’s struggles. At least 60% of the founding members of new groups like *Solidarité Fanm Ayisyen* (SOFA, Haitian Women’s Solidarity) and *Kay Fanm* (Women’s House) had lived outside of Haiti. (Charles 1995, 152)

Two months after the liberation, on April 3, 1986, more than 30,000 women took to the streets of Port-au-Prince in a peaceful protest organized by some 15 different groups. “It was a revolt against exclusion. The country was being remade and we didn’t want it to be remade without us” (*nou pa t vle peyi a ta refet san nou*). (Personal conversation with Myriam Merlet, Enfofanm, March 17, 1999). The issues on the banners of the marchers were many:

poverty, sexual harassment, rape, loans for women, joblessness, education. The April 3 anniversary is recalled each year and has been proposed as a national women's day.

In a parallel fashion, human rights activists who had established organizations in the Dominican Republic (*Centre Œcumenique des Droits Humains*) and the United States (*Centre Haitien des Droits et Libertés*) opened offices in Haiti, where they were joined by others who had remained in the country (*Ligue des Anciens Prisonniers Politiques*, etc.). This was the second wave of Haitian human rights organizations; the first had been the emergence in the late 1970s of the *Centre Haitien pour les Droits de l'Homme*, swiftly crushed after a brief period of liberalization. The emerging women's movement and the human rights movement, although part of the same broad assertion of democratic civil society, established very different agendas. Human rights groups were at first concerned with establishing the truth and obtaining justice for the killings, torture and disappearances of 1957-1986. This was a task they never completed as their attentions were forced to new violations committed by the largely military rulers of the period.

From 1986 to 1991, taking advantage of freedoms of association and speech despite successive coups d'état, all sorts of organizations of civil society were created, grew, and sometimes splintered. Groups like the Papaye Peasant Movement (*Mouvement Paysan de Papaye*) began to have significant female membership and women's sections. Women themselves formed professional groups, alumni associations, women's clubs, cooperatives and feminist groups.

SOFA launched the first public campaign against violence against women in 1987, focusing around November 25, the International Day Against Violence Against Women, recognized by the United Nations

and marked since 1981 in other Caribbean countries. In the next few years, there was a certain amount of mobilization around the issue—for the November 25 date—but women's groups mostly had other priorities.

1991-1994: A New Degree of Violence

At the end of September 1991, when the military seized power from President Jean Bertrand Aristide, most independent groups went underground. The head of one leading human rights group, however, became prime minister in the first military government, justifying the military putsch as a response to what he saw as human rights violations and anti-democratic actions by Aristide. The President and his ministers were expelled from the country and spent three years in exile, organizing resistance and pressuring the international community to help return democracy to Haiti. A new generation of human rights NGOs organized a fax bulletin that went around the world, and information about human rights abuses inside Haiti played an important part in the international campaign against military rule. President Aristide sought a presence of international human rights monitors inside Haiti, and in 1993 the United Nations/Organization of American States International Civilian Mission in Haiti (MICIVIH) was created.

Human rights groups' reports did not single out violations against women, but women's organizations had been collecting specific information on attacks on women, including rapes, and were indignant that human rights NGOs were paying insufficient attention. Cases like that of Diana Laguerre outraged women activists. A mother of six, Laguerre was killed in December 1992 by her former companion, a military attaché, after she left him. He reportedly shot her and then in front of witnesses turned a knife in her vagina, saying she'd "never use it again to cuckold

him.”(*Se bòbot ou ki fè ou ap fè frekan konsa; kounya a sa fini.*) (Komite Adòk kont Vyolans sou Fanm 1992, 14) They organized in March 1993, the three-day-long First National Meeting on Violence Against Women (*Premier Rencontre Nationale sur la Violence Faite aux Femmes*).

Human rights abuses increased sharply in mid-1993, and rape, which had been infrequently reported, became much more common. Several human rights groups began to offer refuge and direct assistance to victims of abuse and Kay Fanm started its safe house for women. The International Civilian Mission reported 66 instances of rape “of a political nature” between January and May 1994. (MICIVIH June 17, 1994.) The Inter-American Commission on Human Rights in a May visit documented 21 cases first-hand. Human Rights Watch/NCHR (1994, 4) published “Rape in Haiti: a Weapon of Terror,” based on a February 1994 investigation, reporting “a campaign of systematic violations of human rights that clearly includes rape.”

A report published by the MICIVIH after Aristide’s return shed light on the identity of the rape victims. Most (52%) of the women rape victims received by the MICIVIH’s Medical Unit during one sample period were close relatives of activists, while only 18% were activists themselves (defined as members of organizations or political parties). In another sample of men and women victims of different types of abuse, 64% of men were activists and 20% sympathizers, while corresponding figures for women were 30% and 40%. (MICIVIH 1997, 34-38)

During this period, a confidential cable (dated April 12, 1994) from the U.S. embassy in Port-au-Prince to the State Department was leaked to the press. Its report on rape (and the supposed fabrication

of human rights violations) caused an immediate outcry:

“The Haitian left, including President Aristide and his supporters in Washington and here, consistently manipulate or even fabricate human rights abuses as a propaganda tool...they see the truth as a flexible means to obtain a worthy political end....A case in point is the sudden epidemic of rapes reported both by pro-Aristide human rights activists and by the ICM.[international civilian mission-MICIVIH] For a range of cultural reasons (not pleasant to contemplate), rape has never been considered or reported as a serious crime here. Hard-line, ideological Aristide supporters here regularly compare the human rights situation in Haiti to the carnage in Bosnia....We are, frankly, suspicious of the sudden, high number of reported rapes, particularly in this culture, occurring at the same time that Aristide activists seek to draw a comparison between Haiti and Bosnia.”

The rapes were, unfortunately, quite real. But the public discussion of *political rapes* did eventually help open the door to discussion of rape in general; *legitimizing* public discussion of what had been a forbidden topic.

1995-1998: Mobilization Against Violence Against Women Moves Center-Stage

The post coup d’état years have seen important mobilization by the women’s movement against violence, and a certain increasing involvement by human rights groups in the issue. There have been a few, largely symbolic, steps by government to address women’s concerns. The most

important was the creation of the Ministry of Women's Affairs and Women's Rights; Dr. Lise-Marie Dejean, a leading member of SOFA, was named the first minister in 1994. The minister headed Haiti's delegation to the Fourth International Conference on Women in Beijing in 1995. On April 3, 1996, parliament ratified the Belem do Para Convention.

Efforts to jump-start prosecutions for cases of rape during the coup floundered, with the justice system stalled in a crisis of incapacity, fear and disinterest. Relations between the ministry and feminist NGOs were often tense, with NGOs criticizing the ministry for inaction. Ministers came and went and the budget was reduced. In 1996/1997, there was serious discussion of closing the women's ministry, to which women's organizations responded by affirming its importance.

The report issued by Haiti's Truth and Justice Commission about human rights during the three years of military rule was handed to the President in February 1996, but it was many months before it became public. Its finding on abuse of women were similar to those made by NGOs and the MICIVIH during the coup but its recommendations concerning rape and to a lesser extent, other specific violence against women, broke new ground.

The Commission, which was headed by a woman, noted "a direct link between the generalization of violence during the period covered by the mandate of the Commission and the dramatic increase in the incidence of rape and other forms of sexual aggression." It acknowledged that "the social context makes women very vulnerable and little inclined to file complaints" and recommended directives to police affirming that sexual aggressions are serious crimes deserving priority treatment in investigations. (*Commission Nationale de Verité et de Justice* 1996)

The Commission's report called for: 1) rape to be redefined as an attack on physical integrity and well-being rather than honor, and for acts of "conjugal and family violence" to be explicitly defined as "forms of physical, moral and/or sexual aggression, and thus, breaches of law subject to graduated penalties"; 2) legal proceedings to be instituted against the presumed authors of abuses noted in report, together with compensation for victims; 3) the protection of victims' private life in trials; 4) modification of rules on medical certificates of rape, extending the competence to draw them up beyond physicians; 5) development of educational programs to improve the treatment of rape victims by police, judges, doctors and others; 6) creation of services and programs for victims; 7) a campaign to educate and inform the public about rape.

Partly in reaction to the government's failure to implement these recommendations, women began to organize what was to become another milestone in the struggle against Violence Against Women: the International Tribunal Against Violence Against Women in Haiti, held November 24-26, 1997. Attended by several hundred women and men, the Tribunal heard testimony, often from behind a curtain, of women who had been victims. Radio stations rebroadcast some of the dramatic testimony—stories that had never been talked about in public before.

The Tribunal addressed violence of four types: Domestic violence, sexual violence, political violence and violence against handicapped women. A speaker at the Tribunal described handicapped women as experiencing enormous discrimination and violence. Some men believe it's good luck to sleep with a handicapped woman; many victims are young and either deaf/dumb or mentally handicapped and unable to report what happens to them. Sign language is little

taught and most handicapped are illiterate also (Lespinasse 1997, 12).

A panel of judges was drawn from international experts and representatives of Haitian human rights groups. Their recommendations at the close of the Tribunal (all cites in *Ayitifanm* 1997, 10-11) were pragmatic and groundbreaking, going well beyond those of the Truth and Justice Commission issued 20 months earlier.

Noting “serious shortcomings” in the judicial system, police practices and procedures, and “ineffectiveness, lack of initiative and shortcomings of the social and public health services” the panel called for the government to work with a coalition of women’s organizations to prepare a law for the elimination of all forms of violence against women.

It also recommended: legalizing abortion in cases of rape, incest and danger to the woman’s health; decriminalizing adultery and introducing it to the civil code as motive for marital breakup; amending the Civil Code to recognize common-law marriage; various measures affecting the legal system including establishing a police unit composed of women to receive complaints and conduct investigations on anti-woman violence, and measures to protect plaintiffs and witnesses in trials; establishing shelters for women who are victims of violence or other problems; adoption by schools of education programs that incorporate principles of non-sexist education, including demystifying the patriarchal foundations of society and its link to violence against women, and education on human rights where the rights of women are recognized as human rights.

The Tribunal has been followed by other important activities that have further raised awareness of the problem. A Colloquium of Haitian and Dominican Women Against Violence (*Kòlòk Ayisyano Dominiken, Tèt ansamn kont vyolans sou fanm*) held in Port-

au-Prince, January 30-February 2, 1998, brought together 47 Haitian delegates from 26 organizations with 33 Dominican delegates from 17 organizations.

In 1998 and 1999, Kay Fanm put together Carnival floats with the theme, “No to Violence Against Women.” A popular rap group, King Posse, released a single for March 8, 1999, using Kay Fanm lyrics about violence against women. (Personal conversation with Magalie Marcelin and Marie Jose Vaval, Kay Fanm March 18, 1999)

Many activists and observers feel that advances have been made in the popular awareness of violence against women. “Men will now deny that they themselves commit violence. It’s the other guy, they say.” (Personal communication, Myriam Merlet, Enfofanm, 17 March 1999) They cite cases where neighbors have intervened in domestic dispute to protect a woman from abuse.

One such case, which also illustrates the failure of the police to respond to domestic violence, occurred in Lilavois in the Port-au-Prince suburbs, Nov. 1, 1998. (Lespinasse 1998, 8)

A man known (Ti frè) was beating his wife (Ilari). Neighbors heard her cries and intervened; they seized the man and his weapon, a pointed metal stick (*frènn*), and then called the police. After a long wait and no police, they asked an off-duty officer nearby who had a police car for help, but he said it wasn’t his responsibility. Neighbors eventually located the driver of a pick-up truck who would take the woman to the hospital and the man to the local police post. En route, they encountered an ambulance that had sent by the police. At the police station, there was another scene, with police sitting on their hands as people began in frustration to beat up Ti frè. Finally the neighbors had to transport him to the main police station at Croix des Bouquets, where

they left him together with the *frenn* he had used as evidence. Two days later, on November 3, Ilari went to the police to file her formal complaint. She was told there was no one available to hear it and that she should return the next day. On November 4, police let Ti frè go. He returned home and started fighting with his wife again. When she screamed, the neighbors gathered and told him he'd better not hurt her again. But they feared this would not be enough because the man had a reputation for violence.

If public awareness may have advanced, in other areas progress has been very slow. There is still only one women's shelter in this country of seven million, that of Kay Fanm. A promising dialogue initiated in 1998 between women's groups and parliament on legal reforms concerning women, stalled with the political crisis that led to the January 1999 dissolution of parliament by President Preval. Of four urgent legal reforms that women had made priorities--decriminalizing abortion in certain circumstances, legal protections for domestic workers, decriminalizing adultery, and making rape a crime against the person, only one was enacted--and this equalized the penalty for adultery for men and women rather than decriminalizing it all around. Still, important steps have been taken and the dynamism and creativity demonstrated by the women's movement seems likely to continue to lead to advances on these issues.

Endnotes

¹ Article 276-2 of the Constitution states that treaties duly ratified by the country become law without requiring any activating legislation

² Haiti has not ratified the International Covenant on Economic, Social and Cultural Rights or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, among other human rights instruments.

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Active Support in Overcoming Fear of Women

Autonomous Women's Center Against Sexual Violence
Belgrade, Serbia

After the first night of bombing on 24 March, martial law was ordered. Fear became a fact of life overnight. The activists of the Autonomous Women's Center Against Sexual Violence decided to start calling women over the phone to ask them how they are, to give them space to overcome their fears. For the past six years, the work of the Autonomous Women's Center was based on the ethical principle that the service is given to women who ask for it when they call or come to the center. The fear in the wartime has moved the borders of private and public and therefore we transgressed our working principles. Every woman has become a possible client, at least for a moment. Connecting with each other, calling on the phone, asking women how they feel, became legitimate activities of the Women's Center. Once again, women's solidarity inspired many women. That is how we started the active telephone support for women to overcome fear.

Active phone counseling

The counseling phone work is based on feminist principles of psychological counseling as well as on the experiences of working with fearful women in the Bosnian war with therapists from the Women's Therapy Center Medica Zenica in Bosnia and Herzegovina. The Fear Counseling Team decided to actively call women for different reasons. First because in war situations women are less mobile and do not leave their homes often. Second, they feel their homes as the only safe place, most times. Third the Women's Center paid the

telephone bill, which is a very important factor in wartime when poverty is increasing and women cannot relax to talk about themselves if they know they cannot pay the bill.

Documenting the feelings of fear

The Autonomous Women's Center Against Sexual Violence, since its foundation in 1993, has believed in antiwar/antimilitary politics, in multi-nationalism as well as in spreading solidarity with women from the other side of the front line. In the present situation the Women's Center is documenting the feelings of women who are in fear of NATO bombing and the entire war situation, as well as the feelings of women in Pristina and other parts of Kosovo who are going through particular processes of fear, terror and pain.

Documenting calls

In the first 25 working days, five counselors made 378 counseling telephone calls to women from 34 towns in ex-Yugoslavia. The statistics of the Women's Center show that 232 counseling phone sessions were done with women in Belgrade and the others with women in other towns including the regions of Vojvodina, Sandzak, Montenegro and Kosovo. The center initiated 87% of the calls.

Documenting statements of fear

The Women's Center is documenting all types of fears and forms in which fear is manifested—in body, dreams, behavior, thoughts. From the statements it is easy to conclude that life has changed for every

woman, that emotional states are changing very often during a day, that the most dominant emotions are desperation and anxiety as well as a tendency to survive and to adapt to the limited conditions of life. "I am in a horrible fear." "I fear the night." "I am afraid to go further than the grocery shop." "I don't go out." "I sleep in my friend's house." "I cannot concentrate." "I am sensitive to all sounds." "I fear my brother will be mobilized." "When the sirens start I feel nauseated." "I have lost 4 kilos, I broke down psychologically." "Every night I go to the shelter, I feel bad." "When I see soldiers on the street I shudder." "I feel I dropped out off the track, everything changed in my life." "I am worried for my future." "I am constantly on sleeping pills." "I sleep fully dressed." "Children in the shelter are very disturbed." "At my work place men started to drink intensively." "I am nervous." "I am not afraid of death but I am afraid of sudden sounds." "It is killing me that I cannot work on anything any more." "My emotional state is changing every hour." "I threw out the TV set, I cannot listen to that language anymore." "Neighbors are talking apocalyptic gossip all the time." "I am nervous, I go from the shelter to the flat three times in one night." "I feel like leaving this country forever, it is so nauseating." "New fears are coming."

Documenting statements about mechanisms of survival

The active role of the Fear Counseling Team of the Women's Center is to support mechanisms of survival in women and their positive experiences. Supporting healthy dimensions of behavior, feelings and thoughts is the main form of the active support of women. "I am feeling good, I have gone through one war already, I know the rules." "I am concentrated and rational, I have enough information." "I feel good, I am supporting other women." "I am

cleaning the house all day." "I am walking up and down the town all day." "I spend hours on e-mail." "I have planted many plants." "I am taking my children to the hills." "We are hugging all day." "I am taking sleeping pills, and it works for me."

Documenting the statements of women of Albanian nationality in Kosovo

The Fear Counseling Team began calling women and activists in Pristina and in Kosovo actively two weeks after the beginning of the NATO bombing. The women of Serbian nationality have stated their fears of bombing; the women of Albanian nationality, apart from fears of bombing, had much stronger fears of Serbian officials, army and police ("of green, blue, and masked men"). After the first two weeks many women of Albanian nationality were forced to leave their homes, as they said: "in the face of soldiers who had machine guns and spoke the Serbian language." After that, with their families they were forced to go to buses and trains that took them close to the Macedonian border. From Macedonia some of them have called us to tell us that they are alive and healthy; from some of them we heard parts of the humiliating stories and the terror they went through. "I am terrified." "The strange silence is horrifying me." "We are sitting in the dark every night, I cannot sleep or eat, but I have coffee and cigarettes." "We don't get out of our homes at all, not even during the day." "I don't know what to tell you or what to think, I am still alive."

Workshops about feelings

In the first month the Women's Center organized four workshops with the title "How do we feel?" The exchange of negative and positive experiences have been of paramount importance for participants to feel they are not alone in their fears and to be supported for their positive feelings.

The Autonomous Women's Center Against Sexual Violence continues the active telephone support of women and will continue to issue reports and analysis of data obtained.

The Fear Counseling Team: Biljana Maletin, Bobana Macanovic, Bosiljka Janjusevic, Lepa Mladjenovic, Sandra Yvitic

Femmes Touareg du Niger, Suite à la Rébellion

Zara Mahamane

Nous tenons très sincèrement à remercier l'organisation de cet atelier sur les femmes dans la période de reconstruction de l'après-guerre en Afrique de l'Ouest pour nous avoir invité à cette rencontre et nous permettre ainsi de nous exprimer, femmes touareg du Niger, suite à la rébellion qui a sévi au Niger.

Mesdames, Messieurs: sous tous les cieux, par tous les temps, le problème qui nous préoccupe aujourd'hui n'est ni spécifique à l'Afrique et moins encore à l'Afrique de l'Ouest: les femmes ont toujours payé un lourd tribut suite aux conflits armés déclenchés par les hommes. Malheureusement ces hommes n'en sont pas toujours conscients et déclenchent les hostilités sans tenir compte des problèmes que cela va poser à nous autres femmes restées au foyer.

Mesdames et messieurs: nous savons que beaucoup de femmes ici présentes ont plus souffert que nous suite aux conflits armés, mais, nous tenons à apporter ici notre modeste contribution suite à la rébellion touareg au Niger qui a duré près de 7 ans. Ce sera à partir de notre cas concret, de notre vécu et de notre expérience personnelle.

Mais avant d'en arriver là, il est bon, même en bref, de connaître les principales causes de cette rébellion. A cet effet, notre intervention va s'axer sur les points suivants:

- 1 - Causes profondes de la rébellion touareg au Niger;
- 2 - Stratégie de la rébellion touareg;
- 3 - Conséquence de cette rébellion sur le peuple touareg en général et les femmes en particulier.

Les causes profondes de la rébellion touareg

La rébellion touareg au Niger n'est pas faite par un coup de fête ou par ambition quelconque. Elle résulte d'une situation d'injustice multiforme devenue intenable. Les adultes par sagesse ont encaissé, mais les jeunes qui virent leur avenir ainsi compromis, se révoltèrent.

Mais voyons d'abord les constats. Aux maux crés par une séchèresse persistante qui décimat les troupeaux et les pâturages sources de survie des touaregs, car éleveurs de nature, se greffaient d'autres injustices cette fois-ci humaines. Dites vous bien jusqu'en 1998 on ne dénombre que: au niveau de l'armée: 2 officiers, supérieurs; Douanes: 1 officier et 2 préposés; Police: 20 agents; Gendarmerie: 3 adjudants.

En ce qui concerne la vie civile, les touaregs qui ont acquis un degré d'instruction ne sont destinés qu'à l'enseignement. Ceci crée une absence des touaregs dans les secteurs qui régissent la vie politique et sociale du Niger.

Conscient de toutes ces injustices à l'égard du peuple touareg et ayant la conviction que celui-ci va réagir, le gouvernement va mettre en place, imperceptiblement, des postes de défense et de répression dans toute la zone nord du pays. Au vu de quoi et aussi conscient de cette force du régime en place, les touaregs vont s'organiser et adopter une stratégie en conséquence. C'est ainsi que divers fronts autour de leurs leaders ont créé leurs bases dans les pays voisins acquis à la cause touareg.

Stratégie de la rébellion

A l'appel des différents leaders des milliers de jeunes touaregs vont rejoindre les centres de formation où ils recevront des instructions en maniement d'armes et technique de combat. La rébellion étant pauvre, les combattants vont prendre au Niger même les moyens de leur action: armes, véhicules et moyens de communication. Dès les premières actions, le gouvernement va déployer à l'égard des touaregs une répression sans pitié. Après les parents et proches des combattants, cette répression va s'abattre sur les femmes, épouses ou parentes des combattants. Malheureusement pour le gouvernement cette répression brutale, au lieu de frustrer le peuple touareg, va au contraire lui faire prendre conscience de la cause que défendent ces jeunes.

Les femmes pendant la rébellion

Combattants au pas, coupables, complices ou pas, hommes et femmes, "peau rouge" (touaregs), vont être pourchassés et harcelés à travers tout le Niger.

La répression est particulièrement violente à l'égard des femmes touaregs. Toutes formes de répression leur étaient infligées. Mais cela n'a fait que ragaillardir leur conscience et leur engagement à la cause touareg.

- La perte de leurs maris dont la majorité seront inculpés à tort pour être prisonniers et autres forcés à l'exil par crainte d'être arrêtés;
- Elles se retrouvent avec la responsabilité de nourrir et d'entretenir les enfants,
- Elles vendront à vil prix tout ce qu'elles possèdent afin de survivre;
- Elles afflueront vers les centres urbains ou elles connaîtront les dernières humiliations de leur existence et d'autres prennent le chemin de l'exil vers les pays voisins avec tous les risques et périls à travers le désert;

- A l'intérieur dans des rares occasions elles se regroupent pour implorer le Tout Puissant afin que l'ordre et la paix reviennent;
- A l'extérieur elles s'associent pour constituer des caisses de contribution, pour venir en soutien aux combattants. Mais cela dans la plus haute discrétion, car les autorités des pays d'accueil réprimaient tout attroupement à tendance politique.

Harcelées, pourchassées, humiliées, les femmes touareg malgré tous les sévices subis vont résister. Ni la prison, ni la mort ne les effraie plus. Au contraire, elles se mettront davantage au service de renseignement et de coordination de la rébellion. Elles supporteront tout, tout, oui tout jusqu'à la victoire finale.

Les femmes touareg après la rébellion

Aux prix de mille et un sacrifice; grâce à une ténacité sans faille, à une détermination inébranlable, hommes et femmes touareg obligèrent le gouvernement à signer un accord de paix le 24 Avril 1996, accord qui sera complété par un avenant en 1997. Grâce aux dispositions contenues dans les actes mettant fin à la rébellion, la paix est revenue. Les combattants ont remis à jour la dignité du peuple touareg. Désormais, rien ne saurait être entrepris sans la prise en compte des intérêts des minorités. Car le peuple touareg ne s'est pas rebellé pour ses seuls intérêts mais il s'est rebellé pour que toutes les minorités de ce pays ne soient pas oubliées et écartées de la vie du Niger.

Et les femmes? Les femmes touareg, tout comme les hommes, ont pris conscience de leur dignité. Elles ont acquis par la force et la détermination la foi en l'avenir. La dignité retrouvée demeure la plus grande victoire de la rébellion. Ces femmes moralement satisfaites ont appris à souffrir, à supporter le manque, à faire face à toutes

les adversités. Elles ont appris à s'unir et à s'organiser:

- Elle ont acquis des initiatives les initiant à se regrouper en organisation non-gouvernementale (ONG), association, en coopérative de développement;
- Elles s'adonnent à des activités commerciales, de l'hôtellerie, et de l'artisanat.
- Elles cherchent à reconstituer le cheptel. A l'heure actuel, elles cherchent des brèches vers des bailleurs de fonds l'apprentissage des nouvelles techniques de développement.
- Elles ont appris à se battre pour vivre et c'est cela l'essentiel. Le "Wait and see" est terminé!

Conclusion

Ainsi donc, comme nous venons de le dire, et comme la réalité l'a toujours prouvé, les femmes, suite aux conflits armés, sont toujours les plus pénalisées aussi bien pendant qu'après les conflits. Malheureusement elles ne sont ni consultées, ni considérées, avant les conflits, d'autant plus que, dit-on, ou croit-on, qu'elles n'y laissent pas leurs vies. Mais qui souffre le plus ?

Celui qui meurt ou celui qu'on laisse dans la douleur? Toute la question est là. Bien que la Fontaine ait essayé de démontrer que "Mieux vaut souffrir que mourir," nous femmes survivantes de ces conflits dirons que "mieux vaut mourir que souffrir" car

c'est à nous de faire face d'abord, à la survivance des progénitures laissées par les défunts et à notre propre survivance dans une dignité durement éprouvée.

Après les conflits, suite à la victoire de l'un ou l'autre camp, ou à un compromis, dit "accord de paix," signé entre les deux parties, les hommes ayant survécu reçoivent des compensations plus ou moins réparatrices. Mais les femmes, soeurs, les parents des défunts, quelle compensation ont elles? Oui quelles compensations matérielles et morales peuvent leur faire accepter la perte des leurs? Que pouvez-vous leur offrir pour leur faire oublier leurs chers disparus? Aucune. Tout au moins un semblant; mais un semblant insignifiant et nullement compensateur. Alors que faut-il faire?

Il faut que hommes et femmes soient conscients de cette situation.

- 1) Prendre acte ou tout au moins tenir compte de l'avis des femmes avant tout engagement dans pareille situation de conflits à lourdes conséquences.
- 2) Durant les conflits, informer et sensibiliser les femmes de la conduite à tenir.
- 3) A la fin des conflits, quelques soient les causes, les femmes doivent être considérées au même pied que tout combattant survivant. Car, ce que les hommes ignorent, aucune force ne peut se considérer invulnérable sans le concours des femmes.

Relation de l'État Nigérien avec la Société dans la Période de l'Après-geurre

Aichatou Ben Wahab

Après la seconde geurre mondiale, les pays sous emprise coloniale vont tour à tour cheminer vers " l'indépendance". Alors s'ouvrait une ère des premières républiques, de tous les espoirs en un mot l'ère des libertés. Mais cette euphorie des peuples Africains à la souveraineté se verra vite émousser par l'instauration progressive des régimes d'exception (du non droit) avec l'avènement des coups d'état militaires comme ceci fut le cas au Niger en Avril 1974.

Mais vers le début des années 1990, avec le processus de démocratisation stimulé par les pressions internes et externes, certains de nos pays africains ont commencé à libérer la voie pour l'expression du droit political. Dans le cas du Niger, après une Conférence Nationale de trois mois, la transition de deux ans, un référendum pour l'adoption de la constitution, des élections législatives et présidentielles démocratiques, le pays était parti pour l'exercice du droit et de la démocratie. Tout au long de ce processus, les femmes, qui dans des partis politiques, qui dans des associations féminines ou de l'état civil, ne sont pas restées à l'écart; car elles avaient compris que la liberté de choisir et de s'exprimer demeure la condition fondamentale de toute lutte d'affirmation et d'exercice de leur droit. Cependant, l'extrême pauvreté du pays, le taux très élevé d'analphabétisme de la gent féminine, le poids de certaines pratiques traditionnelles et l'égoïsme des hommes rendent la lutte des associations féminines très ardue et lui imposent de déborder dans la lutte politique.

Au lendemain du coup d'état militaire du 27 Janvier 1996 qui mettait un frein au

processus démocratique, il fut crée un Front pour la Défense et la Restauration de la Démocratie (FRDD). Dans cette structure aussi, des femmes de tout bord ne sont pas restées inactives. En effet, c'est cette lutte des femmes qui m'amena à assurer la présidence du volet féminin du FRDD regroupant des partis politiques, des associations et des personnalités au mécontentement des violateurs de l'état de droit. Notre lutte qui n'est pas à son terme a déjà produit des résultats probants. Elle consiste à informer et à sensibiliser notre peuple et la communauté internationale des violations des lois de la République et des risques de dérives que peuvent engendrer celles-ci.

Le volet femme du FRDD se donne aussi comme tâches, l'émancipation du plus grand nombre de femmes, la consolidation de la cohésion sociale et de l'entre-aide. C'est ainsi que nous approchons toute organisation, particulièrement les associations féminines de tout genre dans le sens d'appuyer nos actions et aussi éviter que nous devenons de simples groupes folkloriques aux services de ces régimes à penchant totalitaire.

Après cette genèse des faits, permettez-nous de vous présenter notre analyse du thème ci-après: Relation de l'état avec la société dans les périodes de l'après-geurre. Cette analyse portera sur une présentation critique des nouvelles structures légales et des services dont la réforme de la loi portant l'accès des femmes à la terre et le droit d'accès aux services de santé publique.

Le choix du thème n'est pas un hasard, car je pense être plus efficace à ce niveau ayant occupé un poste ministériel dans le

premier et deuxième gouvernement de la II^e République. Pour tout juste indiquer combien les données seront fiables car toutes les négociations pour un retour à la paix avaient été initiées et entreprises avec ma contribution.

Démarches pour une paix durable

Conscient des pertes en vies humaines et au blocage économique causé par la rébellion, l'Etat Nigérien après maintes réflexions a jeté les premiers jalons pour une négociation Rébellion-Gouvernement. Les premières assises avaient eu lieu dans un pays voisin en l'occurrence le Burkina Faso.

Durant deux années, le pays servant de médiateur s'était vu assisté d'autres pays abritants tous les réfugiés de cette rébellion y compris le Burkina Faso qui avait le plus de rebelles nigériens, mais aussi ceux du Mali. La rébellion nigérienne qui avait comme revendication principale un état fédéral englobant le nord et une partie du pays avait un an après assoupli sa revendication en acceptant la décentralisation poussée qui était inscrite dans le document gouvernemental.

La rébellion au Niger a beaucoup affecté les femmes comme l'a évoqué le document de ma collègue Azara, donc je ne reviendrai pas là-dessus.

Trois ans après, nous sommes parvenus à une signature de paix durable comme intitulée et cela le 24 Avril 1996, date commémorée chaque année au Niger. Donc, dans cette période de l'après-guerre, il y a eu des ruptures de cet accord dû au non respect des clauses le régissant, ou des fois à des mécontentements entre les fronts rebelles. Nous avons connu une reprise des fortes hostilités dans le nord et à l'est suite à la naissance d'un nouveau front rebelle mais maintenant "Toubou" qui est une communauté nigérienne, mais très minoritaire par rapport aux touaregs. Actuellement, nous connaissons une nouvelle accalmie avec le

front Toubou, front qui n'a pas adhéré à l'accord.

Pour ce qui est de l'heure, malgré des actes de vandalisme perpétrés ça et là, et cela est dû à des problèmes résiduels, nous pouvons dire qu'au Niger, la paix est en train de s'instaurer. Plusieurs ex-rebelles sont intégrés dans différents services, militaires, para-militaires, et dans des écoles publiques. Une table ronde a été initiée à Tahoua dans un chef-lieu de département du Niger qui a été d'ailleurs le premier département où la rébellion avait débuté. Au cours de cette table ronde beaucoup de promesses ont été enregistrées, mais timidement honorées compte tenu du caractère très oppressif du régime qui continue à confisquer le droit des citoyens qui osent s'opposer contre toute déviation au processus démocratique.

Pour ce qui concerne les nouvelles structures légales et l'accès aux services publics, plusieurs organisations non gouvernementales (ONG) sont en train d'être créées dans les régions. Plusieurs écoles ont été créées et seront créées pour faciliter l'accès à l'éducation formelle de cette jeunesse meurtrie par les conséquences de cette rébellion. La création de plusieurs forages sont en perspective car cette région du nord connaît beaucoup de problèmes d'eau pendant la période sèche dûs en partie à l'éloignement des points d'eau par rapport aux campements.

Pour le service de santé au Niger, la femme fait partie des priorités en matière de soins pendant et après les grossesses. Identifiées parmi les groupes cibles, les femmes enceintes, femmes au stade d'accouchement, et femmes à l'âge de procréer restent une préoccupation de l'Etat Nigérien surtout dans les zones éloignées et zones nomades à conflits. La création de plusieurs centres de santé est en vue pour une amélioration des conditions de vie et de santé de ces populations démunies par les méfaits des conflits.

Quant à l'accès de la femme à la terre, le problème ne se pose pas d'une façon générale, car dans les zones nomades, la femme touareg a accès à la terre si elle le désire dû au contexte culturel qui fait de la société Targui une société matrimoniale et fait de la femme le chef de famille. Elle prend les décisions et gère tous les biens de la famille. Elle a le droit sur les enfants et

n'accepte pas la polygamie. Cependant, tout ce confort ne peut être réalisé que dans un pays où le droit et les libertés de tous les citoyens sont respectés conformément à l'esprit de la constitution et le respect des règles républicaines. Autrement la paix sera précaire et on risque de revivre un éternel recommencement.

Women in the Sierra Leone Conflict

Elizabeth Bai-Marro
The Virtuous Maids and Womens Ministry, Sierra Leone

Conflicts occur when people are in disagreement. As a result of conflict, people struggle with each other, fighting ensues between friends, brothers and sisters, in the local community, between nations/states. Conflicts could be classified into two categories: major conflicts and minor conflicts. The conflict I am going to talk about refers to the first category. Major conflicts may be interpersonal, inter-group, national or international. They may lead to bitter quarrels, violence and war.

In Sierra Leone in particular, and Africa in general, conflict develops as a result of continuous corruption, mismanagement and bad governance by people placed in authority. The welfare of the majority of people is abruptly neglected, mass unemployment and abject poverty ensue and facilitate the development of conflicts. When people feel that they have no sense of belonging, this is a good recipe for rebel movements and armed conflict groups.

The conflict in Sierra Leone started in 1991 with the emergence of the Revolutionary United Front led by Corporal Foday Sankoh. As the conflict escalated, thousands of men, women and children were either killed, maimed, abducted or incapacitated. The RUF, a guerrilla group, aimed at debasing the legitimate government. Their activities were mainly ambushing small villages, stealing from the villages, killing those who put up resistance, and capturing young men and women. The young men they captured were incorporated into the RUF.

Fate of Maids and Girls

The young women were kept to cook for the group and to satisfy the sexual desires of the male captors. The thousands of women who fled into the bush for refuge were usually chased and when finally they encamped as refugees, a lot of havoc took place. Usually when war breaks out girls and young women get raped and become pregnant in the process. In some other instances some that are abducted are forced to bear arms and become combatants themselves. They are given dangerous drugs and are subject to sexual abuse.

This indeed erodes the dignity and personality of women. Some, as a result of their involvement in conflict situations, coupled with unwanted pregnancy, are not self-sufficient. They sometimes become potential beggars after an escape. Some go into incessant and indiscriminate prostitution. They become destitute and lack self-esteem. It is pathetic to note that women who could have developed their innate talents and potential are reduced to a cipher in war situations. In conflict situations, the chances for the empowerment of women is dampened/ obscured. They continue to suffer from their trauma and other effects of war. There is very little hope for them in the future with hardly any special financial, educational, health or other assistance and no place from which to start. They need help and we must help them.

In view of the foregoing, the Virtuous Maids and Womens Ministry considers it appropriate to rehabilitate these, our less privileged, folk from the ravages of war. The Ministry had already started in this

direction with little or nothing by running a vocational institute. Also I personally care for a number of young women who are in need of employment. The crusade towards the empowering of these maids and women will go unabated. Therefore with this presentation I solicit the assistance that can enable me to carry out this humanitarian work.

Violence Against Women

Violence against women is one of the most sensitive issues in human affairs. Its platform is gaining momentum throughout the world as the age is growing more and more violent. Violence involves conduct which is contrary to normal behavior and could cause injury (physically, psychologically, emotion-ally) even death. It is a breach of the norms of society. When people are gender-biased with tendencies such as the exclusion of women from leadership roles, deferment of promotion for working women, negative opinions of women, and no acceptance of spousal equality, violence against women is done.

Violence can be put into two categories: domestic violence and sexual violence. Domestic violence involves the bodily harm of women without sexual intercourse, e.g. physical beating and/or verbal abuse or derogatory remarks. Sexual violence involves the forceful sexual intercourse with women without their consent, which is normally referred to as rape. Sexual violence also occurs in marital situations when husbands have intercourse with their wives without their consent. Traditional and cultural rules are also conduits of violence against women. This is seen in the case of school-age girls being forced into marriage, taken out of school, and set to farm work or household chores such as cooking and laundry. In many African traditions there is the belief that girls and women should not attend school but stay at home to perform

the duties of a wife or assist in the farm. Also in such societies, women are prohibited to speak or take leading roles.

Protecting Women during Conflict and in the Aftermath

Women can best be protected during conflict by the defending side of the conflict, that is, the regular defense force or army of the country. This however, must be buttressed by a strong women's platform in parliament. Women can also be protected during conflict by a crash program of basic self-defense training for women to help them resist violence with least or no harm. This can be made possible through government directive and a strong women's platform. Women can also be protected during conflict by the group taking a neutral stand, willing to minister to the needs of both sides the conflict, willing to tend to the wounded of both sides, providing meals for both sides.

Every aftermath is a breeding ground for the exploitation of girl and women. In the aftermath there is devastation, desolation, poverty and isolation. Offices, factories and institutions are destroyed. Unemployment is rampant and hence the exploitation of girls and women who are without parental support and employment. Men are usually exempted from extremely hard situations in the aftermath, as they are stronger and more daring and have acquired looted property during the conflict.

Women can be protected in the aftermath by the immediate provision of food and clothing assistance and by their involvement in work programs of reconstruction and rehabilitation in order to employ their attention constructively, and by establishing a camp for all women without homes.

Violence Prevention

Women can prevent being victims of violence by wearing tight shorts made of jean or other tough materials underneath a skirt or dress; this is now widely used in Sierra Leone and is commonly referred to as “awareness.” This will help in restraining a potential rapist. They can also avoid wearing sexually provocative outfits and suggestive gestures in walking. The commitment to be self-reliant and industrious renders women economically robust and lessens their dependence on men for survival. They must also prepare their minds to expect the worst to happen; this will enhance fortitude to resist violence and defer fear.

Healing from the Trauma

Trauma is a result of every conflict. As conflict involves violence and atrocities, negative feelings and opinions build up in the victim's spirit and mind thereby distorting the personality. In order for healing to occur those negative feelings and opinions must have an outlet. This can be found by encouraging the victim to relate her ordeal in an atmosphere of attentive and patient listening; such an atmosphere generates confidence and a sense of love in the victim's spirit. The victim should abandon the desire for revenge and adopt the noble desire for justice. The victim needs to

replace her crumpled self-image, to regain a consciousness of self-worth, and to restore her normal perceptions.

Women Organizing In Wartime for Survival and in Peacetime to Build the New Social Order

As wartime is a time of exposure to extreme hardship, the demand for survival is urgent. The following means can be employed to achieve survival during wartime: women must do away with extras (e.g. extra clothing, extra cooking hardware) in order to facilitate quick and easy movement when on the run (only basic amenities must be taken along, fashionable outfits must be abandoned, warm clothing and sleeping mats must be at hand); and women must maintain a low noise level at their place of hiding or refuge.

After wartime, peacetime is a time of restoration of what has been destroyed; there is dire need for a new social order. Women must organize to assess the educational strength and needs of surviving women in order to facilitate training programs; assess the health state of surviving women in order to facilitate medical assistance; review government policy towards violence against women; and familiarize international bodies about the aftermath situation.

Final Report of the West African Workshop on Women in the Aftermath of Civil War

Over and over again, women speak of violence in their experiences of war, of how war entrenches violence in their communities, of how violence is experienced differently by women and men. Societies become militarized in civil war and the militarization lingers afterwards. The military sow a culture of violence in long wars that is hard to eradicate. This violence makes life difficult and dangerous for women, especially with the diffusion of cheap small arms. And violence against women does not stop when treaties are signed to end the war; in fact violence escalates. What can we do to protect ourselves during conflict and in the aftermath? How can we prevent violence? How can we help women to heal from the trauma?

This bilingual Workshop, with participation of women from Liberia, Niger, Senegal, and Sierra Leone, was opened by Cheich Tidiane Diop of the Senegalese Ministry of Family, Social Action and National Solidarity at 9 am on 11 December 1998 at CESAG in Dakar. He said that, as we are celebrating the 50th anniversary of the Universal Declaration of Human Rights, women can hope to live in a world without violence, that citizenship is not symbolic but must signal the full and active participation of women, and that this meeting would benefit women in conflict all over the world.

With Codou Bop (Women Living Under Muslim Laws-Senegal) presiding, the participants introduced themselves and described the organizations they represent, positive aspects of their work, and the challenges they face (see attached list of participants). Several women had sent

papers in advance, which were copied and circulated in the packet of materials everyone received; others came with short statements, which they read out. Participants represented a range of disciplines and training (law, medicine, psychology, social work, etc.). Each laid out her specific goals and objectives for the Workshop (for example, to share experiences, network, and find ways to alleviate poverty).

The Workshop organizer, Dr Meredith Turshen (School of Planning and Public Policy, Rutgers, the State University of New Jersey), welcomed the participants and thanked the Ford Foundation, the West African Research Center, the Committee on Health in Southern Africa, the Workshop Advisory Board, and Women Living under Muslim Laws (Senegal) for their financial, organizational, and intellectual support in planning this Workshop.

This Workshop was conceived as a follow-up to work undertaken with Clotilde Twagiramariya of Rwanda on our book, *What Women Do in Wartime: Gender and Conflict in Africa*. The participants were invited to share their experiences and provide information on what happens to women in the aftermath of civil war, which is even less well known than women's experiences in wartime. What are women's specific needs in the wake of war? When so many women are displaced persons or refugees, which institutions and what kinds of organizations can respond to their needs? These questions are particularly acute after civil wars in which health and education services and service personnel are often "military" targets. In the current economic climate, which emphasizes private sector solutions and self-reliance, women have

limited expectations that governments can or will provide the services they need.

Workshop Objectives

The initial objectives of the Workshop grew out of discussions with the organizers of the Conference on the Aftermath: Women in Post-war Reconstruction to be held in 20-22 July 1999 at the University of the Witwatersrand, Johannesburg, South Africa, represented at the Workshop by Anu Pillay.

- I. Motivated by a belief that women's common experiences of suffering offer the best hope of reconciliation, the first objective is to bring together women on all sides of civil conflicts to initiate a dialogue on healing.
- II. In the belief that we can learn by comparing international experiences, the second objective is to develop a multi-disciplinary understanding of healing and transformation, and to develop as many different ideas as possible to address the diverse problems of aftermath experiences.
- III. Similarly, we believe that we have much to learn from the many disciplines and professions that we represent to develop theories that will enable full healing and empowerment among survivors in grass-roots organizations.
- IV. A fourth objective is to develop strategies to influence the process of democratic representation of women's interests in achieving durable peace.
- V. Finally, mindful of how war changes relations between women and men, between women and their families, and between women and their communities, we seek ways to further the social transformation of those relations in the context of the state and society.

The Agenda

On December 12 the Workshop opened with a plenary session to hear Mme

Aichatou Ben Wahab, who represented AGADJI, and Zara Elh Mamadou dit "Alitane" of TANAT (both non-governmental organizations); they spoke of the participation of Touareg women in the Niger rebellion and their experiences in the aftermath. A lively discussion followed on how the rebels were dealt with, their political and social reintegration, the status of so-called minorities, the role of foreign powers, and how women were forgotten in the aftermath.

We then broke into small groups to discuss the five major themes of the Workshop:

- I. Violence against women (protecting women during conflict and in the aftermath; violence prevention; healing from the trauma);
- II. Women organizing in wartime for survival and in peacetime to build the new social order;
- III. From reconstruction to transformation: import and impact of war-related shifts in gender relations; changes in material status of women (for example, poverty, loss of access to land); demographic changes (for example, more widows, fewer men, more polygamous marriages, rising birth rates);
- IV. Healing: problems of identity, solidarity, and reconciliation (ethnic/religious identity in inter-marriage and in the aftermath; women's solidarity across ethnic/religious lines; the roles in healing of truth and reconciliation commissions, international criminal tribunals, and national courts); and
- V. Relation of the state to society in the aftermath (new legal and service structures, for example, legal reform of women's access to land, public health services).

On the morning of December 13th, with Etweda Cooper presiding, the participants

met to consider and adopt the following report, which reflects the workshop discussions.

Violence Against Women

Protecting women during conflict and in the aftermath, preventing violence, and healing from the trauma:

I. A Typology of Violence Against Women

We started with a discussion of Elizabeth Bai-Marro's paper on violence against women in which she divided violence into two categories: domestic violence and sexual violence. She talked of the protective strategies that could be used during and after conflict and offered some suggestions for prevention and healing, which are discussed below.

The group agreed that it would be useful to outline a typology of forms of violence that occur during and after conflict. In this typology we noted that the violence inflicted on women is different from the violence to which men are subjected and that the violence against women is both explicitly and implicitly sexual. The typology we drew is a veritable alphabet of violence against women.

Explicit violence includes:

- a) Systematic rape (men use rape as a way to dishonor and humiliate not just women, but the enemy group)
- b) Forced pregnancy (to leave the enemy's marker)
- c) Shooting women through the vagina (rendering women infertile and ensuring the end of the group's ability to reproduce)
- d) Forcing children to witness their mother's rape
- e) Gang rape
- f) Mutilation of women's limbs
- g) Cutting open the pregnant womb and killing the fetus
- h) Sexual slavery

- i) Forced labor (cooking for the military)

Implicit violence includes:

- j) Abandonment of women left to fend for themselves and their children
- k) Harassment and intimidation by police and military
- l) Vulnerability to opportunistic men (bandits, rapists, thieves)
- m) Discrimination by social and governmental institutions (denial of access to media)
- n) Forced prostitution (which increases in the aftermath of conflict)
- o) Silence of leaders on issues of prostitution makes them accomplices
- p) Dispossession of women by looters (who are protected and vindicated by leaders)
- q) Verbal abuse and disrespect of women politicians by ruling government and media
- r) Denial of access to resources, restriction to women of certain political affiliations
- s) Sexual harassment of women who join the armed forces (promotion tied to sexual favors)
- t) Denial of abortion on demand in cases of pregnancy resulting from systematic rape
- u) Rejection of women victims of systematic rape, rejection of children conceived in rape
- v) Imprisonment of women of all ages, without recourse to justice or outside assistance
- w) Lack of research or reliable documentation on state of women before, during and after war (this amounts to a conspiracy of leaders to maintain silence).

II. Protecting Women against Violence

We returned to Elizabeth's suggestions for protecting women during conflict: she said that women should have recourse to the

regular defense force or army of the country (buttressed by a strong women's platform in the parliament); a crash course in basic self-defense; and the assistance of a neutral party willing to minister to both sides. After conflict, women can be protected by immediate provision of food and clothing, by involvement in work programs, and by establishing camps for homeless women.

The group raised the following questions and discussed the following points:

1. What is the responsibility of the state in protecting women and children?
2. What are the responsibilities of citizens?
3. Should we not look to such social forces as human rights organizations instead of defense forces (army and police)?
4. Could women's organizations be encouraged to put pressure on international human rights organizations?
5. There is a need to sensitize the army
6. There is a need to establish pressure groups and lobby groups
7. We need to be proactive during peacetime and to sensitize and educate women and children

Participants made the point very strongly that this Workshop should plan something concrete and sustainable that they could take back to their countries. The group discussed the urgent need to create the beginning of a strong network that could do the following:

- Put pressure on states through solidarity with other national and international agencies
- Lobby for support for women in the country that is in conflict
- Assist with training and sensitization programs of healing, education, etc.

- Popularize rights and the gendered nature of problems that women face during and after conflict

- Receive and disseminate information

Other possible activities discussed were:

- Writing formal letters to government leaders and international agencies informing them of the creation of the network
- Coordination of actions in different countries
- Compilation of country reports into a regional newsletter

III: Healing

Healing and Reconciliation

While there is an urgent need for reconciliation in nations emerging from conflicts, there is also the need for repentance and some forms of punishments, as well as rehabilitation programs for ex-combatants. For example, ex-combatants were successfully reintegrated into military, paramilitary and other societal structures in Niger. This is not the case in Sierra Leone.

The participants raised questions about:

- Child soldiers and how they should be punished afterwards. Are they responsible or are those who recruited them responsible for the violent acts they commit? The point was made that the children are often coerced or drugged.
- Compensation for women and children who are not part of the decision to create conflicts but who suffer the most from violence, while soldiers receive compensation and aid.
- Should there be a national consensus on how punishment should be meted out to those who are still committing atrocities in some countries?

Discussion of Strategies for Reintegration

Participants suggested and discussed the following strategies:

- Artificial barriers of ethnicity and religion could be transcended; for example, Nigeria has experimented with a Youth Service Corp which sends young people out from their home base to serve in other regions.
- National conferences that mediate integration between civilians and the military could advance the healing process. Participants from Sierra Leone gave the example of a conference during which members of the disbanded army publicly apologized to the population.
- In another example, a conference brought together wives of ex-combatants to meet with women from centers for displaced persons.
- Religious institutions could play an important role by preaching peace. However, they too need to be conscientized first because they can be divisive as in the case of Sierra Leone. The Interfaith Mediation Committee of Liberia was cited as an example of different faiths working together to bring peace.
- The role of the media was raised. There is a need to conscientize the media since they are a powerful tool for educating and sensitizing the populace.
- Mass education through interpersonal contact was discussed as a way to awareness and to advance the healing process.
- Trials and tribunals could be part of the healing process, but they also have the potential to be negative factors. In Sierra Leone, twenty-four alleged collaborators were executed without due process.
- Creating networks for women to support each other was considered to be important. Women could demonstrate against small arms sales to Africa by Northern nations, against dictatorial

governments, against cross-border incursions and rebel collaboration, against rampant recruitment of soldiers and the creation of professional mercenaries.

- Economic empowerment of women through adult education and training in income-generating skills would assist in alleviating poverty. Women-initiated “*susu clubs*” (*tontines*, *stokvels*) were mentioned as a useful form of microlending.
- Resettlement should be voluntary: though women often welcome returnees after conflicts, whether women relocate to their original residences or remain where they are at war’s end should be their choice. Laws may be needed to protect women and others wishing to return to their original homes after conflict, since in many cases new occupants harass them and prevent them from resettling.
- The lack of formal education need not be a barrier to political participation. For example, during a recent election of the National Women’s Secretariat of NGOs in Liberia, three unlettered sisters were elected to the Board of the Secretariat.
- It was agreed that talking helps prevent and resolve disputes. Communities should engage in more dialogue.

Healing from the Trauma of Violence

Participants discussed the following points about treatment and healing:

- Alleviation of poverty and reconciliation are not enough to facilitate healing. The example of inadequate support provided after testimony at the Truth and Reconciliation Commission in South Africa was cited. Many participants said that while we have to forgive we should not forget, in order to prevent a recurrence of events. People do need to talk openly and honestly about what

happened in order to conscientize ourselves and others.

- We need to look at healing holistically. The following emerged as aspects of the process:
 - Sensitization of the population to create awareness of the consequences of war
 - Education to foster mutual tolerance and to understand the gendered nature of violence
 - Networking for solidarity and mutual support
 - Taking responsibility for our roles as women being the primary educators of children
 - Using caution with religious bodies as healing mechanisms. For example, the church could not protect nuns who were raped in the Congo, and the Catholic Church in Rwanda denied abortion on demand to rape victims
 - Finding creative and appropriate ways to heal in different situations and in different cases. For example, South Africans considered Wilderness and Adventure Therapy a successful experiment to reintegrate militarized youth; and shelters built in Casamance helped rehabilitate people who were victims of landmines.
 - We need to understand rape as a socially constructed experience. The intensity of the trauma is dependent on the response of the society. For example, in post-war Berlin German society did not blame women for the mass rapes that occurred; instead they offered women abortion on demand and as a result, they minimized the trauma (physical and psychological), whereas in Rwanda society's rejection of raped women intensified the trauma.
 - To avoid women individualizing or personalizing their experience, there is a need for a political analysis of

traumatic experiences to be integrated into the healing process.

- There is a need to conscientize the whole community. For example, some Algerian women raped by combatants were killed by their parents when they returned home.
- We need to understand how patriarchy ties honor to virginity and women's sexuality.

Participants wished to include in the final report several other points discussed:

- We questioned whether orphanages are a good solution for child victims. The argument against orphanages was that they alienate children from society. Other participants felt that post-conflict economic crises prevent Africans from assuming traditional family responsibilities.
- The roles of Northern industrial nations and international agencies such as the World Bank and the International Monetary Fund in creating or supporting political conflict for their own interests was raised. Women's organizations could network to put pressure on these governments and agencies to compensate civilian victims, and we should try to prevent future interference.
- Women are tax-paying citizens and as such must exercise their rights by demanding that their governments support initiatives for peace and make adequate healing mechanisms available to women.
- Women need to join forces and use the tools that women have to accomplish our goals.

At the end of the Workshop, the group unanimously adopted the Declaration that creates the African Women's Anti-War Coalition/Coalition de Femmes Africaines Contre la Guerre. The group named Codou

Bop and Anu Pillay as Co-coordinators of the Coalition, and the following women as national contact persons and alternates: Barbara Koffa and Etweda Cooper (Liberia), Aichatou Ben Wahab and Zara Elh Mamadou dit “Alitane” (Niger), Marguerite Coly Keny and Marie Jeanne King (Senegal), and Margaret Nelson-Williams and Elizabeth Bai-Marro (Sierra Leone).

For the final evaluation, the participants returned to their initial expressions of what they hoped to gain from the Workshop. Codou Bop showed how the desire to create a network of solidarity, which more than half of the participants had wanted, was realized, as was the desire to share experiences. Reflecting both the specific local situations of women in different countries and the need for government response, the wish to find ways to heal war trauma was more difficult to fulfill, as were the hopes for more personal involvement in the peace process.

Participants also completed written evaluation forms. Overall they found the Workshop “most helpful”, the small size conducive to establishing personal contacts quickly, and the shared experiences informative, if painful. Cooperation among participants was notable, especially the rapid production of workshop reports and the declaration. The difficulties mentioned were the realizations that government assistance is necessary and not forthcoming and that treating trauma is not easy. Practical difficulties revolved around the tight three-day schedule and the wish for more time, especially for “sightseeing”. Everyone seemed to approve of the agenda, though several participants said they would have liked to discuss the causes of war with a view to prevention. Many women wanted a longer, larger conference, with the representation of more countries.

Atelier sur les Femmes et les Séquelles de la Guerre Civile en Afrique de l'Ouest

Rapport Final

A maintes reprises, les femmes parlent de la violence dans leurs expériences de guerre, de la manière dont la guerre retranche la violence au sein de leurs communautés, de comment la violence affecte différemment les femmes et les hommes. Les sociétés deviennent militarisées pendant la guerre civile et la militarisation persiste par la suite. L'armée a semé une culture de violence avec les guerres prolongées qui reste difficile à éradiquer. Cette violence rend la vie difficile et dangereuse pour les femmes surtout avec la diffusion de petites armes peu coûteuses. La violence contre les femmes ne s'achève pas avec la signature de traités mettant fin à la guerre. En fait, la violence s'intensifie. Que devons-nous faire pour nous protéger pendant et après les conflits? Comment pouvons-nous prévenir la violence? Comment pouvons-nous assister les femmes pour guérir du traumatisme.

Avec la participation des femmes du Liberia, Niger, Sénégal et Sierra Leone, l'atelier bilingue a été ouvert par Cheik Tidiane Diop, Chef de cabinet du Ministère Sénégalais de la Famille, de l'Action Sociale et de la Solidarité Nationale à Dakar, au Centre d'Etudes Supérieure en Gestion (CESAG), le 11 décembre 1998. Dans son communiqué, il a fait savoir que comme nous célébrons le 50e anniversaire de la déclaration des droits de l'homme, les femmes peuvent espérer de vivre dans un monde sans violence, que la citoyenneté n'est pas symbolique, mais qu'elle doit permettre la pleine et active participation des femmes, et que cette rencontre devrait profiter à toutes les femmes partout dans le

monde se retrouvant dans des zones de conflits.

Sous la présidence de Codou Bop de l'organisation non-gouvernementale Femmes Sous Lois Musulmanes (branche du Sénégal), les participantes se sont présentées et ont décrit les organisations auxquelles elles appartiennent, les aspects positifs de leurs travaux, et les épreuves qu'elles affrontent. Plusieurs femmes ont envoyé leurs communications écrites dont des copies ont été reproduites et circulées dans les paquets de documents reçus par chaque participante. D'autres sont venues avec de courtes déclarations qu'elles ont lues à l'audience. Les participantes représentent diverses disciplines et formations (droit, médecine, psychologie, travail social, etc.). Chacune a parlé de ses attentes concernant les buts et objectifs spécifiques de l'atelier (par exemple, échange mutuel des expériences, réseau, trouver des moyens pour réduire la pauvreté).

L'organisatrice de l'atelier, Dr. Meredith Turshen (School of Planning and Public Policy) de l'université Rutgers à New Jersey a souhaité la bienvenue aux participantes et a remercié la Fondation Ford, le Centre de Recherche Ouest Africain, le Conseil pour la Santé en l'Afrique du Sud, le Comité Consultatif de l'Atelier, Femmes Sous Lois Musulmanes (branche du Sénégal), pour leur support financier, organisationnel, et intellectuel durant la planification de cet atelier.

Cet atelier a été con▯u comme une suite à un travail entrepris avec Clotilde Twagiramariya du Rwanda dans le cadre de la conception de notre livre intitulé *Que font*

les femmes en temps de guerre: genre et conflits en Afrique. Les participantes étaient conviées à parler de leurs expériences et à produire des informations sur ce que vivent les femmes après la guerre civile, aspects encore moins connus que leurs expériences pendant la période de guerre. Quels sont les besoins spécifiques des femmes dans le sillage de la guerre? Lorsque tant de femmes sont soumises au déplacement forcé et deviennent des réfugiées, quelles institutions et quels types d'organisation peuvent répondre à leurs besoins? Ces questions sont poignantes surtout dans les guerre civile quand les services de la santé et l'éducation deviennent souvent des cibles de l'opération militaire. Dans ce climat économique actuel qui met l'accent sur des solutions autosuffisantes et émergent des secteurs privés, les femmes voient peu d'espoir quant à la capacité et à la volonté des gouvernements de leur fournir les services dont elles ont besoin.

Les Objectifs de l'Atelier

Les objectifs primordiaux de cet atelier ont émergé des discussions tenues avec les organisatrices de la conférence sur *Les séquelles: femmes dans la période de reconstruction* ici représentées par Anu Pillay qui se tiendra à l'université de Witwatersrand à Johannesburg en Afrique du Sud du 20 au 22 juillet 1999.

- I. Guidées par la conviction que les expériences communes des femmes offrent un meilleur espoir de réconciliation, le premier objectif est de rassembler les femmes de tous les camps des conflits civils pour initier un dialogue sur le mécanisme de guérison.
- II. Convaincues que nous pouvons apprendre d'une comparaison internationale des expériences, le second objectif est de développer une structure de compréhension multi-disciplinaire de la guérison et la transformation, et de

développer au tant de modèles d'analyse que possibles pour traiter des divers problèmes relatifs aux expériences de l'après-guerre.

- III. De façon similaire, nous sommes convaincues que nous avons beaucoup à apprendre de la diversité des disciplines et formations que nous représentons pour développer des théories qui nous permettront d'accéder à une pleine guérison et accorder l'appui aux survivants dans les organisations de base.
- IV. Le quatrième objectif est de développer des stratégies pour influencer le processus de représentation démocratique des intérêts des femmes dans l'accomplissement d'une paix durable.
- V. En fin, conscientes de la manière dont la guerre affecte les relations entre les femmes et les hommes, entre les femmes et leurs familles, et entre les femmes et leurs communautés, nous cherchons les voies pour améliorer les transformations sociales de ces relations dans le contexte de l'Etat et la société.

Ordre du Jour

Le 12 décembre, l'atelier a ouvert la session plénière avec la communication de Mme Aichatou Ben Wahab représentante de l'organisation non-gouvernementale AGADJI, et celle de Zara Elh Mamadou représentante d'une autre ONG du nom de TANAT. Elles ont parlé de la participation des femmes touarègues dans la rébellion touarègue au Niger et de leurs expériences dans la période post-guerre civile. Une vive discussion a suivi sur la manière dont les rebelles ont été traités, leur intégration sociale et politique, le statut des "minorités," le rôle des puissances étrangères, et la façon dont les femmes ont été oubliées par la suite.

Nous nous sommes par la suite ceindées

en de petits groupes pour examiner cinq thèmes majeurs de l'atelier:

- I. La violence à l'égard des femmes (protéger les femmes durant et après les conflits; prévenir la violence; guérir du traumatisme);
- II. Comment les femmes s'organisent pendant la guerre pour la survivance et en période de paix pour la construction d'un nouvel ordre social;
- III. De la reconstruction à la transformation: l'apport et l'impact des changements résultants de la guerre sur les relations entre les deux sexes; transformation des conditions matérielles des femmes (par exemple, pauvreté, la perte d'accès à la terre); changements démographiques (par exemple, augmentation du nombre de veuves, peu d'hommes, augmentation des mariages polygames, accroissement du taux de natalité);
- IV. La guérison: problème d'identité, solidarité, et réconciliation (les questions d'identité ethnique/religieuse au niveau des mariages et par la suite; la solidarité inter-ethnique et inter-religieuse des femmes; le rôle des commissions de vérité (d'aveu) et réconciliation dans le processus de guérison, les tribunaux internationaux sur les crimes, et les cours nationales de justice; et
- V. Le type de relation que l'état entretient avec la société par la suite (nouvelles lois juridiques et structures de services, par exemple la réforme des droits terriens et le droit d'accès aux terres pour les femmes, les services de santé publique).

Sous la présidence de Etweda Cooper, les participantes se sont réunies en séance plénière dans la matinée du 13 décembre pour examiner et adopter à l'unanimité le rapport suivant qui reflète fidèlement les discussions tenues au cours de l'atelier.

Violence à l'Égard des Femmes

I. Typologie des formes de violence affligées aux femmes

Notre discussion a commencé avec une communication dont le thème est "la violence affligée aux femmes." Selon son analyse, nous devons faire la distinction entre deux formes de violence: la violence au sein de la famille (ou violence familiale) et la violence sexuelle. Elle a parlé de stratégies de protection qui pourraient être utilisées pendant et après les conflits et a émis des suggestions relatives aux mesures de prévention et guérison. Ces dernières sont examinées ci-après.

D'un commun accord le groupe a consenti qu'il serait nécessaire d'établir une typologie des formes de violence qui sont utilisées durant et après les conflits. Dans cette typologie nous avons constaté que les formes de violence affligées aux femmes sont différentes des types de violence subis par les hommes et que la violence contre les femmes est de façon explicite et implicite d'ordre sexuel. La typologie que nous avons dressée est une véritable nomenclature alphabétique des formes de violence auxquelles les femmes sont soumises.

Les violences d'ordre explicite incluent:

- a) viol systématique (les hommes utilisent le viol comme un moyen de déshonorer et humilier pas qu'uniquement la femme, mais l'ensemble du groupe ennemi)
- b) Les grossesses forcées (pour laisser l'empreinte de l'ennemi)
- c) L'abattage (à fusil armé) des femmes par la voie vaginale (dans l'espoir de rendre les femmes stériles et assurer l'élimination de la capacité de reproduction du groupe ennemi)
- d) Forcer les enfants à être témoins présents des viols de leurs propres mères
- e) Les viols de groupe
- f) La mutilation des membres des femmes

- g) L'éventrement des femmes enceintes et destruction des foetus
- h) L'esclavage sexuel
- i) Le travail forcé (faire la cuisine pour l'armée)

Les Violences d'ordre implicite incluent:

- j) L'abandon des femmes qui sont laissées à elles-mêmes pour assurer leur propre survie et celle de leurs enfants
- k) L'harcèlement et l'intimidation des femmes par la police et l'armée
- l) La vulnérabilité des femmes face aux hommes opportunistes (bandits, violeurs et voleurs)
- m) La discrimination des femmes par les institutions sociales et gouvernementales (refus d'accès aux médias)
- o) Le silence des leaders face aux problèmes qui affectent les femmes les rend complices
- p) Le pillage des femmes par les voleurs (pillards) qui sont protégés et soutenus par les leaders
- q) L'abus verbal et manque de respect aux femmes politiciennes par le gouvernement au pouvoir et les médias
- r) Le déni d'accès aux ressources et imposition des mesures de restrictions contre les femmes appartenant à d'autres affiliations politiques
- s) L'harcèlement des femmes recrutées au sein des forces armées (leur promotion professionnelle est conditionnée par les faveurs sexuelles accordées)
- t) Le déni de possibilité d'avorter sur demande en cas de grossesses découlant des viols systématiques
- u) Le rejet des femmes victimes de viols systématiques et rejet des enfants conçus des viols
- v) L'emprisonnement des femmes de tout âge sans possibilité de recours à la justice ou assistance extérieure
- w) Le manque de recherche ou de documentation fiable sur les conditions

des femmes avant, pendant et après les guerres (ceci revient à une conspiration ou un complot des leaders dans leur souci de maintenir le silence).

II. Protection des Femmes Contre la Violence

Nous avons repris les suggestions d'une participante concernant la protection des femmes pendant les conflits: elle suggère que les femmes fassent recours aux forces de défense ou l'armée nationale (ceci évidemment doit être appuyé par une plateforme dynamique des femmes au parlement); qu'elles subissent un cours intensif de base en matière de légitime défense; et qu'il y ait l'assistance volontaire d'une force neutre pour assurer la médiation entre les parties belligérantes; après les conflits, les femmes peuvent être protégées directement avec un approvisionnement en nourriture et habits; par leur engagement au niveau des programmes d'action et en construisant des camps d'accueil pour les femmes sans-abri.

Le groupe a soulevé et examiné les questions suivantes:

1. Quelle est la responsabilité de l'État face à la protection des femmes et enfants?
2. Quelles sont les responsabilités des citoyens?
3. Ne devrions-nous pas recourir aux forces sociales telles que les organisations des droits de l'homme au lieu des forces armées (militaires ou la police)?
4. Pourrions-nous encourager les organisations des femmes à faire pression sur les organisations internationales des droits de l'homme?
5. L'armée doit être sensibilisée (éduquée)
6. Il serait important de créer des groupes de pression

7. Nous devons être pro-actives durant la période de paix et sensibiliser/éduquer les femmes et les enfants.

Les participantes ont véritablement attiré l'attention sur le fait que l'atelier doit concevoir un programme d'action concret et durable qu'elles emporteraient avec elles pour appliquer dans leurs pays respectifs. Le groupe a examiné l'urgente nécessité de créer un réseau dynamique qui aura pour mission de:

- Faire pression sur l'état avec la solidarité des autres institutions nationales et internationales
- Mener des actions de support aux femmes dans les pays où les conflits se déroulent
- Assister avec des programmes de formation et sensibilisation en matière de guérison (contre le traumatisme), éducation, etc.
- Mener des campagnes de sensibilisation et vulgarisation sur les droits et le sexisme relatif aux problèmes auxquels les femmes sont confrontés pendant et après les conflits
- Recevoir et vulgariser l'information

Ci-après figurent autres potentiels domaines d'action qui ont été examinés:

- Écrire des lettres formelles aux leaders des gouvernements et à ceux des institutions internationales pour les informer de la création du réseau
- Coordonner les actions dans les différents pays
- Compiler (collecter) les rapports par pays en un bulletin régional

III. Guérison

Guérison et Réconciliation

Bien qu'il y a un besoin urgent pour les nations belligérantes de se réconcilier, il est aussi important de chercher le repentir et d'établir des formes de punition aussi bien que des programmes de réhabilitation que doivent subir les anciens combattants. Par exemple la réintégration des anciens

combattants dans les domaines militaires et paramilitaires et autres structures sociales au Niger a été citée comme un cas de succès. Ceci n'est pas le cas en Sierra Leone.

Les participantes ont soulevé les questions suivantes:

- Comment punir les enfants combattants après les conflits? Doivent-ils être tenus responsables des violents actes criminels qu'ils ont commis ou doit-on se retourner contre ceux qui les ont recrutés? Il a été admis que ces enfants combattants sont involontairement entraînés de force dans les conflits ou sont drogués.
- Manque de dédomagement des femmes et enfants qui n'ont pas pris part aux décisions de guerre, mais qui demeurent ceux qui souffrent le plus, alors que les combattants reçoivent une compensation et une aide.
- Devrait-il avoir un consensus national sur comment punir ceux qui continuent encore à commettre des atrocités dans certains pays?

Discussion des Stratégies de Réconciliation

Les participantes ont suggéré l'examen des stratégies ci-après:

- La possibilité de surmonter les barrières artificielles d'ethnicité, religion; l'exemple de l'expérience des services d'encadrement des jeunes au Nigeria qui ordonnent les jeunes en mission dans d'autres régions hors de leurs régions natales a été mentionné.
- Les conférences nationales qui font la médiation sur les mesures d'intégration entre les civils et les militaires pourraient avancer le processus de guérison. Les participantes provenant de la Sierra Leone ont cité en exemple une conférence lors de laquelle les membres de l'armée dissoute ont publiquement demandé le pardon à toute la population.

- Une autre conférence en Sierra Léone qui a été un forum de rassemblement où toutes les épouses des anciens combattants se sont rencontrées avec les femmes des camps de personnes réfugiées a été mentionnée.
- Les institutions religieuses pourraient jouer un rôle important si elles prêchent la paix. Cependant, celles-ci aussi doivent être sensibilisées pour une prise de conscience parce qu'elles peuvent être à la source des divisions comme cela a été le cas en Sierra Léone. Le comité de médiation interreligieux du Libéria été cité comme un bon exemple prouvant la possibilité que des communautés de fois diverses peuvent travailler ensemble pour instaurer la paix.
- Le rôle des média a été soulevé. Il est important de sensibiliser les média du moment qu'ils représentent des moyens très puissants pour éduquer et faire prendre conscience au peuple.
- La possibilité de sensibiliser par l'intermédiaire des relations interpersonnelles a été examinée comme un moyen d'éduquer la population pour une prise de conscience et avancer le processus de guérison.
- Les jugements et tribunaux peuvent être considérés comme une dimension du processus de guérison, cependant ceux-ci peuvent aussi avoir des aspects négatifs.
- La création de réseaux permettant aux femmes de s'accorder un support mutuel a été un point très important d'analyse lors de la tenue de l'atelier. Les femmes pourraient protester contre la vente d'armes moins couteuses aux pays africains par les pays du Nord, contre les régimes dictatoriaux, contre les incursions des frontières des états voisins et la collaboration entre les groupes rebels, contre le recrutement endémique de soldats et la création des mercenaires professionnels.
- L'apport d'appui économique aux femmes en leur assurant l'éducation et la formation dans des secteurs générateurs de revenus leur permettrait de réduire la pauvreté. Le cas des tontines ("susu") comme forme d'initiative de microcrédits de femmes fut cité en exemple.
- L'intégration des exilés (ou réfugiés) doit être volontaire: bien que souvent les femmes accueillent les ex-réfugiés après les conflits, elles doivent avoir le libre choix de décider si elles veulent retourner dans leur localités d'origine ou si elles préfèrent s'installer là où la fin de la guerre les a trouvées. Il faut adopter des lois pour protéger les femmes et les autres qui souhaiteraient retourner dans leurs régions d'origine après les conflits. En effet, très souvent les nouveaux occupants harcèlent les anciens natifs et entravent leur réintégration.
- L'analphabétisme ne doit pas être une entrave à la participation politique. Les participantes du Libéria ont cité le cas de l'élection de trois conseillers analphabètes au Conseil du Secrétariat lors de la dernière élection organisée par le secrétariat national des organisations non-gouvernementales des femmes du Libéria.
- Il a été accepté que le dialogue peut aider à prévenir ou même résoudre les différends. Les communautés doivent oeuvrer à instaurer une culture de dialogue.

Guérison du Traumatisme Causé par la Violence

Les participantes ont examiné les points suivants relatifs aux traitement et à la guérison (thérapie):

- La réduction de la pauvreté et la réconciliation à elles seules ne suffisent pas pour faciliter la guérison. On a parlé de l'inadéquation de l'assistance fournie par la commission de vérité et réconciliation en Afrique du Sud aux victimes après leurs témoignages. A l'unanimité il a été admis que bien qu'il est important de pardonner, il ne faudrait pas non plus oublier afin d'éviter les points de rechute. Les peuples doivent parler ouvertement et honnêtement des événements qui se sont déroulés afin de sensibiliser les populations et nous-mêmes à une prise de conscience.
- On doit adopter une approche de compréhension d'ensemble des questions relatives à la guérison (ou thérapie). Les points suivants représentent les aspects du processus qui ont débattus:
 - Eduquer la population pour une prise de conscience sur les conséquences de la violence découlant de la guerre
 - Eduquer/sensibiliser la population pour instaurer une culture de tolérance mutuelle et une compréhension du sexisme lié à la violence
 - Développer des réseaux de solidarité et support mutuel
 - Assumer la responsabilité des rôles que nous les femmes jouons en tant que premières éducatrices de nos enfants
 - Utiliser avec prudence l'assistance des organisations religieuses comme mécanismes de thérapie (guérison). Le cas des soeurs religieuses victimes de viols au Congo qui n'ont pas été protégées par l'église et l'église catholique au Rwanda qui a refusé l'avortement sur demande aux victimes de viols a été mentionné.
 - Trouver des moyens créatifs et adéquats de thérapie dans toutes les

situations et pour tous les cas. Les programmes de thérapie par isolement des jeunes dans la jungle et l'aventure adoptés en Afrique du Sud ont été examinés comme exemple d'expérimentation à tester pour réintégrer les jeunes militaires; la construction des maisons d'accueil en Casamance est une aide importante dans le contexte de la réhabilitation des personnes victimes des mines antipersonnel.

- Il est important de comprendre que le viol est une expérience conçue socialement. L'intensité du traumatisme dépend de la manière dont la société y réagit. Par exemple, la société allemande n'a pas blâmé les femmes victimes de viols de masse qui ont eu lieu durant la guerre, mais plutôt leur a offert les moyens d'avorter sur demande. Par conséquent, cela a atténué le degré du traumatisme (physique et psychologique), alors que son effet s'est intensifié au Rwanda parce que la société a rejeté ces femmes victimes de viols.
- Aider les femmes à comprendre qu'elles ne doivent pas individualiser ou personnaliser leur persécution. Il est important d'inclure une analyse politique du traumatisme et son impact dans le processus de thérapie.
- Il faut sensibiliser toute la communauté pour une prise de conscience. Le cas de l'Algérie où les femmes victimes de viols affligés par les combattants ont été exécutées par leurs propres familles a été mentionné.
- Il est important de comprendre comment le patriarcat lie l'honneur à la sexualité des femmes.

Les participants ont aussi souhaité inclure dans le rapport final plusieurs autres points de discussion:

- Nous nous sommes demandées si les orphelinats représentent une bonne structure d'accueil pour les enfants victimes. Le débat était que les orphelinats peuvent devenir des sources d'aliénation sociale pour les enfants. Par contre, certaines participantes ont avancé l'argument que les crises économiques ressenties dans la période post-guerre empêchent les africains à assumer leurs responsabilités familiales traditionnelles.
- Le rôle des nations industrialisées du Nord et les institutions internationales tels que la Banque Mondiale et le Fonds Monétaire International dans la création et le support politique des conflits servant leurs propres intérêts a été examiné. Les organisations des femmes peuvent oeuvrer pour faire pression à ces gouvernements et institutions pour qu'ils dédommagent les victimes civiles, et nous devons essayer de prévenir les ingérences à l'avenir.
- Les femmes doivent joindre les efforts et utiliser tous les moyens à leur disposition pour atteindre les buts.

A la fin de l'atelier le groupe s'est réuni pour adopter à l'unanimité la Déclaration qui a permis la création du réseau dont le nom retenu est "La Coalition des Femmes Africaines Contre la Guerre." Le groupe a nommé Codou Bop et Anu Pillay comme co-coordinatrices de la Coalition.

Pour l'évaluation finale, les participantes ont revu les attentes qu'elles ont initialement exprimées relatives à ce qu'elles espèrent bénéficier de l'atelier. Codou Bop a démontré comment le désir de créer le

réseau de solidarité, le souhait de plus de la moitié des participantes, s'est matérialisé de même que le désir d'échanges mutuels de leurs expériences. Il était apparent que les spécificités des situations locales des femmes des différents pays et la nécessité que les gouvernements réagissent, rendent le souhait de trouver des moyens de guérir le traumatisme de la guerre étaient plus difficile à réaliser. Ce constat s'applique aussi à l'espoir de voir un engagement personnel dans le processus de paix.

Les participantes ont aussi complété des formulaires d'évaluation écrite. Elles ont trouvé l'atelier "très utile" dans l'ensemble, un petit nombre a saisi l'occasion pour établir un réseau personnel de contact, et échanger les expériences instructives aussi douloureuses soient elles. La collaboration entre les participantes était très remarquable, plus particulièrement la spontanéité de la rédaction du rapport de l'atelier et la Déclaration. Les difficultés notées relèvent de la réalisation que bien qu'une nécessité, l'assistance gouvernementale demeure la moins parvenante et le traitement du traumatisme n'est pas facile. Les autres difficultés d'ordre pratique étaient liées à l'étroitesse d'un programme de trois jours et nous aurions souhaité avoir plus de temps, plus particulièrement pour un peu de "tourisme." Chaque participante a semblé approuver l'ordre du jour du programme, alors que plusieurs auraient souhaité voir plus de discussions sur les causes de la guerre dans l'espoir de pouvoir les prévenir, et auraient souhaité voir une audience publique plus grande. Plusieurs femmes auraient voulu une conférence plus étendue avec une représentation de plusieurs pays

Declaration of African Women's Anti-War Coalition

We, the participants of the West African Workshop on Women in the Aftermath of Civil War held in Dakar, Senegal, from 11 to 13 December, 1998,

Recalling:

- The objectives and principles of the United Nations Charter
- The Universal Declaration of Human Rights, the central concern of which is human beings and the defense of their human rights, as well as the African Charter on nation's rights and human rights
- The constitutive acts of UNESCO and the World Health Organization
- The recommendations of the World Conference on Human Rights (held at Vienna, June 1993), of the World Summit on Sustainable Social Development (Copenhagen, March, 1994), of the International Conference on Population and Development (Cairo, September, 1994), of the Fourth World Conference on Women (Beijing, September, 1995)
- The International Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
- The resolution on the cultures of violence and peace adopted by the 28th session of the UNESCO general conference held in November 1995, and the resolutions adopted during the 49th and 50th sessions of the World Health Assembly in 1996 and 1997 which recognized violence as a public health issue

Noting:

- The rapid spread of conflicts throughout Africa which have severe consequences for populations in general and for women and children in particular
- The increase in violence, particularly against women and children, and the specific nature of the violence against women
- The inadequate and insufficient commitment and political will on the part of governments and international agencies to defend and protect women's human rights during conflicts and in the aftermath
- The lack of appropriate government-supported mechanisms to address the consequences of violence against women and ongoing violence in the aftermath
- The persistent gender inequalities in African societies which continue to deny women access to resources and to redress of wrongs

Considering:

- The responsibility of the state to protect all citizens, especially the most vulnerable, in this case women and children
- That an understanding of violence against women and action to end this violence should begin with local and regional initiatives
- That reconciliation and the alleviation of poverty are not enough to facilitate healing in the aftermath
- That there is a need to be proactive during peacetime to sensitize and educate women, children and the general population including the armed forces to the consequences of warfare

We, the participants, therefore recommend,
to all governments:

- That they make a firm commitment to end conflicts worldwide and particularly in Africa
- That they take full responsibility for the facilitation of holistic reconstruction (social, psychological, physical and economic) of society, taking particular note of women's needs for special reparations
- That they recognize and enforce national, regional and international laws and treaties pertaining to the protection of women and children

to international agencies and Northern industrial governments:

- That they acknowledge the roles they play in creating or supporting political conflict for their own interests
- That they compensate victims, particularly women and children, and
- That they work towards the prevention of conflict in the future

We, the participants, have therefore resolved to:

1. Establish this network of African

women opposed to war, which we have named the African Women's Anti-War Coalition

2. Support the Declaration of Algiers adopted at the International Colloquium on All Forms of Contemporary Violence and the Culture of Peace on 22 September 1997 and all other such declarations and initiatives

3. Use the African Women's Anti-War Coalition to:

- a) Put pressure on states, through solidarity with other national and international agencies, to end present conflicts and to prevent future conflicts

- b) Lobby for support for women in the country that is in conflict

- c) Assist with training and sensitization programs for human rights, healing and education

- d) Popularize rights and the gendered nature of problems that women face during and after conflict

- e) Receive and disseminate information regionally and internationally.

Dakar, 13 December 1998

Declaration de la Coalition Anti-guerre des Femmes Africaines

Nous les participantes à l'atelier sur "Femmes et les séquelles de la guerre civile" tenu du 11 au 13 décembre 1998 à Dakar,

Rappelons:

- Les buts et principes de la Charte des Nations Unies
- La déclaration universelle des droits de l'homme, qui place la personne humaine, la promotion et la défense de ses droits, au centre de ses préoccupations, ainsi que la Charte africaine des droits de l'homme et des peuples
- Les actes constitutifs de l'UNESCO et de l'Organisation Mondiale de la Santé (OMS)
- Les recommandations de la conférence mondiale des droits de l'homme (Vienne, juin 1993), du Sommet mondial sur le développement social durable (Copenhague, mars 1994), de la conférence internationale sur la population et développement (Le Caire, septembre 1994), et de la 4^e Conférence mondiale des femmes (Beijing, septembre 1995)
- Les conventions internationales relatives aux droits de l'enfant et à l'élimination de toutes les formes de discriminations à l'égard des femmes
- La résolution consacrée au phénomène de la violence et à la culture de la paix adoptée par la 28^e session de la Conférence générale de l'UNESCO en novembre 1995, et les résolutions des 49^e et 50^e sessions de l'Assemblée Mondiale de la Santé en 1996 et 1997 plaçant la violence parmi les préoccupations de santé publique

Constatons:

- La rapide prolifération dans toute l'Afrique de conflits dont les conséquences sont sévères pour les populations en général et pour les femmes et les enfants en particulier
- La percée de la violence particulièrement à l'égard des femmes et des enfants, et la particularité de la forme de violence utilisée à l'égard des femmes
- L'inadéquation et l'insuffisance d'engagement et de volonté politique de la part des gouvernements et institutions internationales pour défendre et protéger les droits humains de la femme pendant et après les périodes de conflits
- Le manque de mécanismes gouvernementaux appropriés pour traiter des conséquences des violences à l'égard des femmes pendant les conflits et perpétuées dans la période après-guerre
- La persévérance de l'inégalité entre les (deux) sexes dans les sociétés africaines qui continue à nier l'accès aux ressources et au redressement aux femmes

Considérons:

- La responsabilité de l'Etat à protéger tous les citoyens, en particulier les plus vulnérables, dans ce cas les femmes et les enfants
- Qu'une compréhension de la violence à l'égard des femmes et des mesures pour mettre fin à cette violence doivent commencer avec l'appui des initiatives locales et régionales
- Que la réduction de la pauvreté et la réconciliation à elles seules ne sont pas suffisantes pour faciliter la guérison dans la période après-guerre

- Qu'il faudrait d'être proactive pendant la période de paix afin de sensibiliser et éduquer les femmes, les enfants et la population en général tout en incluant les forces armées

Par conséquent, nous les participantes recommandons,

à tous les gouvernements:

- Qu'ils s'engagent fermement à mettre fin aux conflits mondiaux et en Afrique en particulier
- Qu'ils prennent une responsabilité totale pour faciliter une reconstruction d'ensemble (sociale, psychologique, physique et économique) de la société, en prenant particulièrement compte des besoins des femmes pour des réparations spéciales
- Qu'ils reconnaissent et fassent valoir les lois nationales, régionales, et internationales et les traités relatifs à la protection des femmes et enfants

aux institutions internationales et aux gouvernements du monde industrialisé du Nord:

- Qu'ils admettent le rôle qu'ils ont joué (ou jouent) dans la création ou leur appui politique aux conflits pour leurs propres intérêts
- Qu'ils indemnisent les victimes, en particulier les femmes et les enfants
- Qu'ils oeuvrent pour la prévention de conflits dans l'avenir

Par conséquent, nous les participantes avons pris la résolution:

1. D'établir un réseau de femmes africaines qui s'opposent à la guerre sous l'appellation "La Coalition Anti-Guerre des Femmes Africaines",
2. De soutenir la Déclaration d'Alger adoptée lors du Colloque International sur les Formes Contemporaines de la Violence et Culture de la Paix tenu du 20 au 22 septembre 1997 et toutes autres déclarations et initiatives de même nature,
3. D'utiliser le réseau "La Coalition Anti-Guerre des Femmes Africaines" pour:
 - a) Faire pression sur les Etats, en solidarité avec d'autres organisations internationales, pour mettre fin au conflits en cours et prévenir les conflits dans l'avenir,
 - b) Faire pression pour l'octroi de soutien aux femmes dans le pays où le conflit est en cours,
 - c) Aider avec les programmes de formation et sensibilization en matière des droits de l'homme, guérison et education,
 - d) Vulgariser l'education sur les droits et la nature des problèmes de préjugés liés au genre auxquelles les femmes sont confrontées pendant et après les conflits,
 - e) Recevoir et vulgariser les informations à l'échelle regionale et internationale.

Dakar, le 13 décembre 1998