



Rights, Freedom and the Rule of Law

El Salaam camp. Almost 120,000 people live here in the dry emptiness on the outskirts of Omdurman, near the Sudanese capital of Khartoum. There are no roads, no trees, and no water. Only shacks made with mud bricks, or, for the “less fortunate,” cardboard and plastic.

The majority of the people here are women and children from various ethnic groups, including Dinka, Nuer, Nuba, Shoulouk, and Zandi. They have fled from war, violence, drought, and hunger. Many have been here for ten years or more. Humanitarian agencies provide the people with food, water, and other essentials. The camp is under government control – the same government that contributed to the conflict.

In the camp, we are greeted with music, dance, and a traditional Nuba coffee ritual. In the heat of the midday sun, differences melt in this expression of sharing and hope. Aziza, a Nuba woman, expresses a common dream: “We want to live in peace, with no ethnic conflicts, one people working together.”

In Sudan today, civil rights are more an aspiration than a reality – women’s rights even more so. But this was not always the case. Until the late 1970s, the Sudanese women’s movement was strong and vibrant. Women had access to higher education, and could actively participate in the social and political life of their country. This situation changed dramatically in the early 1980s with the imposition of Sharia law by the military regime. Then, in 1989, the current government took power, destroying its political rivals, driving the women’s movement underground.

In the years since, the situation has deteriorated. Educated women who had occupied senior positions in government were forced to resign or were demoted. Women now require permission from their male “guardian” – husband, father, brother, or even son – to travel outside the country. The government maintains tight control over women through the imposition of a strict dress code, and has failed to address the widespread practices of female genital mutilation and early marriage for girls, some as young as ten. The conflict between Northern and Southern Sudan is ongoing, and other serious conflicts have broken out, particularly in the western province of Darfur. People are being killed and displaced. Women and girls are raped, and often left alone to take care of their families and rebuild their communities.



Asha El-Karib and women of the El Salaam refugee camp, Sudan

SYLVIE PERIAS

Despite this grim reality, Sudanese women are resilient, driven by their memories of the past. In a sense, women hide in the open. Draped in the traditional colourful *torha* or scarf, activists from women’s groups, including Inter Pares counterparts, work to transform their society. Their goal is for women to be active citizens, participating fully in the social, cultural, and political life of their country. With courage and determination, these women challenge fundamentalism in its various forms – religious, cultural, and patriarchal. They proudly defend and promote human rights and women’s rights. Today, the women’s movement is at the heart of civil society efforts to bring about democracy, justice, and peace for all.

Inter Pares supports people’s struggles for their rights, freedom, and the rule of law in many parts of the world. Such actions seek to create a world where there is one universal standard of opportunity and dignity for all. We believe that every person has the “right to be.” Every person and every community has a right to live, a right to a quality of life, to live decently and with dignity, and to develop their full creativity and potential. This “right to be” includes, at a minimum, the right not to be killed by the state, or its military proxies. It is also the right to be free, to enjoy the benefits of citizenship, to be full participants in a free and equal society, to resist oppression, and promote justice. In this Bulletin, we provide you with some examples of people’s struggles for these rights and freedoms. ☪

Confined Communities – Breaking Out

We sat in the boat and watched young men on the bank of the river playing cards around a makeshift table. It seemed innocent enough – until you noticed the guns. We had pulled in to shore along the Atrato river at one of the many checkpoints that control all movement on the river. In Chocó, one of the poorest regions of Colombia, there are almost no roads, so the river is the lifeline – the only way for people to move from place to place. Armed men control every movement in parts of Chocó. Some control the river, while others control the forest paths. In some areas these armed men are the guerrilla, in others they are the paramilitaries, and in other areas they are the army.

In Colombia, the conflict is about the control of land and resources. The fight to control resources is fierce and the people who can, get out of the way to save their lives. But in recent years, armed actors have changed their approach; instead of forcing people to leave, they are often forcing them to stay. Sometimes it is because they want people to work in the coca plantations they control. Sometimes it is to maintain the population as a human shield. Frequently, one side feels that people are supporting the other side, and by preventing them from leaving their community they prevent them from aiding their enemy. Whatever the reasons, the consequences are the same; people are trapped in what have come to be called “confined communities.”

When people are unable to leave their villages, it can mean the destruction of the local economy. There are severe restrictions placed on leaving the village to attend to crops. Fishing and hunting are often prohibited, and people are unable to sell the little they are able to produce. Being unable to leave the village means they have no access to food they cannot produce themselves, or to necessities such as clothing and medicines. Access to healthcare disappears at the point of the gun at the checkpoint. Schools do not function because teachers are afraid of not being allowed to leave, so instead decide to never arrive.

The armed actors impose strict codes of conduct in the villages they control. Often there are curfews, and people defined as “undesirables” are frequently killed. Women are particularly affected by confinement. Sexual abuse and rape are common in confined communities, especially at the checkpoints used to control people’s movements.

It is a slow death. Not the death of the bullet, but instead the death of isolation, malnutrition and untreated illness. People suffer physically and psychologically. Hunger and illness go hand in hand with fear and despair.

Inter Pares has supported Project Counselling Service (PCS) in its work with church and local organizations to raise awareness in Colombia and internationally about this situation. Working together, PCS, the Catholic church, and indigenous and Afro-Colombian organizations, launched a campaign to open up the Atrato river. With the participation of the United Nations and members of the diplomatic corps, including Canada, a convoy of boats sailed past the checkpoints to areas where communities were unable to move



Afro-Colombians on the Atrato river in Colombia

JULIO CESAR HERRERA

freely. They brought desperately needed supplies, but more importantly, they brought a message of hope and the belief that people could peacefully pressure the armed actors to respect basic rights and freedoms.

The campaign was not a solution, but it was a step towards one. There are still confined communities along the Atrato river, and elsewhere in Colombia. But now, people are talking about the problem. People continue to speak out and find ways to defend their rights. Inter Pares will work with them, and PCS will accompany and support their efforts. ✂

In addition to the generous support of our donors, Inter Pares gratefully acknowledges the support and assistance of CIDA Americas branch and the Wild Rose Foundation for our work in Colombia.

Women's League of Burma: Courage in the Face of Fear

Then he put his rifle barrel against my face – it felt so cold and made me so afraid I can't tell you.

Testimony from Naw Lay Wah
From *Shattering Silences: Karen Women speak out about the
Burmese Military Regime's use of Rape as a Strategy of War in Karen State*

People in Burma live in fear. A soldier's knock at the door can compel them to flee to a life of hunger and uncertainty as refugees. An officer can order them to provide a month of backbreaking, uncompensated labour for the local battalion. An unlucky encounter in their fields with troops can result in the loss of a season's worth of food, beatings and even the murder of a family member.

Burma's military dictatorship does not pay its soldiers well. In remote areas, soldiers are required to be "self-sufficient," a euphemism for living off already impoverished villagers. With an army of over 450,000 soldiers, the people of Burma experience militarization in all aspects of their lives. Sexual violence is part of the strategy to instill terror, to subjugate, and to destroy the social bonds of communities – through tactics such as the gang rape, detention, torture, and murder of women and girls.

On paper, Burma has laws that outlaw such crimes. In reality, a practice of impunity prevails. Those who dare to speak out are silenced by threats. Some disappear. Others are imprisoned, tortured, or killed.

The Women's League of Burma (WLB) is one of the few actors to continue a vocal and unrelenting condemnation of the sexual violence perpetrated by the military. They refuse to let the women in Burma who suffer be forgotten. The WLB's recent report, *System of Impunity: Nationwide Patterns of Sexual Violence by the Military Regime's Army and Authorities in Burma*, meticulously documents the war crimes being committed against women. WLB recognizes women's trauma, especially when they are asked to retell their stories. An essential element of WLB's work has been to protect the women who have had the courage to speak out, especially those still living inside Burma, and to provide counselling in order that they begin to heal.

Inter Pares is privileged to be able to support the efforts of WLB as they dare to speak out for the women of Burma in the face of fear. ❧

*System of Impunity can be found on WLB's Web site at
www.womenofburma.org.*

Defending Civil Liberties, in Canada and Worldwide

One of the most troubling characteristics of the present era is the erosion of the rule of law and the rights of citizens. This phenomenon includes the excesses of those who make laws and are charged with upholding them.

The International Civil Liberties Monitoring Group (ICLMG) is a coalition of over 30 Canadian organizations, including Inter Pares, created in the aftermath of government reaction to the events of September, 2001. Its purpose is to monitor "anti-terrorism" legislation and other security measures that affect civil liberties, human rights, refugee protection, political dissent, and the activities of charities carrying out international cooperation and humanitarian assistance globally. The ICLMG has raised concerns about Canada's anti-terrorism legislation and other counter-terrorism measures, the continental harmonization of security policies with the United States, the practice of covert data-sharing among states, the lack of transparency and accountability in the use of security certificates, the erosion of privacy rights, the lack of "due process," and the lack of political oversight over security operations.

The ICLMG also challenges practices that contravene the Canadian Charter of Rights and Freedoms, other Canadian laws, and international human rights standards. ICLMG monitors the use of security certificates and secret trials to deport landed immigrants and refugees, and intervenes in individual cases, such as that of Maher Arar, where there have

been serious violation of civil liberties and human rights. ICLMG worked to help ensure that the government launch a public inquiry in the Arar case, and Justice O'Connor has granted ICLMG intervener status in his Commission.

Last year the International Civil Liberties Monitoring Group organized an international meeting to explore the effects of security legislation on rights, freedoms, and democracy worldwide, during which participants agreed to work together to raise public awareness on the burgeoning worldwide system of "total surveillance" and control of movement. The International Campaign on Citizen Registration and Global Surveillance is mobilizing citizens' organizations to alert the public, the media, and policy-makers about the negative impact of harmonized global surveillance on privacy rights, and freedom of movement and association. The working group for the campaign, led by ICLMG, includes Inter Pares, the Canadian Association of University Teachers, Amnesty International Canada, La Ligue des droits et libertés, Statewatch-U.K., the American Civil Liberties Union, the Friends Committee on National Legislation (Washington), the Asian People's Security Network, and Suara Rakyat Malaysia (SUARAM). ❧

ICLMG's reports, In the Shadow of the Law and Anti-Terrorism and the Security Agenda: Impacts on Rights, Freedoms and Democracy, are available at www.interpares.ca. For more information on the International Campaign on Global Surveillance, visit www.waronterrorismwatch.ca

The River of Migration

Throughout the ages, in all corners of the globe, people have been forced to leave their homes for one reason or another. In Colombia, for instance, hundreds of people leave their homes every day, fleeing the war that has ravaged their country for almost four decades. Families are torn apart, their members often facing different futures, all uncertain. Some will become part of the very large internally displaced population. Some of the women will be systematically raped by security forces, paramilitaries, or guerrillas. One or two family members will cross the border, and become recognized as refugees by the United Nations High Commission for Refugees. One person might even make it to Canada. But most will move quietly and covertly in-country and across the border as “migrants” to avoid being visible targets in the conflict; under the cloak of invisibility, they are often exploited or murdered, enslaved or ‘disappeared’. Same family, same history of violence, different futures. The river of migration has many currents.

The international community has created many categories to describe people who move, depending on what we perceive to be the reason for their movement, and where they may end up: “refugees,” “asylum seekers,” “internally displaced persons,” “development displacees,” “trafficked persons,” “economic migrants,” “immigrants.” But these categories assume, first, that the people within them are all the same, and second, that the categories themselves are distinct. Because of the way we label, define, and categorize people who move, we obscure and make invisible their actual lived experience. And because of our categorizations, the solutions we seek most often do not transcend the problem, but reinforce it instead. The majority of Colombia’s population – or Burma’s, or that of any other country devastated by conflict – are dispossessed, dislocated, and made vulnerable by war, ignored because they are “migrants” and not “refugees” or “displaced persons.”

East Timor: Testimony

The people of East Timor have endured the brutality of colonization and invasion, to emerge into the uncertain light of nationhood. At this point of transition, through stunning images and insightful texts,

East Timor: Testimony presents a broad overview of the country’s history, culture, and aspirations. Sixty-four of photographer Elaine Brière’s eloquent photos form the core of this haunting, informative book. Nine authors, including renowned scholar Noam Chomsky, have contributed original essays.

Inter Pares is proud to have supported the development and publication of *East Timor: Testimony*. It is available through your local independent bookstore or directly from Between the Lines Books (www.btlbooks.com).



Categorization is also a form of control. While the majority of the world’s population on the move remains within the poorest countries of the global south, many people in the countries of the north live in fear of the so-called masses supposedly clamouring to get in. The mainstream view of migration is frequently reinforced through water imagery. Migration is often described as a flood, an unstoppable torrent, a force of nature bent on destroying those in its path – in other words, a threat to the privileged in their protected places.

The reality is that people are encouraged to cross borders all the time, when they are needed as cheap sources of labour. Most, however, are denied the rights of citizenship, categorized as “economic migrants” rather than “immigrants” or “refugees,” regardless of their reasons for leaving home. They become a vulnerable and expendable workforce, with few or no rights within their ‘host’ country. This ruthless logic is the reason why no northern country – including Canada – has ratified the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

In Canada, our history is one of both inclusion and exclusion. The Chinese “migrants” who helped build our nation by constructing the railway were charged a head tax of \$500 (equivalent to the price of two houses in the day) and denied citizenship, while at the same time, “immigrants” from European countries were offered land on the prairies and instant recognition as Canadians. Our boundaries of belonging have been protected through a racialized politics of control and categorization that continues to this day.

The problem is not migration. The problem is the way the powerful seek to control migration. Migration policies are a form of population control; the issue is who is controlled and how. And because of the who, and the how, migration policy is a justice issue. And it is a pressing one. We must insist that the Canadian government immediately compensate and apologize to those Canadians who paid the Chinese head tax, and their families. We must push for Canada to ratify the UN Migrant Workers Convention, and beyond that, for the rights of citizenship for all who contribute to our nation. We must insist on a common standard of dignity, rights, and security for all who live within our borders.

The river of migration is a part of our human ecosystem. It may ebb and flow, but it remains constant and necessary to who we all are, and who we will become. ❧

 **Inter Pares**

ISSN 0715-4267

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Inter Pares works overseas and in Canada in support of self-help development groups, and in the promotion of understanding about the causes, effects and solutions to under-development and poverty. Charitable registration number (BN) 11897 1100 RR000 1.

Financial support for the *Bulletin* is provided by the Canadian International Development Agency.

