

**Submission from the Internal Displacement Monitoring Centre (IDMC) of the Norwegian Refugee Council (NRC) to the Universal Periodic Review mechanism established by the Human Rights Council in Resolution 5/1 of 18 June 2007**

**Internal displacement due to conflict in Senegal**

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**Attachment**

*Senegal: IDPs remain vulnerable as obstacles to return and reintegration persist*, IDMC, 26 June 2008

**I. Internal displacement due to conflict in Senegal**

1. Senegal's southern Casamance region, bordered to the north by Gambia and to the south by Guinea-Bissau, has been the scene of protracted low-intensity armed conflict, which has continued since 1982 despite various peace agreements. A disputed land rights reform, cultural discrimination and limited employment opportunities have been at the heart of the fighting between the Movement of Democratic Forces in the Casamance (*Mouvement des Forces Démocratiques de la Casamance*, or MFDC) and the Senegalese government. In December 2007, with the region in a state of "neither war nor peace", the president's envoy to Casamance was killed, the last of three political assassinations between 2006 and 2007, provoking fears of a setback in the peace process. Although clashes between the MFDC and the

Senegalese army have decreased in number and intensity in recent years, inter-factional fighting within the MFDC has increased. Violent attacks against civilians and armed clashes between the MFDC and the Senegalese army have continued in the first months of 2008.

2. Throughout the years, the conflict has allegedly internally displaced up to 64,000 people. Thanks to better security cooperation between Senegal and Guinea-Bissau and to the peace agreement signed in December 2004 between the Senegalese government and the separatist MFDC, continuous return movements have been reported.

3. Today, there are **at least 10,000 internally displaced people (IDPs) in Senegal**. Given the complexities inherent in the patterns of displacement in Casamance, reliable statistics on the number of internally displaced people have always been scarce. Implementation of a government survey to shed light on the numbers and situation of IDPs in Casamance is awaiting funding. The National Agency of Statistics and Demography will initially study the two districts of Niaguis and Nyassia in Ziguinchor department.

4. Where IDPs have returned, the legacy of the long conflict has continued to hamper their sustainable reintegration. Reconstruction efforts are ongoing but infrastructure and services remain limited, and the presence of mines has prevented IDPs from farming again. Internally displaced people generally take the initiative to return and they then benefit from recovery and reconstruction programmes supported by government and local and international partners.

## II. Main subjects of concern

*Protection of civilians during armed conflicts<sup>1</sup> & civil and political rights, in particular the right to life<sup>2</sup>, prohibition of torture and cruel, inhuman or degrading treatment or punishment<sup>3</sup>; freedom of movement and residence<sup>4</sup>; voting rights<sup>5</sup>*

5. Although all-out armed conflict seems to be over in Casamance, communities are vulnerable to violent crime and still caught up in occasional armed skirmishes. Fighting between soldiers and rebels as well as internal fighting among rival MFDC factions has resulted in civilian deaths and injuries and the displacement of numerous persons between 2004 and 2008. Although no consistent data has been collected on this, eight civilians were reportedly killed during such clashes between 2005 and 2006.

6. Loss of life in Casamance is also due to landmines and explosive remnants of war (ERW). Roads and tracks around Ziguinchor as well as areas of Oussouye and Bignona departments have been heavily mined during the course of the conflict. Rebels began planting anti-personnel mines along the border with Guinea-Bissau in 1997 to protect their bases. In a study conducted by UNDP in 2006 and covering some 251 villages of the Casamance region, 93 villages were identified as being heavily affected by landmines and unexploded ordnance, while 60 others were abandoned. The Emergency

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<sup>1</sup> Common Article 3 of Geneva Conventions as well as a number of customary rules of International Humanitarian Law, in particular those related to distinction between civilians and combatants, e.g. Rule 1, and between civilian objects and military objectives, e.g. Rule 7; indiscriminate attacks, e.g. Rule 11; or precautions in attack, e.g. Rule 15 and 17, and against the effects of attacks, e.g. Rule 22; use of landmines, e.g. Rule 81, quarantees relating to treatment of civilians, e.g. humane treatment Rule 87 or prohibition of torture Rule 90, of enforced disappearance Rule 98 and arbitrary deprivation of liberty Rule 99 (Rules as defined by the Study on Customary International Humanitarian Law, International Review of the Red Cross, Volume 87, Number 857, March 2005)

<sup>2</sup> UDHR Article 3; ICCPR, Article 6.1

<sup>3</sup> UDHR Article 5; ICCPR Article 7

<sup>4</sup> UDHR Article 13; ICCPR Article 12

<sup>5</sup> UDHR, Article 21.1; ICCPR, Article 25.b

Landmine Impact Survey of Casamance (ELISC) carried out by Handicap International and UNDP between October 2005 and May 2006 found that the departments most affected were Ziguinchor, Sédhiou, Oussouye, Kolda and Bignona. Civilians were killed or injured while collecting wood, water or food. Since 2006, casualties from landmines or explosive remnants of war have been steadily declining, although humanitarian demining operations proceeded slowly. The Senegalese army demined pockets of the region and, in December 2006, launched a demining programme along the borders with Gambia and Guinea-Bissau with the assistance of the Moroccan army. Elements of the MFDC, however, reacted with force to stop the operations.

7. Attacks on civilians allegedly perpetrated by MFDC members have also increased in number in 2008 in an attempt to restrict their access to farming land. In May 2008, twenty villagers were attacked and had their ears mutilated while collecting cashew nuts in the forest. In March 2008, sixteen IDPs from Bissine, near the Guinea-Bissau border, were kidnapped by MFDC rebels because they had returned to their village of origin to tend the fields. In both cases, villagers had not been accompanied by the Senegalese army to ensure their safety because of a lack of communication between the local population and the army.

8. On a positive note, there were no reports of IDPs being disenfranchised during the presidential and the parliamentary elections held in February and June 2007. The government has reportedly always tried to facilitate the vote of internally displaced people in Casamance.

***Economic and social rights, in particular the right to an adequate standard of living;<sup>6</sup>  
and the right to work<sup>7</sup>***

9. Displaced communities can be found in rural areas of Casamance, both in zones affected by the conflict near the Gambian border (Fogny Djibidione, Diouloulou, Oulampane, Djinaki, Suelle and Sindian), as well as in southern Casamance. In these rural areas, feeble incomes as well as the lack of access to credit and to social services are particularly pronounced among internally displaced people. While IDPs have quickly tried to be self-sufficient by engaging in farming, they have involuntarily contributed to the pressure on land in their host areas already impoverished by overuse and poor rainfall. Lacking in most cases the necessary agricultural tools, they have not been able to produce enough food and secure a decent living for the family.

10. Many IDPs in Casamance have lost their source of income as they had to flee their villages, where they were farmers or petty shopkeepers, to find refuge in urban centres. In the city of Ziguinchor, which has hosted up to an estimated 14,000 people, unskilled wage labour has been the most important source of livelihood for IDPs. Some hold seasonal jobs in urban sanitation activities, others work as domestic workers. In general, however, the poor economic climate in Ziguinchor limits employment and earning opportunities consistently. Some IDPs also farm land owned by their family members or try to rent land. In the latter case, the cost and the shortage of rice paddies in and around Ziguinchor have constituted a major obstacle to ensuring livelihood opportunities.

***Limited humanitarian access<sup>8</sup>***

<sup>6</sup> UDHR Article 25.1 and ICESCR Article 11.1 as well as its impact on Articles 12, 13, and 6

<sup>7</sup> UDHR Article 23 and ICESCR Article 6 as well as Articles 7 and 9

<sup>8</sup> According to international custom, parties to the conflict must allow and facilitate rapid and unimpeded passage of impartial humanitarian relief, i.e. Rule 55, and humanitarian relief personnel and objects must be respected and protected, i.e. Rules 31 and 32 (Rules as defined by the Study on Customary International Humanitarian Law, International Review of the Red Cross, Volume 87, Number 857, March 2005)

11. The threat posed by landmines and the MFDC's control of some areas have had an impact on humanitarian access. Because of limited access especially to border areas in Casamance, most of the relief and recovery programmes are carried out by local NGOs, which have engaged in a broad spectrum of activities, from food distribution to reconstruction and peacebuilding, resulting at times in limited strategic and planning coherence. Among these, the Senegalese Red Cross, has been consistently present in Casamance and active in delivering humanitarian relief throughout the conflict period. The International Committee of the Red Cross (ICRC), on the other hand, resumed its presence in Fogy, northern Casamance only in April 2008, after a mine accident in Lefeu killed a delegate and injured three other staff in September 2006.

**The information above is drawn from and fully referenced in the following sources:**

- the Senegal country profile in the IDMC's online database
- the overview "IDPs remain vulnerable as obstacles to return and reintegration persist" attached to the submission

This information, and more, is accessible at  
<http://www.internal-displacement.org/countries/SENEGAL>

### **III. IDMC's recommendations to the Government of Senegal:**

At the fourth session of the Working Group on the Universal Periodic Review, the IDMC invites the Human Rights Council to consider the following recommendations to the Government of Senegal:

- Take all necessary measures to ensure that civilians are protected against the dangers arising from military operations, including forcible and arbitrary displacement.
- Engage the MFDC's military factions in allowing neutral actors to undertake humanitarian demining and mine action activities, such as victim assistance and mine-risk education.
- Provide adequate protection to IDPs from threats by insurgents, including in areas of return.
- In consultation with IDP organisations, assess the situation of IDPs in areas of displacement and return.
- Strengthen the development of livelihood opportunities in areas of displacement and of return and ensure that IDPs have access to these programs.
- Ensure that all populations affected by the conflict, including IDPs, have access to basic shelter, essential food and water and medical care.