

briefing

Sudan

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I. War in Darfur

The current situation in Darfur is justifiably referred to as the worst humanitarian situation in the world. The response of the Government of Sudan (GoS) to a double uprising which was provoked by its own actions is characterized by sustained and brutal attacks by government regular forces and allied Janjawid militias of Arab descent on civilians from specific African tribes. While there is much debate amongst members of the international intelligentsia about whether events in Darfur constitute ethnic cleansing or genocide, the facts on the ground are stark: up to one million people displaced internally, at least 200,000 refugees in Chad, and an estimated 50,000 deaths since February 2003. Fortunately, the international media is relentlessly focused on the human suffering in Darfur. This has forced events in the area to the top of the international agenda, and has obliged the international community to take action to relieve the plight of the African civilians. Unfortunately, despite the obvious need for decisive action on the part of the international community, the western response to the Darfur crisis has been accurately described as 'an essay in timidity'.

On 30 July the Security Council passed Resolution 1556, which called on the GoS to disarm the Janjawid militia, bring militia leaders and their associates to justice and improve humanitarian access to Darfur's internally displaced persons (IDPs) within 30 days or face unspecified actions. It was later deemed impossible for the GoS to disarm the Janjawid within this time frame, and on 5 August the UN and the GoS agreed to a Darfur Plan of Action, which outlined steps that could be taken by the government that would indicate to the international community that it was making progress towards complying with the Security Council Resolution. Unfortunately, despite almost daily reports from UN agencies on the ground in Sudan of continuing attacks against civilians, Sudan faced no sanctions, even though the Secretary General has now reported that the GoS failed to make progress on the core commitments of protecting civilians and disarming of the Janjawid within the 30 day deadline. Instead the UN Security Council passed another mildly worded resolution that expressed 'grave concern' that the government had 'not fully met its obligations' and stating that the Council would merely 'consider taking additional measures' if the GoS failed to fulfil the previous obligations. China, Russia, Algeria and Pakistan abstained from voting, the former two motivated by their business interests in Sudan, the latter two out of a sense of Muslim solidarity that unfortunately, did not extend to the Muslim Africans of Darfur. China has since vowed to veto any sanctions proposed by the Security Council in the event that Sudan does not fulfil its obligations.

2. Government links with the Janjawid

As the rebel movements began to achieve a measure of military success, the GoS turned to the Janjawid to prosecute war in Darfur. It felt that it could not rely on its regular army since a sizeable percentage of its regular soldiers come from Darfur. In fact, twenty-six soldiers from Darfur, including 10 senior military officials, are currently being tried for treason. They are accused of plotting to overthrow the government. However, their families state that in reality the men are being punished for refusing to bomb Darfuri civilians.

The Janjawid militia are thought to be several thousand strong. Each of Darfur's three states has at least one large contingent as well as several autonomous groups. They are composed of tribal militiamen and released felons, thus members are either driven by an Arab supremacist ideology or merely by a desire to loot. Although the Sudanese government continues to deny links with the Janjawid, all evidence points to the contrary. Not only have Sudanese regular forces been seen providing logistical and direct military assistance to Janjawid militias in the form of transport and air support, but evidence is also emerging of high-level links between Musa Hilal, one of the most notorious Janjawid leaders based in

North Darfur, and key members of the Sudanese government. An armed robber convicted in 1997 of the murder of 17 Darfuri Africans, Hilal was serving time for crimes committed in 2002 when rebellion broke out in Darfur. According to reports Hilal was released from detention to play a prominent role in the Arab militia following the personal intervention of Sudan's first vice president, Ali Uthman Mohammed Taha. Moreover, Human Rights Watch (HRW) revealed that Sudanese government documents had come into its possession that 'incontrovertibly show that government officials directed recruitment, arming and other support to the ethnic militias'. One directs 'all security units' to tolerate the activities of Janjawid leader Musa Hilal in North Darfur, highlighting 'the importance of non-interference so as not to question their authority' and authorising security units in a North Darfur province to 'overlook minor offenses by the fighters against civilians who are suspected members of the rebellion.' In a further indication of the links between the Janjawid and the government, on 27 August a HRW investigation uncovered the fact that despite its promises to disarm the Janjawid the government was allowing the militia to maintain at least 16 camps in Darfur, five of which were shared by the Sudanese government army.

In accordance with the new Security Council resolution, the UN Secretary General has now set up a five-person commission to determine whether genocide has taken place in Darfur. The Commission will also investigate reports of violations of international human rights and humanitarian law. However, on 5 October the Associated Press reported one Janjawid leader as stating that if he were to be brought before a tribunal for his actions then he would be joined by the entire Sudanese government 'because we are all doing this together'.

3. Talks in Abuja

The warring parties in Darfur held talks in Nigeria under the auspices of the African Union. Progress was made on humanitarian issues, but the talks deadlocked primarily over the issue of disarmament; the two rebel groups, the Justice and Equality Movement (JEM) and the Sudan Liberation Army (SLA), reject the notion of parallel demobilisation with Khartoum's allied militias. They have also demanded an international inquiry into human rights atrocities committed by government forces.

In the meantime, a small and under-resourced group of African Union ceasefire monitors is currently in Darfur, as are some 300 AU troops from Nigeria and Rwanda charged with protecting these monitors. However, it is Darfur's civilian population that desperately requires such protection, and AU troops on the ground have expressed embarrassment at their inability to adequately assist Darfuri civilians due to their lack of capacity and manpower. The AU has long mooted the expansion of both its force in Darfur and the mandate of this force, and the latest Security Council resolution calls for an enlargement of the AU force and threatens to punish the GoS if it fails to 'cooperate fully with the expansion and extension of the African Union Monitoring Mission'. It also urged UN member states to provide an enlarged AU presence with the necessary logistical, financial, material and other resources to effectively police Darfur.

4. Events elsewhere in Northern Sudan

Although censorship was officially abolished in 2001, in northern Sudan information on Darfur is heavily censored. The government has confiscated and suspended newspapers, and has detained and fined journalists in order to ensure compliance with its wishes. For example, on 12 September Sudanese authorities arrested Hussein Khoujli, chief editor of the Alwan daily newspaper, and the paper's front-page main story was censored. Editors at al-Sahafa daily newspaper have also reported that tens of thousands of that paper's copies were confiscated after it was printed on 12 September, allowing it to go to the press only after having removed an article. They did not specify the contents of the article. The Sudan Organisation Against Torture (SOAT) has reported an increase in the arrests of people who

call for a peaceful solution to the Darfur crisis. As a result most Sudanese newspapers now practise a form of self-censorship, particularly with regard to events in Darfur.

SOAT has also reported an increase in the number of students that suffer arbitrary detention. The government appears to particularly target students from Darfur and those who belong to the Student Democratic Front, from which most of those arrested experience torture.

In March the government claimed to have foiled an attempted coup, and Hassan al-Turabi of the opposition Popular Congress Party was arrested on charges of undermining the regime and inciting sedition in Darfur. Sudanese authorities have recently carried out a wave of arrests and raids in search of weapons they say were supplied of Turabi by neighbouring Eritrea. The GoS claims the group intended to use the arms to carry out sabotage aimed at toppling the regime in Khartoum. 33 of the party's activists were arrested on 8 September and charged with plotting 'subversive acts aimed at toppling the government.' On Friday 10 September the GoS reported that it had uncovered 100 Kalashnikov rifles, 10 rocket-propelled grenade launchers and about 100 RPG rounds and 'quantities of explosives' in a house north of the capital, Khartoum. They arrested the owner of the property, who the government alleges is a member of the Popular Congress party. However the Popular Congress Party denies any involvement in the affair. The Popular Congress Party subsequently announced the death in custody of one of its activists. Shamseddine Idris, a student leader in Khartoum, is reported to have died on Saturday 11 September. There has been no independent information on the circumstances surrounding his death; however, the Secretary General of the Popular Congress Party, Abdullah Abu Fatima, said in a news conference that a number of the party's detainees were being tortured whilst in custody.

On September 24, Khartoum said it had foiled another plot to kill senior government officials and bomb key institutions in the capital. They blamed that alleged plot on Turabi supporters

5. Southern Sudan

The war in Darfur has accurately been described as an accelerated version of the war in southern Sudan and the Nuba Mountains. The tactics currently employed by the Sudanese government in Darfur were initially introduced and honed over a period of 21 years during a civil war against the African and largely non-Muslim peoples of southern Sudan. During this war, southern civilians were the government's primary targets and government aircraft frequently bombed non-military facilities including villages, hospitals, schools, market places, United Nations food distribution centres and places of worship. It was also in the south that the government introduced such tactics as mass rape, the disruption and manipulation of humanitarian aid and the engineering of famine, both as a weapon of war and as a means of depopulating large areas and killing ethnic groups deemed sympathetic to the southern opposition. Commenting on the recent decision by the US Congress to define events in Darfur as Genocide, Samuel Abujohn, governor of SPLA-ruled Equatoria province, said 'It is good that the American people now know that there is genocide happening there (in Darfur), but we too have suffered a lot. There was genocide here.'

The war in the south has cost over two million lives since 1983 and displaced over four million people. In 2002, under the auspices of the Intergovernmental Authority on Development (IGAD, a regional body) and under pressure from key western nations, peace negotiations between the government of Sudan and the largest rebel group, the Sudan Peoples Liberation Movement/Army (SPLM/A) slowly began to bear fruit. There have been substantive breakthrough agreements over the ensuing years. However, a final, definitive peace treaty has yet to be concluded, although peace talks have now resumed following a long hiatus.

Worryingly, extremely reliable sources report the recent movements of barges into government occupied Juba loaded primarily with military equipment and troops, the movement of troops into Malakal, that tanks, rocket-launchers and other military equipment have been sent to Nasir in Eastern Upper Nile, and that a government militia group in Yuai now receives military supplies several times a week. There are also continuing, authoritative reports indicating that Janjawid elements have been redeployed from Darfur to the contested area of Abyei in Eastern Upper Nile, and to areas of Southern Blue Nile. All of these activities constitute a violation of the internationally agreed ceasefire.

Also in the south the Lord's Resistance Army (LRA) has stepped up activities. The GoS has backed this particularly unsavory organisation, providing it with bases in southern Sudan in order to destabilize a Ugandan government that has given strong support to the SPLA. The LRA has recently been mounting repeated raids on IDP and refugee camps in Uganda and, increasingly, on civilians in southern Sudan. In July the Equatoria Defence Forces, a southern militia allied to the SPLA reported that GoS forces had allegedly supported a large LRA contingent as it attacked the southern village of Moti. There have since been reports that the LRA has been dealt a major blow during recent clashes with both the Ugandan army and a southern militia group allied to the SPLA. Nevertheless its leader, Joseph Kony, is still at large and the LRA and numerous armed tribal militias continue to exist.

6. Recommendations

- 1. It is vital that sustained international pressure is brought to bear on the Khartoum government until it not only allows an expanded AU military presence into Darfur, but also agrees to an expanded mandate that enables AU forces to be proactive in protecting civilians.** It makes no sense for the international community to scramble to provide humanitarian assistance without taking decisive action to end the attacks that caused and continue to perpetuate the current humanitarian crisis. It amounts to saving the people of Darfur from starvation merely so that they can die later in armed violence. The Sudanese government is reported to have recently expressed agreement to the prospect of an enlarged military presence from AU countries, but continues to resist the idea of an enlarged mandate. However, even the GoS's verbal acquiescence to an enlarged force ought not to be taken at face value. The Sudanese government has long been adept at making the right noises in order to buy time when under pressure. It seldom follows through on such statements without experiencing sustained pressure from key international actors.
- 2. It is vital that significant and immediate additional financial resources and logistical support are committed to an enlarged AU force with an expanded remit for the protection of civilian and, if necessary, peace enforcement.** This is the only way to guarantee the safety of the civilians of Darfur and of humanitarian aid workers who are increasingly vulnerable in the prevailing atmosphere of impunity.
- 3. Pressure must immediately be brought to bear to ensure that the Sudanese government allows international/AU policing of the Safe Areas and IDP camps.** The Darfur Plan of Action allowed for the establishment of safe areas around towns and IDP camps in all three regions of Darfur to be overseen by Sudanese policemen. However, there are recurring reports indicating that members of the Janjawid are being recruited into both the Sudanese police force and armed services and are now in charge of some camps. Moreover, not only have IDPs reported instances where policemen have withdrawn from towns and camps and allowed the Janjawid to run rampant, but also, according to a recent United Nations report, policemen in Abu Shouk Camp near El Fasher were sexually abusing women in the camp. They either rape female IDPs or, taking advantage of their fear of attack by the Janjawid who freely roam the surrounding areas, the policemen gather firewood in exchange for sexual favours. In

order for the Darfur Plan of Action to be effectively administered in a manner that will benefit the victims in Darfur, (as opposed to accommodating the whims of the aggressors) there must be swift agreement to the positioning of an AU police force that is significantly larger than the 1200 initially mooted during discussions between the AU and UN.

4. **It is vital that human rights violators are held accountable for their actions.** There is an urgent need for human rights abusers to be identified and brought to justice. This may contribute towards ending the culture of impunity that currently exists in Darfur, and may also serve as a deterrent to other countries or regimes who consider initiating similar action in the future.
5. **In the increasingly likely event that Sudan continues to defy international opinion and a Chinese veto hinders firm action by Security Council, then it is vital that the US, EU and other willing nations enforce sanctions independently.** These sanctions could include an embargo against selling arms to the Sudanese government, which arms and supplies the Janjawid.
6. **The GoS should be compelled to honour its obligations under International Law.** This should occur not only in Darfur, but also elsewhere in northern Sudan where freedom of expression is severely curtailed and citizens are subjected to arbitrary arrest and torture. Sudan has signed but not ratified the Convention on Torture. It is therefore incumbent on Sudan not to engage in activities contrary to the spirit of the Convention. Moreover, the continuing violation of the internationally agreed ceasefire in the south ought to provide sufficient grounds for the US Administration to take punitive action against the Sudanese government in accordance with the Sudan Peace Act.
7. **There is a need for sustained pressure to ensure the signing of a final peace treaty between the GoS and the SPLM/A.** International pressure brought these talks into being and has also been behind major breakthroughs on substantive issues. The process is close to completion but appears to have stalled as international attention has been fixed on Darfur. It is vital that the international community maintains its focus and commitment up to and beyond the signing of a peace treaty, especially since the terms of any treaty will only be sustained by firm international guarantees. To this end, it is essential that key countries immediately allocate sufficient monetary, manpower and material resources to appropriate UN bodies so that these can be utilised in the immediate aftermath of a treaty. It is also vital that terms are agreed at international level allowing for the post-treaty positioning of international monitors in southern Sudan with a mandate that permits them to both monitor and enforce peace. This is particularly important given the fact that southern tribal militias allied to the government may seek or be persuaded to undermine a final peace agreement.
8. **There is need for constant vigilance regarding the activities of the government and its allied militias in southern Sudan and elsewhere.** The recent activities of the LRA and the southern tribal militias illustrate how easily they could be used to undermine a southern entity that may emerge from a final peace treaty. There are also reports that the government is currently attempting to play the same ethnic card in an attempt to incite Arab tribal leaders to take up arms against the Beja rebel groups in eastern Sudan.
9. **There is a need for an injection of finance to assist the process of capacity building in southern Sudan.** This region was systematically under-developed and marginalised, both by the colonial administration and by successive northern governments. During the long years of war, targeted attacks by past and present regimes have ensured that the little infrastructure that existed in the south has been all but

obliterated. The south is currently in desperate need. Schools are virtually non-existent. There are only two or three hospitals in an area that is larger than France, and public health centres operate very infrequently. The south also needs help in restoring, or rather creating roads and telecommunications systems and in developing a civil structure that will sustain it as an entity during peace time. The steady return of the best part of over one million displaced people, which is currently a trickle but could soon become a flood, will put added stress on an impoverished southern entity. It would be unfortunate if the eagerly anticipated peace dividend of increased foreign aid and investment were not immediately available if and when a final treaty is signed.