

briefing

Sudan

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1. Background in Brief

The current situation in Darfur has been described, justifiably, as the worst humanitarian situation in the world. The response of the Government of Sudan (GoS) to a double uprising that was provoked by its own actions has been characterized by sustained and brutal attacks by government regular forces and allied Janjawid militias of Arab or mixed descent on African civilians primarily from the Fur, Zaghawa and Massalit tribes. The GoS has resorted to the scorched earth policies it perfected in the killing fields of northern Bahr al Ghazal in southern Sudan. Government aircraft have bombed villages, and government troops and allied militias have looted, abducted women and children, utilized mass rape as a weapon of war, carried out summary executions and interfered with the distribution of humanitarian aid.

While there is much debate amongst members of the international intelligentsia about whether events in Darfur constitute ethnic cleansing, genocide or war crimes, 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 has focused unrelentingly on the human suffering in Darfur. This extensive news coverage, together with reports from NGOs and United Nations (UN) staff have left the international community in little doubt about the seriousness of events western Sudan and has forced Darfur to the top of the international agenda. This has obliged a hesitant international community to at the very least be seen to be taking action to relieve the plight of the African civilians. Unfortunately, despite the obvious need for decisive intervention, the response so far to the Darfur crisis has been accurately described as 'an essay in timidity', for not only has the international community been slow to act, but also, when it has acted, it has been so indecisive that a government skilled in the art of prevarication has been able to extend deadlines while continuing to wage war against Darfuri civilians.

Elsewhere in Sudan, peace talks in the south appear to be stalling, while in the north, students, human rights activists and members of opposition parties continue to face arbitrary detention and, in some cases, torture.

2. Events in the United Nations

When the Secretary General of the United Nations, Kofi Annan addressed the UN Commission on Human Rights (UNCHR) in April on the anniversary of the Rwanda genocide, he made specific reference to Darfur. Stating that reports from the area left him 'with a deep sense of foreboding', the Mr. Annan proceeded to outline a continuum of steps culminating in "swift and decisive action" in response to **warnings** of genocide. This initially raised hopes that, following its failure to intervene to prevent genocide in Rwanda, the UN might redeem itself by spearheading international intervention in line with the UN Convention on the Prevention and Punishment of the Crime of Genocide that would prevent similar events from occurring in Darfur.

Later, and to the astonishment of many observers, the Secretary General stated that he would stop short of describing the state of affairs in Darfur as genocide or ethnic cleansing but would instead describe it as 'a tragic humanitarian situation'. This contradicted statements made by the UN under secretary for humanitarian affairs, Jan Egland who had repeatedly and emphatically described the actions of the Sudanese regular forces and militias as ethnic cleansing and Mukesh Kapila, the former UN humanitarian coordinator for Sudan, who had also spoken of ethnic cleansing in relation to Darfur. Moreover, it also served to undermine the authoritative character of reports from the office of the UN Commissioner on Human Rights (OHCHR) that stated that the UN teams had uncovered evidence

revealing that a "reign of terror" existed in Darfur, and that crimes against humanity and war crimes were occurring with impunity.

Although in his speech to the Commission on Human Rights the Secretary General had stated that 'the international community cannot stand idle' in the face of events in Darfur," that is precisely what the international community appeared to do. While every country appeared to recognise the gravity of the situation, there was no consensus regarding the course of action that should be taken to address it, and even today, neither the UN Secretary General nor the key western nations are prepared to advocate the decisive humanitarian intervention that is clearly needed to bring an end to the GoS's war on African civilians.

Eventually on 28 June the GoS agreed to a 90 day UN Humanitarian Plan of Action which called for the deployment of eight human rights monitors from the OHCHR to support and coordinate the protection efforts of UN agencies working in the area. However, months later the monitors were still not in place, as the government delayed the visa process. By mid August six had arrived in Sudan, but were in Khartoum awaiting deployment to Darfur.

On 3 July the GoS and the UN signed a joint communiqué in which both parties committed to work with partners for the protection of civilians as outlined in the Humanitarian Action Plan. The GoS also undertook to impose a moratorium on restrictions on all humanitarian efforts in Darfur, improve human rights monitoring and protection, end impunity, afford improved protection to Internally Displaced Persons (IDPs), and begin to disarm the Janjawid. The GoS's progress was to be monitored by a Joint Implementation Mechanism.

On 30 July the Security Council finally passed a resolution on the Darfur. Resolution 1556 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 IDPs within 30 days or face unspecified actions. The word 'sanctions' was in the initial draft of the resolution but was omitted from the text due to Russian, Chinese, Pakistani and Algerian opposition to the word. China is Sudan's key trading partner with major interests in Sudanese oil, Russia is a key source of weaponry for the GoS, and Algeria and Pakistan are acting out of solidarity with a fellow Muslim state. The fact that the African civilians of Darfur are also Muslims (albeit of the Sufi variety) and are in even greater need of solidarity appears to have counted for little in the calculations of these two nations.

In a move that further eased the pressure on the GoS, it was later deemed impossible for the GoS to disarm the Janjawid within the 30 day 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 serve as an indication to the international community that it was making progress towards complying with the Security Council Resolution.

However, as the deadline approached it became clear that the government had not made any serious efforts to disarm the Janjawid. Reports emerged of large scale attacks by government forces and allied militia on civilians. African Union monitors confirmed that 75 civilians had been killed in six attacks by the Janjawid and other Sudanese government forces towards the end of August. 64 of these civilians are said to have been killed on 26 August when Janjawid, regular troops, government Antonov bombers and helicopter gunships attacked the village of Yassin in North Darfur. These same government forces are also reported to have been deployed against several other villages, including Um Hashab in North Darfur State, as attested to by the following civilian eyewitness account from the Associated Press:

"Three days ago they came and dropped bombs on my village," said Adam Salim Abu Bakir, who fled to nearby Zam Zam camp for displaced people []. I was in the fields planting and the whole village was in flames and everybody was

running at the same time. What caused this fire were the planes and the things that they threw on us, and the helicopters with those things that turn around,' he said, waving his hand to mimic rotors." ('Dateline Um Hashab, North Darfur State', Associated Press August 30, 2004)

The Sudan Organisation Against Torture also confirmed the 75 deaths and the destruction that occurred in these villages, adding that an additional 168 civilians had been killed extrajudicially in Delaji Wadi Salih province in West Darfur. (SOAT Newsletter, July – August 2004). These activities earned Sudan a rebuke from the African Union on the day the UN deadline expired.

As the deadline expired the government was also meting out arbitrary justice to civilians and political opponents. According to SOAT, on 20 July Sudanese military intelligence arrested six members of the Zaghawa tribe in Shi'aiera town, South Darfur. Each person in the group, which included three minors, was beaten about the arms, legs and heads, chests and back. The three minors were released on 11 August and for adult men were released on 17 August. However a 42 year old farmer named Suleiman Idris Hasab Alnabi and Abdel Kareem Idris Jar Alnabi, a 40 year old farmer continue to be held without charge.

On 29 July the National Security Agency detained Ms Buthayna Mohamed Ahmed, a 36 year old member of the Fur tribe who is an activist with the Sudan Women's Union, an organisation associated with the Popular National Congress headed by former NIF ally Hassan al Turabi. She was arrested at her home in Nyala, taken to the state security offices, and then transferred to Nyala General Prison. She has been denied visitors and charges have yet to be brought against her. SOAT has expressed fears that Ms Buthayna may be at risk of torture.

On the same day as Ms Buthayna was arrested, military intelligence officers arrested a 34 year old farmer at his home in Marla, 25 km south of Nyala. Yahya Ismail Omer was arrested on suspicion of supporting the SLA. Whilst in detention he was allegedly tortured by soldiers who kicked him in the stomach, punched him in the face and head and forced him to confess to supporting the SLA.

On 31 July members of the NSA arrested Mr Nourain Mohamed Yousif, a 31 year old lawyer from the Zaghawa tribe at his office in Nyala on suspicion of joining an armed group. He has not been officially charged, but has been denied visits. SOAT has expressed fears that he too may be at risk of torture.

Unfortunately, despite almost daily reports from UN agencies on the ground of continuing attacks against civilian targets and evidence of the arbitrary detention and torture of Darfuris from selected tribes it is unlikely that Sudan will face any sanctions, even though both the Secretary General and his Special Representative in Sudan, Jan Pronk, have reported that the GoS failed to make progress on the longstanding core commitments of protecting civilians and disarming the Janjawid within the 30 day deadline.

3. A New Resolution?

On 22 July the US Congress unanimously passed a resolution declaring that genocide is occurring in the Darfur region of western Sudan. The resolution urged the US Administration to 'call the atrocities by their rightful name: genocide' and to lead an international effort to prevent it. It also called on the Administration to intervene unilaterally 'to prevent genocide should the United Nations Security Council fail to act'. The resolution demanded the imposition of targeted sanctions 'including visa bans and the freezing of assets of the [Sudanese regime] and affiliated businesses and individuals' directly responsible for atrocities in Darfur and appeals for USAID to assist refugees to resettle and rebuild their communities.

On 9 September a member of the US Administration finally did as Congress had recommended. Whilst giving testimony before the Senate Foreign Relations Committee, U.S. Secretary of State Colin Powell concluded on the basis of findings by a team of State Department investigators who had interviewed IDPs in both Chad and Darfur 'that genocide has been committed in Darfur', that the Government of Sudan and the Janjawid bear responsibility', and that 'genocide may still be occurring'.

The US government went on to circulate a draft Security Council resolution that describes the situation in Darfur as constituting 'a threat to international peace and security and to the stability of the region'. The draft resolution demands that Khartoum ends the violence in Darfur and increases access to international aid. It threatens punitive measures 'including with regard to the petroleum sector' or against individual members of the government if the GoS fails to disarm the Janjawid. It sets out measures for the GoS to take, including submitting the names of Janjawid members that it has disarmed and arrested. The US has also asked the U.N. Security Council to authorize an international investigation into charges of genocide in Sudan.

The US draft resolution is co-sponsored Britain and France. However, the resolution is unlikely to pass in its present form. China has again raised strong objections, and Russia, Pakistan and Algeria have again joined China in expressing opposition to the draft resolution. Negotiations aimed at drawing up a compromise that will please all Security Council members are currently underway. In the meantime Darfur's civilians continue to suffer. UN personnel reported that Arab militias had attacked villages in the Darfur region of western Sudan during the first week of September. This included an attack on Ishma, an SLA (rebel) controlled village that occurred on 3 September and several attacks on the village on Golgol during 2 September.

The UN also reported an increase in several incidences of banditry, including the armed robbery of cash and communications equipment from two clearly marked U.N. vehicles in South Darfur on 2 September. In the prevailing atmosphere of impunity humanitarian workers are also vulnerable. In an indication of the indiscriminate nature of the present violence in Darfur, it was reported on 31 August that a member of the Belgian Charity Caritas had been seriously wounded after coming under fire while travelling in a vehicle carrying aid supplies to Mershing IDP camp. (*'Belgian Charity worker seriously wounded in Darfur shooting: report' AFP, 31 August*). An international NGO in Nyala also reported that its vehicle had been fired upon on 10 September by Sudanese police officers who later apologised for what they termed an accidental discharge. On 5 September six armed men looted a vehicle belonging to an INGO 28 KM from Nyala (*incidents cited in 'Darfur Crisis, Sudan, UN Weekly Roundup 5 September-12 September Office of UN Resident and Humanitarian Coordinator for Sudan*)

The upsurge of violence has led to a concomitant increase in the numbers of displaced people. The NGO Oxfam has reported that a camp it co-runs in South Darfur State that contained around 10,000 displaced people on August 26 now has a population of over 40,000 people and that 'tens of thousands of people' continue to arrive at the camp. Oxfam also reported that another 30,000 had reached one of its camps in Chad during the past two weeks (*'Sudan violence provokes fresh mass exodus: Oxfam', 10, September, AFP*). UN field reports for the week ending 12 September tell of continuing 'large displacements of population from Yassin and Gereida areas in South Darfur ... and from areas north and west of Zam Zam in North Darfur. (*'Darfur Crisis, Sudan', Office of the UN Resident and Humanitarian Coordinator for Sudan, 5 September -12 September*). Such reports serve as an indication that despite the GoS's undertakings to the UN to protect civilians, violence continues to be aimed primarily at civilians.

4. Safe Areas

The Darfur Plan of Action allowed for the establishment of safe areas in all three regions of Darfur. It was envisaged that these areas would provide security for civilians and would expand until tranquillity prevailed throughout the entire province. However, some events in currently established safe areas increasingly resemble incidents that occurred in the peace camps of the Nuba Mountains, where civilians were subjected to severe abuse by their so-called protectors.

The fact that in Darfur Sudanese policemen, as opposed to the army, oversee these zones and also watch over IDP camps is no great source of comfort. As far as most IDPs are concerned, the ethnic origin of the vast majority of these policemen does not inspire confidence. There are also recurring reports indicating that members of the Janjawid are being recruited into both the Sudanese police force and armed services. 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 are 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 areas surrounding these camps in defiance of the terms of the Joint Communiqué, the policemen gather firewood in exchange for sexual favours. (*'UN accuses Sudan police of sexually abusing displaced women in Darfur' AFP 14 August*). Additionally, there is credible evidence to indicate that Sudanese security operatives within IDP camps severely punish IDPs who speak openly to foreign journalists and fact-finding delegations. Amnesty International documented the cases of seven people arrested for giving information to the African Union ceasefire monitors in Abu Dereja near Al Fasher on 15 and 17 July. (*'Intimidation and Denial: Attacks on Freedom of Expression in Darfur', 25 August, Amnesty International*)

Another worrying aspect of these safe areas is that their existence threatens to consolidate and institutionalise the effects of ethnic cleansing. Moreover, as the NGO Human Rights Watch (HRW) points out, these zones are merely 'a slightly revised version of the Sudanese government's proposal in early June to create 18 resettlement sites'. HRW goes on to state that the zones can also be used as part of Khartoum's counter insurgency strategy by forming a 'human shield that will enable the government to create secure zones around key towns while at the same time neutralising a population that might otherwise provide support for the rebels.

5. Government links with the Janjawid

The Janjawid militia are thought to be around 20,000 strong. Each of Darfur's three states has at least one large contingent as well as several autonomous groups. When the rebel movements began to achieve a measure of military success the government 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 (*'Sudanese soldiers face death after refusing to bomb Darfur', Benjamin Joffe-Walt, The Daily Telegraph, 29 August 2004*)

The Janjawid are composed of tribal militias and released felons, thus members are either driven by an Arab supremacist ideology or 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 support to Janjawid militias, but also evidence is emerging of high-level links between Musa Hilal, one of the most notorious Janjawid leader 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. According to one news report, (*'In Sudan 'a Big Sheik' Roams free', Emily Wax, Washington Post 18 July 2004*) Taha is seen as the most significant leader of the Janjawid by US and UN investigators, who accuse him of orchestrating violence in Darfur. Recently 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..."

On 27 August a HRW investigation revealed 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. (*'Sudan: Janjaweed Camps Still Active, Sanctions Urged for August Deadline' HRW, 27 August 2004*)

6. Arms Sales

Although the EU recently renewed its embargo on arms to Sudan, statistics compiled by Comtrade, the official UN Commodity database, revealed that more than 180 tons of arms were shipped from Britain to Sudan in the last three years. Worse still, an examination of the contents of the Comtrade report reveals the types of weapons supplied to Sudan include parts and accessories for pistols and revolvers, arms and ammunitions similar to those currently used by the Janjawid. The British government insisted that it has not exported arms to Sudan, and some observers believe the sales were most likely brokered by a British firm or a company based in London. The arms sales were exposed in an article in the Evening Standard which goes on to make mention of, but does not name, 'a leading London businessman' who 'is accused by many Sudan experts and academics of being at the heart of the illegal commodities trade with the Khartoum regime [...]. acts as a conduit for strategic commodities, including chemicals and arms... and whose involvement with convicted arms dealers in the eighties on Sudan's behalf has been documented.' (*'Arms to Sudan trade revealed', Andrew Gilligan, Evening Standard*)

In a separate development, on 5 September the Sunday Times revealed that John Knight, a millionaire British arms dealer from Kent with close links to the Ministry of Defence, may have violated EU and British sanctions. Documents leaked to the paper are said to show that the Mr Knight stands to make £2.25m after arranging to supply the GoS with an array of weaponry including 50 Soviet T-72 tanks, 100 armoured personnel carriers and fighting vehicles, 30 122mm artillery guns and 12 multiple rocket launchers. Other documents reportedly reveal that Knight is negotiating to sell 5,000 pistols and 150 Super Iola missiles and a Russian cruise missile.

Britain is not the only country where potentially embarrassing revelations of arms deals with Sudan have come to light. Switzerland will be reviewing its weapons exports to Sudan after the Geneva-based Institute of International Studies claimed that Swiss companies sold more than £2 million of small arms to Sudan in 2002. The government has only recorded £1,833 worth of sales and is currently investigating the discrepancies.

7. The African Union

If there is one encouraging development from the crisis in Darfur it is the fact that the African Union (AU) may finally be making the transition from being an organisation that would not openly rebuke a sitting government into an organisation that is willing to actively intervene to protect civilians from an abusive regime.

The warring parties in Darfur are currently holding talks in Nigeria under the auspices of the African Union. Progress had been made on humanitarian issues, but the talks threaten to deadlock permanently over the key issue of security and 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, as this would put Khartoum, their primary adversary and the equipper of the Janjawid, at a distinct advantage. The rebel movements have also demanded an international inquiry into human rights atrocities committed by government forces. During the suspension of the talks, 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 requires protection, and AU troops on the ground have expressed embarrassment at their own inability to adequately assist Darfuri civilians due to a 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 US draft Security Council resolution calls for an enlargement of the AU force.

In a further sign that African institutions are beginning to pay greater attention to human rights issues, on 10 September the African Commission on Human and Peoples' Rights (ACHPR) announced plans to hold an extra-ordinary session in South Africa from 18-19 September which will be devoted to the human rights situation in Darfur. According to a press release the decision to hold the extra-ordinary session was taken by the last Ordinary Session held in the Gambian capital, Banjul, following a recommendation from Alpha Omar Konare, the President of the Commission of the African Union.

8. Events in Northern Sudan

Although censorship was officially abolished in 2001, in northern Sudan information on Darfur is heavily censored. SOAT has reported an increase in the arrests of people who call for a peaceful solution to the problem there. The government has confiscated and suspended newspapers, detained and fined journalists in order to ensure compliance with its wishes. As a result most papers now practise a form of self censorship with regard to events of 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. For example, on Thursday 22 July Taj Alsir Hassan Ibrahim was arrested by the National Security Agency (NSA) and Military Intelligence at the entrance of the faculty of Economics of Sharq Al Neilen University in Khartoum North. He was blind folded and taken to an unknown destination where he was allegedly punched, kicked, beaten with belts and plastic hoses and threatened with rape. All the while he was questioned about candidates that were standing for the student elections that were due to take place at the Faculty of Economics. Mr Ibrahim was released on the following day but his mobile phone and ID card were confiscated.

On 4 July the NSA and Military Intelligence arrested Mohamed Is'haq Abd Allah Osman, a 21 year student in his third year of a degree in Electrical Engineering, and a member of the Student Democratic Front. He was blind folded and taken in a blacked out car to an unknown location where he was allegedly strangled, punched, kicked, beaten with electrical cords and threatened with rape. Mr Osman was released on the following day after having been forced to sign a blank paper with his finger prints on it.

On 13 July police went to the Port Sudan home of 22 year old Rashid Mohamed Ahmed, a third year student of Marine Science at the Red Sea University. He was not at home, so they arrested his father instead and held him until Rashid turned himself in. Rashid was questioned about his position and colleagues in the Democratic Front. He was held in a one

by two metre cell without light or ventilation in an area where outside temperatures average at between 45 to 50 degrees centigrade. He was allegedly beaten regularly with a water hose and electrical wires for over an hour. When the president of the Red Sea University Students Union and his deputy visited him and petitioned for his release, a disagreement ensued and they were allegedly punched and kicked by five security operatives. (SOAT Newsletter, July – August 2004).

Sudanese authorities have carried out a wave of arrests and raids during recent days in search of weapons they say were supplied to the opposition Hassan al-Turabi's Popular Congress Party by neighbouring Eritrea. They say 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 has since 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 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. (*Sudan arrests editor, cracks down on press Khartoum, Sudan, Sep. 12 UPI*)

9. Southern Sudan

The war in Darfur has accurately been described as an accelerated version of the war in southern Sudan. 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 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. This war has caused over two million deaths since 1983 and displaced over four million people. Commenting on the US decision 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."

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.

While international attention is focused on Darfur, government forces and allied militias appear to have resumed violence in southern Sudan. An unknown number of civilians have been killed and between 50,000 and 150,000 people displaced in the Upper Nile area known as the Shilluk Kingdom since early March, following attacks by government troops and allied Nuer militias that are said to have deliberately targeted civilians. This was confirmed by the Civilian Protection and Monitoring Team (CPMT), an international body created to monitor the ceasefire in the south. The CPMT stated that it had uncovered evidence of 'a campaign of violence by forces allied to the government of Sudan against civilians in the Shilluk Kingdom'. The destruction of a major Shilluk shrine and the looting of the home of the tribe's revered King have created intertribal tensions and in July it was reported that 'heavy fighting' had broken out in the town of Malakal between members of the Nuer and Shilluk ethnic groups ('SUDAN: Heavy fighting in Malakal' IRIN, 23 July 2004).

Also in the south the Lord's Resistance Army (LRA) has stepped up activities. The GoS has backed this particularly unsavory organization, 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 ('The LRA destruction in Eastern Equatoria continues with dozens of civilians killed in the past week', 30 July)

There are 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 continued existence of the LRA and of numerous tribal militias armed by and allied to the northern government could prove to be extremely destabilizing.

10. Recommendations

- 1. It is vital that sustained international pressure is brought to bear on the Khartoum government until it not only allows an enlarged 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 humanitarian crisis. It amounts to saving the people of Darfur from starvation merely so 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 is 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 agrees to international/AU policing of the Safe Areas and IDP camps.** In order for the Action Plan to be effectively administered in a manner that will benefit the victims in Darfur, (as opposed to accommodating the whims of the aggressor) there must be swift agreement to the positioning of an AU police force that is significantly larger than the 1200 that is currently reported to be mooted during discussions between the AU and UN.
4. **Human rights violators should be made accountable for their actions.** There is an urgent need for the establishment of an international commission of inquiry to look into human rights abuses in Darfur, with terms of reference in accordance to the recommendations of the Office of the United Nations High Commissioner for Human Rights (UNHCHR) in its initial report on Darfur. The international community should ensure that all of the recommendations within this report are facilitated as soon as possible. This may contribute towards ending the culture of impunity that currently exists in Darfur, and may also serve as a warning to other countries or regimes who consider initiating similar action in the future.
5. **The GoS needs 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.
6. **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.
7. **There is need for constant vigilance regarding the activities of the government and its allied militias in southern Sudan.** 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
8. **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.