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Sudan: Urgent call for Commission of Inquiry in Darfur as situation deteriorates

After an armed attack on government forces and the attack, apparently by bandits, on the manager of the Jebel Marra Development Project, Amnesty International is urging the Government of Sudan to set up an independent Commission of Inquiry into the situation in Darfur in the West of Sudan.

"The situation must not be allowed to deteriorate further into another Sudanese war. We call on the government to respond to the escalating cycle of attacks by immediately settling up an independent Commission of Inquiry which should investigate the situation, report publicly and make recommendations which must be implemented."

Over the past few years hundreds of civilians, mostly from sedentary agricultural groups like the Fur, Masalit and Zaghawa, have been killed or wounded, homes have been destroyed and herds looted by nomadic groups. Sometimes dozens of civilians have been killed in a single raid.

For instance, on 28 April 2002 the village of Shoba, near Kabkabia, was attacked at dawn by an armed group, which killed at least 17 people and injured 16 others.

At the beginning of January 2003, another village, Singita, 14 km south of Kas was also attacked by armed horsemen. About 25 people are reported to have been killed, including 10 persons who were shot and allegedly subsequently thrown into the fire by the attackers. In both places, homes and crops were burnt down and cattle and other herds were looted by the attackers.

"Those who commit crimes, must be brought to justice, but international human rights standards of fair trial must be respected", said Amnesty International.

An Amnesty International delegation was allowed by the Government to visit the Sudan in January for the first time in 13 years. They visited El Fasher, the capital of North Darfur state where they met the governor, justice and police officials as well as lawyers and victims of human rights violations.

The sedentary groups have complained that the Government forces have failed to protect them and suggest that the attacks are an attempt to drive them from their lands. Government sources point out that dozens of members of the security forces have also been killed and lay the blame for clashes on desertification.

"Government responses to armed clashes have been ineffective and have resulted in human rights abuses," said Andrew Anderson, leader of the recent delegation.

"We met leaders of the Fur who had been arbitrarily thrown into prison without charge or trial and denied communication with the outside world for up to seven months. Leaders of nomad groups have been similarly treated. Special Courts set up in 2001 have sentenced people to death without even the presence of a lawyer. Such abuses of human rights will only cause more bitterness," he added.

Last month 13 Fur were arrested in the Jebel Marra area; they are still held incommunicado in detention centres in Niyertiti and al-Jeneina in West Darfur and have reportedly been tortured.

On 14 February a group of armed Fur and other groups attacked a convoy of security forces near the village of Martajelo in Jebel Marra, killing at least 12. Their leader said that the attack was in response to the lack of equality and underdevelopment of the Fur as well as the government's failure to protect farmers from attack.

In January, Amnesty International expressed concern about the deteriorating situation in Darfur and urged the Sudan Government to intensify efforts to involve different community leaders in a reconciliation process.

"The situation in Darfur must not be allowed to escalate into all-out war," Amnesty International said. "All groups living in Darfur would welcome the setting up of a Commission of Inquiry which could clarify to the people of Darfur and the world the complex factors which have led to the present deteriorating situation. Above all, it could identify mechanisms which are in accordance with human rights standards to protect effectively the population from attacks."

The Commission of Inquiry should respect the following principles:

members appointed on this Commission should be known for their independence and their impartiality and should include people with a profound understanding of the region and a professional and recognized knowledge in human rights law and practice.

such a commission should be accorded sufficient time and adequate resources in order to make proper investigations and conclusions;

witnesses and victims of attacks in Darfur and other human rights abuses should be encouraged to come forward to give evidence without fear and with protection against any reprisals;

the findings and the recommendations of this Commission of Inquiry should be made public and easy for the Sudanese people to access and should be implemented.

Background

Peace talks in Sudan between the Government of Sudan and the Southern People's Liberation Army (SPLA) have been continuing, with intermissions, since June 2002. A Civilian Monitoring Protection Team (CPMT) was set up to investigate cases of killings of civilians in the southern Sudan. However, Darfur, in the western Sudan, is not covered by the current peace negotiations and the recent Darfur killings have not been investigated by any monitoring force. Amnesty International has consistently stressed the need to include concrete mechanisms to strengthen human rights monitoring, which should extend also to conflict areas in West and East Sudan, as part of the peace process.

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