

# AMNESTY INTERNATIONAL

## Public Statement

AI Index: AFR 54/010/2006 (Public)  
News Service No: 088  
4 April 2006

### **Sudan: Continuing blockade of humanitarian aid**

Amnesty International condemns recent actions by the Sudanese government -- including yesterday's blocking of a visit by the UN Under-Secretary General Jan Egeland -- to obstruct humanitarian aid in Darfur. The increase in the number of these actions in recent months violates agreements between the government of Sudan and the United Nations, as well as provisions in the Abuja Humanitarian Protocol and the Ndjamena Humanitarian Ceasefire Agreement.

Today, the Humanitarian Affairs Commission (HAC), in Nyala, South Darfur, informed the Norwegian Refugee Council (NRC), an international non-governmental organization (NGO), working in Kalma Camp that its 'Cooperation Agreement' would not be renewed and that it must withdraw all international staff from South Darfur. No reason was given for this decision. NRC plays a vital role in coordinating all relief activities in Kalma Camp, aiding approximately 95,000 resident internally displaced persons.

The refusal to renew the NRC's mandate and expulsion of its international staff are the most recent actions in a resurgent trend in recent months of government intimidation and harassment of humanitarian workers in Darfur. The delay and withholding of travel permits and exit visas for foreign humanitarian staff have again become means of obstructing the provision of aid in Darfur, already compounded by rising insecurity and attacks against humanitarian staff.

This trend does not affect only international NGOs. Last month Amnesty International expressed concern over the suspension of the Sudan Social Development Organisation (SUDO), a national NGO.

On 13 March 2006, SUDO was ordered by HAC to close its offices in al-Jeneina, capital of West Darfur State, and Zalingei, West Darfur State. HAC ordered SUDO to cease all operations and hand over the keys to their offices, medical centres and feeding centre, as well as their vehicles. SUDO's bank accounts for their Zalingei and al-Jeneina offices were also frozen. HAC justified the closure of SUDO's offices and the suspension of its operations on the ground that SUDO had violated the Humanitarian Aid Commission Act. However, despite SUDO's requests for clarification, it never specified which sections of the enactment had been violated. The suspension has since been lifted on the Zalingei office, but the al Jeneina office remains suspended.

A further concern, with the potential to give a legal basis for the obstruction of NGOs work throughout Sudan but especially in Darfur, is the enactment of new legislation regulating the work of NGOs.

On 20 February 2006, Members of Parliament passed the 'Organisation of Humanitarian and Voluntary Work Act, 2006', which will replace the Humanitarian Aid Commission Act. The enactment of this Act will impose undue restrictions on the work of NGOs operating throughout Sudan. It grants discretionary and excessive regulatory power to the Government over the operations of NGOs and some provisions violate

the right to freedom of association contained in international human rights treaties, to which Sudan is a party, as well as Sudan's Interim National Constitution. However, the President has not signed this law into effect.

Of particular concern for NGOs working in Darfur, Section 5 (f) requires 'non-interference by foreign and national organizations in the internal affairs of the Sudan, to the extent that these infringe upon the sovereignty of the country'. 'International interference in internal affairs' is a long standing government excuse for restricting NGOs who work in sensitive regions from speaking out about human rights violations they witness on the ground. It is worrying, especially for NGOs in Darfur, that this has been enshrined in the new law.

In the course of the conflict in Darfur the government has repeatedly committed to facilitate unrestricted access for humanitarian work. The November 2004 Abuja Humanitarian Protocol, Article 1 'Free Movement and Access' states:

"We (the Government and the Sudan Liberation Movement and Justice and Equality Movement) commit ourselves to guarantee unimpeded and unrestricted access for humanitarian workers and assistance, to reach all needy people throughout Darfur."

This commitment was reaffirmed more recently in the April 2005 Njdamera Humanitarian Ceasefire Agreement which in Article 8 declares:

"The parties undertake to facilitate the delivery of humanitarian assistance and the creation of conditions favourable to supplying emergency relief to the displaced persons and other civilian victims of war and this, wherever they are in the Darfur region."

Finally, according to United Nations Secretary General Kofi Annan, the government indicated it would renew the 'Moratorium on Restrictions for Humanitarian Work in Darfur' until December 2007 (Report of the Secretary General on Sudan, March 2006). The Moratorium "removes any other obstacles to humanitarian work, including:

- suspension of visa restrictions for all humanitarian workers and permitting freedom of movement for aid workers throughout Darfur.
- permitting immediate temporary NGO registration through a simple notification process that OCHA will offer to manage on behalf of NGOs; permanent registration shall be processed within 90 days.
- suspension of all restrictions for the importation and use of all humanitarian assistance materials, transport vehicles, aircraft and communication equipment."

Amnesty International calls on the government of Sudan to:

- abide by its repeated commitments to cease the obstruction of humanitarian aid. The undue delay and/or often unreasonable withholding of travel permits and exit visas should cease. Illegal closure and suspension of humanitarian organisations must also be halted.

Amnesty International also calls on the President of Sudan:

- not to sign into effect the 'Organisation of Humanitarian and Voluntary Work Act, 2006' until all provisions that contravene international standards on freedom of association and the Sudanese Interim National Constitution are amended.