

PUBLIC

Sudan/China

Appeal by Amnesty International to the Chinese government on the occasion of the China-Africa Summit for Development and Cooperation

On the occasion of the China-Africa Summit for Development and Cooperation taking place in Beijing from 1 to 6 November 2006, Amnesty International is calling on the Chinese government to ensure that, in future investment and trade both in Sudan and in the rest of Africa, China will give paramount importance to ensuring the human rights of African people.

Of particular concern is the situation of Sudan, a country devastated by massive human rights violations, including forced displacement. Sudan is a country where China has traded arms and invested in oil resources without sufficient consideration for the human rights of the population. In many ways, China's economic relations with Sudan have affected the human rights situation there - for the worse.

Amnesty International welcomed the commitment by China in May 2006 that, if elected to the UN Human Rights Council, it would "help reinforce efforts to promote and protect human rights worldwide". In particular, Amnesty International believes that the principle of non-interference in the internal affairs of another country must not become an excuse to remain silent when such states violate the human rights of their people. Economic profits for China should not be built on the killings and displacement of Africans.

Human rights violations arising from China's arms trade to Sudan

Arms deliveries from China to Sudan since the 1990s have included ammunition, tanks, helicopters, and fighter aircraft. The Sudanese government and militias it has supported have used such types of weapons to commit massive violations of international human rights and humanitarian law in armed conflicts in southern Sudan and Darfur. Such violations have included direct and indiscriminate attacks on civilians and civilian settlements, which have caused deaths and mass forced displacement of hundreds of thousands of people. Planes and helicopters have been used to launch aerial bombings on villages; for reconnaissance before attacks; and to support ground troops in the armed conflict in southern Sudan until 2002 and in the war in Darfur from 2003 up to now. Planes and helicopters have also been used to transfer troops and arms to areas of conflict.

In the 1990s, China reportedly sold aircraft including helicopters to Sudan. In 1996, China was said to have supplied Z-6 helicopters, manufactured by Changhe Aircraft Industries and designed to carry troops. In 2001, the Harbin Dongan Engine Manufacturing Company (Harbin) performed repairs on Mi-8 helicopter engines for various governments including those of Pakistan and Sudan. Mi-8 helicopters are commonly used for transporting troops, but variants also carry a range of weapon systems. Although transport helicopters may not carry rockets and missiles, they have been used to ferry troops to areas in which fighting is taking place or where atrocities have been carried out against civilians.

China has also sold military trucks produced by the Chinese company Dong Feng to the Sudanese government. Dong Feng produces a range of military vehicles. It exports under the name Dongfeng Aeolus. Its EQ2081/2100 series of military trucks have reportedly been a popular carrier vehicle of the Chinese armed forces.

In Sudan in August 2005, the UN Panel of Experts on the Sudan established pursuant to Security Council Resolution 1591 (2005), which was investigating violations of the international arms embargo on all parties to the conflict in Darfur, documented a shipment of green DongFeng military trucks in the Port of Sudan. “*New green trucks of a similar type were also seen on the Sudanese air force premises in Darfur in October.*”

The Chinese government lists three principles in its policy governing international arms transfers: exports should boost the legitimate self-defence capability of the recipient countries; they should not prejudice regional and international peace, security and stability; and they should not interfere in the internal affairs of recipient countries. China controls all the export of conventional military items, including small arms, in line with its Regulations on Control of Military Product Export. In addition, China has established an end-user control system to prevent weapons from being transferred to hotspots or sensitive regions.

Nevertheless, there is evidence that arms exported from China were used in the displacement of populations from Unity State in 1998-2000 and that they are still fuelling the conflict in Darfur which is now spreading to Chad.

Amnesty International asks that China implement the arms ban on all parties to the conflict in Darfur instituted by Security Council Resolution 1591 of 2005 and not authorise international transfers of arms where they will be used or are likely to be used for violations of international human rights or humanitarian law.

The depopulation of Unity State 1998-2000

The Chinese National Petroleum Corporation (CNPC), a state corporation, has been investing in oil in Sudan since December 1996 as part of the Greater Nile Petroleum Operating Company (GNPOC). Since 1998, China has invested over US\$3 billion into developing oil fields and building a 1,500 kilometres pipeline, refinery and port. The CNPC is one of the main oil concession-holders in Sudan with the largest share (40%) in GNPOC, which exploited Blocks 1 and 2 (the Heglig and Unity oilfields); and a concession over the most productive field, Block 4. In July 2006 China started output from Blocks 3 and 7 (in the Melut basin, northern Upper Nile State in South Sudan), which will produce an estimated 200,820 barrels a day.

The early exploitation of oil fields Block 1 and 2 in Unity State, in South Sudan, at the time that China was a member of this consortium, was accompanied by mass forced displacement and killings of the civilian population living there. Sudanese planes bombed villages and Southern militias, supported by Sudanese armed forces, attacked villages, killing people and destroying homes until the area was depopulated, in an apparent aim to clear the area of people for oil exploration and extraction. The population of the area fled to towns

around the area or filled settlements of internally displaced persons round Khartoum, the capital in North Sudan.

The Chinese Government helped to build the all-weather road used by the Sudanese army and allied militias to launch attacks on civilians, and supplied arms including helicopters to the government of Sudan. The CNPC also directly benefited from the “security” provided by the Sudanese army against rebel groups in the oilfields – the same forces responsible for the massive force displacements of civilians in the oilfields.

Forced displacement as carried out by Sudanese army troops and government-backed militia in Unity State constitutes a violation of international human rights and humanitarian law. A government that is responsible for or condones the large-scale internal displacement of its own citizens violates its obligations under the Charter of the United Nations, which requires all Member States of the United Nations to “*promote universal respect for and observance of human rights and fundamental freedoms for all*” (Articles 55 and 56). The rights of those displaced include the whole set of rights enshrined in the African Charter on Human and Peoples' Rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR).

The Chinese Government has never, to Amnesty International’s knowledge, spoken out against the forced displacement of civilians in Unity State. In the oilfield of Melut, some 100 villages were reportedly destroyed, many between 1999 and 2002. Thousands were reportedly displaced.¹

Amnesty International asks the Chinese government to publicly condemn human rights violations committed against civilians in the context of armed conflicts in Sudan, and to state categorically that it is opposed to forced displacement and forced evictions in the areas of its operations.

The CNPC investment in the Kordofan and Darfur oilfields

China holds the concession for Block 6, which stretches from West Kordofan to South and North Darfur State. China has raised the revenue from Block 6, whose installations are mostly in Kordofan but which tap the Darfur field, from 10,000 barrels in 2005, to 40,000 barrels a day in July 2006.

In Darfur, oil does not seem to have been a reason behind the massive forced displacement, destruction of villages, killings and rapes of civilians. But in Darfur, the Sudanese government has used the same methods as in the conflict in the South – bombing by Russian- and Chinese-supplied planes and helicopters; and the use of government-funded militias, backed by the Sudanese army, to displace the civilian population. Thus, even though clearing the oil-rich areas for exploitation has not been the main motive for the targeting and

¹ See *Oil Development in Northern Upper Nile – a preliminary investigation by the European Coalition on Oil in Sudan*, May 2006, at www.ecosonline.org

massive forced displacement of civilians in Darfur, the area of the Chinese National Petroleum Corporation concession has seen some of the most horrific human rights violations.

The Darfuris who have suffered these human rights abuses are asking for an effective peacekeeping force to protect them. Without effective protection, the more than two million Darfuris displaced to camps or towns within Darfur or elsewhere in Sudan, or to refugee camps in Chad, feel they have no future and no hope to return safely to their homes. Over large areas of Darfur, especially in West Darfur, the Janjawid militia, supported by the Sudanese government carried out much of the forced displacement in Darfur. The displaced are virtual prisoners within camps or towns. They have no longer trust in the African Union peacekeeping force, which, due to lack of funding, equipment and personnel, has failed to protect them.

In response to a request from the African Union Peace and Security Council, the UN Security Council, in Resolution 1706, voted for a UN Peacekeeping Force to be sent to Darfur to protect civilians. The Chinese government has made many statements supporting a UN peacekeeping force, but insists that it requires Sudan's consent and it should not meddle in the internal affairs of Sudan.

China has a responsibility before the people of Darfur to use its position to obtain the consent of Sudan for the deployment of an effective UN peacekeeping force. In securing oil from the Sudan China must ensure that the rights of the people in its areas of operations are protected. It cannot stand by as a silent witness.

Amnesty International asks China to state publicly that it regards the protection of the people of Darfur as a high priority, and that it will use its influence on the government of Sudan to consent to the deployment of an effective UN peacekeeping force with a strong mandate to protect civilians.

Oil wealth does not help fund economic, social and cultural development

Sudan's total production of oil is believed to be more than 400,000 barrels a day. With the price of a barrel now over \$60 this works out at an estimated daily revenue of at least \$24 million.

This oil wealth has not yet benefited the people of Sudan. Sudanese people do not fully realize several economic, social and cultural rights, such as the right to health, the right to education and the right to an adequate standard of living. According to the World Bank, the average enrolment rate in primary education is about 58 percent, with wide geographic variations, including levels below 20 percent in some states. Child mortality remains high: by the end of 2003, the average under-five mortality stood at 63 per 1,000 children, according to the UNDP Human Development Report (2005).

Amnesty International calls on the Chinese government to ensure that the China-Africa summit makes a clear statement that investment, cooperation and the development of wealth should be used to realize the economic, social and cultural rights for the people of Sudan.

Amnesty International also urges the Chinese government to ensure that Chinese companies investing in Sudan meet their responsibilities in relation to human rights. The Universal Declaration of Human Rights calls on "every organ of society" to play its part in securing universal observance of human rights. As organs of society, all companies have a responsibility to observe human rights in their operations. The UN Draft Norms on Responsibilities of Transnational Corporations and Other Business Enterprises (the "UN Norms") adopted by the UN Sub-Commission on the Promotion and Protection of Human Rights in 2003 provide the most comprehensive guidance currently available on companies' human rights responsibilities and policies. The UN Norms provide that States have the primary responsibility to ensure respect of human rights, including ensuring that transnational corporations and other business enterprises respect human rights.

Amnesty International looks forward to a successful conference in which the human rights of the Sudanese and all Africans will be high on the agenda.