

AMNESTY INTERNATIONAL

Public Statement

AI Index: AFR 54/149/2004 (Public)
News Service No: 296
19 November 2004

Sudan: Briefing for the UN Security Council meeting in Nairobi 18-19 November 2004

This year has already seen two resolutions from the Security Council threatening action. Armed conflict is spreading in Darfur and the Council must at a minimum impose an arms embargo as a signal that it can not accept a deteriorating situation.

As the UN Secretary-General observed in his statement on 18 November, "when crimes on such a scale are being committed, and a sovereign state appears unable or unwilling to protect its own citizens, a grave responsibility falls on the international community and specifically on this Council".

The demands placed on the Sudanese government in previous resolutions have not been fulfilled. Despite Resolution 1556, the Janjawid have not been disbanded and those responsible for the killing of civilians continue to enjoy impunity.

Members of the Security Council are aware that the Sudanese police have attacked, intimidated and recently even killed displaced people in camps. On the night of 9-10 November police attacked the displaced in al-Jeer camp near Nyala, using tear gas, shooting, bulldozing shelters and beating up and arresting inhabitants. This was done under the eyes of personnel of the UN, the African Union ceasefire commission and journalists. It also came just hours before the visit of the Secretary-General's special representative, Jan Pronk. To carry out such an attack against civilians under the eyes of the UN and the AU shows a government which does not care about international criticism and even less about its international human rights obligations.

While noting the progress towards peace in Abuja and Naivasha, Amnesty International is concerned that in Sudan and throughout the world peace has too often been an interlude for further war. In the north, the west and the south, there is a danger of all sides using the opportunity to rearm. International human rights standards provide that arms should not be given to countries which are likely to use them to commit human rights abuses; nevertheless, the long history of attacks on civilians and forced displacement has not stopped many countries from continuing to fuel these atrocities with arms. Armed groups have also committed human rights abuses and are still rearming. Resolution 1564 placed an arms embargo only on non-governmental entities -- including the Janjawid, which is armed and supported by the government. This should be extended by the Security Council in this sitting to an arms embargo on all parties to the conflict, including the government until safeguards are in place to protect the civilian population. This embargo should be accompanied by an adequately resourced UN monitoring mechanism including an Expert Group which reports regularly to the Security Council and a Sanctions Committee set up by the Security Council. The Expert Group should carry out investigations internationally and should regularly monitor the main ports of entry into Sudan to help ensure that the embargo is respected.

The breakdown of past agreements to end conflict has also shown us that there can be no durable peace unless human rights for all are placed at the centre of any peace process.

The Naivasha peace process offers hope for the people of Sudan, but so far it has been a peace only between the leaders of the government and of the SPLA -- civil society has not been included and diverse parts of Sudan have not been included. The dangers of this have been shown in the Darfur crisis. Those who felt themselves marginalised and without freedom for their views to be heard took up arms. In response, the Sudan government, which had been a party to the pledge in March 2002 prohibiting attacking civilians and civilian objects, totally ignored this commitment in another part of the country.

Unless the peace is owned by all the people in all the regions of Sudan, it will be fragile. We welcome the listing of human rights in the Naivasha protocol on power-sharing, nevertheless we call on the Security Council to ensure that human rights are not only written into agreements but implemented. A clear timetable and measurable criteria for the actual implementation of these rights must be included if the accords are to mean anything.

The right to life and bodily integrity, the right not to be arbitrarily detained, the right to freedom of expression and association, and the right to non-discrimination for women, for different ethnic groups and for different religions are essential. The thousands of victims in the South, in Darfur, and elsewhere in Sudan deserve nothing less.

The paramount importance of human rights needs to be recognized and the Security Council has a particular obligation to take action on behalf of those whose rights are violated.

Nowhere is this more true than for Darfur where time is running out for the displaced. If there is no security the displaced will remain another year in camps living lives of fear and increasing despair.

A mandatory arms embargo on all parties to the conflict will send a strong signal to the Sudanese government that the Security Council can take decisive action when gross human rights violations are still being committed.