

SUDAN

1.2 million internally displaced people at risk in Darfur

"I did not feel safe in the camp. I was very scared of the soldiers. They take the children for training and we did not see them back anymore. They kidnap the young girls for the night. I have daughters and I always tried to keep them at home, not let them go out..."

Internally displaced persons (IDP) are among the most vulnerable populations in any conflict. They are often out of view of the international community, which may not have access to areas in which they are situated, and are under control of the forces who drove them from their homes. An estimated 1.2 million people who have been internally displaced in Darfur by the conflict are facing the real threat of famine as well as continuing violence at the hands of the government backed militia, the *Janjawid*, who often operate alongside government forces. In addition to this at least a further 30,000 people have been killed, thousands of women and girls have been raped and an estimated 170,000 refugees are currently in Chad as a result of a systematic strategy of forced displacement in entire areas of Darfur. Although most of the 1.2 million IDP inside Darfur are in makeshift camps, a significant number of displaced people have been absorbed by the local population and are surviving on casual labour.

Satellite images of the area between al-Jeneina and Zalingei, commissioned by Amnesty International, indicate that 44% of the villages and settlements have been burnt. Most of the other villages have been abandoned. These satellite images of destroyed villages vividly illustrate the pattern of attacks, including burning, killing, looting and raping which extends throughout Darfur and has caused the IDP and refugee crisis in the region.

The World Health Organization (WHO) estimates that IDP are concentrated in over 124 locations in Darfur. Most of the IDP camps are situated in West and North Darfur. The largest

IDP camps are in Kutum and Kabkabiya in North Darfur, and al-Jeneina and Mornay in West Darfur. Each of these camps currently shelters up to 95,000 people.

IDP continue to live under the control of the very people who have caused their predicament. The *Janjawid* continue to attack people outside the camps and harass IDP inside. One Sudanese who reached Khartoum after three months in Mukjar camp said: *"It is not a camp but a prison"*. There have been numerous reports of men venturing outside the camps being killed and women and girls raped. In Mornay camp in March 2004 a shaikh told the UN that 16 women a day may be raped as they went to gather water in the river bed (*wadi*). Despite this women continued to go out to fetch the water even though they were likely to be raped because if the men went they would be more likely be killed. Rapes and other forms of violence also occur within the IDP camps.

Within the camps the humanitarian conditions are precarious. There is still not enough food in Darfur to last throughout the rainy season which will cut off much of region, especially western Darfur. IDP camps in remote areas cannot be reached except by plane or camel. A resident of West Darfur told Amnesty International: *"the food is reaching hundreds but there are thousands who need food and receive nothing"*.

"My child was admitted 11 days ago in the feeding centre and so far I come everyday. But I have two children and I have to look for food for them. Currently we don't have anything to eat at home. My husband was killed last February (2004) and I have no other relatives. For the time being, I live at somebody's place. And I don't have anything to build my shelter. I have no money to buy some grass. I can't go to the forest because my child is sick and I have to come to the feeding centre. But I'm

really hungry myself. I might not be able to come everyday.”[Woman in IDP camp]

A medical survey carried out in Mornay camp by Medecins Sans Frontieres (MSF) in April-May 2004 found that half the families had no blankets and that only 5% had houses which would protect them against the rain. The survey said that sanitary conditions were poor and that “there is a considerably high risk for disease”¹.

Notwithstanding the dire condition of the camps with respect to food, shelter and medical supplies, the vast majority of IDP stay because of the total lack of security and protection outside the camps. Following the visit to Darfur by the UN Secretary-General, Kofi Annan, the government of Sudan and the United Nations issued a joint statement on 3 July 2004 in which the government agreed, among other things, to ensure that no militia are present around the IDP camps, and to “deploy a strong, credible and respected police force in all IDP camps as well as in areas susceptible to attack”. Amnesty International is concerned that the *Janjawid* militiamen, who have reportedly been integrated into the People’s Defence Force, a branch of the armed forces, will also be integrated into this police force and serve to control rather than protect the IDP population.

The Janjawid detained Ahmed, an IDP in Garsila. They accused him of having made a list of the number of cattle stolen and the number of people killed in the villages around. When the authorities tried to ask people to go back, Ahmed told everybody that it was too dangerous and that the security was not guaranteed. He is now detained in Nyala with five other leaders

Forced returns

The joint Sudan-UN statement of 3 July 2004 says that the government must “ensure ... that any return of the displaced to their homes is done in a truly voluntary manner”. However, there are numerous reports that the local authorities are pressurising or bribing the IDP to return to their villages. The *Janjawid* or government troops have forcibly dismantled

shelters and forced people out of camps. The government of Sudan emptied the large makeshift camp of Meshtel near Nyala hours before the visit of Kofi Annan apparently in order that he would not see the misery and filth in which the 1,000 displaced families lived. The IDP in Meshtel were taken to another camp, but others have reportedly been forced home. However miserable the conditions in the camps, nearly all IDP feel that conditions in their home areas are still unsafe.

The government of Sudan is also reportedly putting pressure on village chiefs and elders to encourage members of their communities to return to their homes. If they fail to do this they are said to be replaced by government appointees. For instance in May 2004 it was reported that 65 people returned to Habila Kanare in western Darfur lured by the prospect of free food, despite the precarious security situation. On a number of occasions the authorities have reportedly told people in IDP camps that if they did not return home they would no longer receive international humanitarian aid.

Abdel Rahim Mohamed Hussein, the Minister of Interior now appointed the presidential representative for Darfur, presented a plan for the return of IDP on 4 July 2004. The plan states that those who return to their home areas will be provided with food for three months and shelter materials and may stay in larger villages where there is more security. However, the IDP will not be able to grow crops until next rainy season and will not be able to support themselves until October 2005. This use of large villages is ominously reminiscent of the regroupment of many of the Nuba population in southern Kordofan from their villages into larger centres; the land which they lost was then developed into large scale farms and, 10 years later, many of those displaced have still not returned home.

Members of the groups behind the displacement have already occupied in the empty villages in certain Masalit areas. Reportedly Tulus, Fufu, Teny, Kukumanda, Gokar and Arara, villages south of al-Jeneina have been occupied. According to reports from the ground the occupation of villages with government consent is increasing.

Humanitarian access to Darfur

¹ Health Assessment in Emergencies Murnei and Zalingei, West Darfur, Sudan. June 2004 Epicentre and Médécins sans Frontieres.

The situation of the IDP in Darfur has been aggravated by the restrictions on access imposed by the government of Sudan. Until the end of May 2005 the government of Sudan obstructed humanitarian access to Darfur by delaying responses to visa applications or imposing unreasonable visa application processes and travel permit restrictions for humanitarian workers. On one occasion members of a US disaster response team were provided with three-day visas to travel to Darfur, only to be told that they needed to give three days notice before travelling to the region. At the same time vehicles, medical supplies and radios were normally held up, sometimes for months, at Port Sudan. Humanitarian workers now receive visas and may move freely but, as the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Jan Egeland said in June although most of the UN relief groups had access, non-governmental humanitarian organizations continue to face bureaucratic obstacles.

Journalists too continue to find their movements and their reporting restricted. International human rights organizations, such as Amnesty International, have not been allowed access to Darfur since the conflict started in February 2003, and Sudanese community leaders and human rights defenders from Darfur who raise human rights violations or investigate them have been arrested or banned from travelling.

Ceasefire and human rights monitors

The ceasefire between the government of Sudan and the armed opposition groups, the Sudan Liberation Army and the Justice and Equality Movement, envisaged the establishment of ceasefire monitors from the African Union (AU). Three months later not all AU ceasefire observers (120 observers and a protection force of 300 military personnel) are yet deployed. In addition, those who are now in the field reportedly lack vehicles and other logistical support necessary to travel within the region.

Eight human rights monitors from the Office of the High Commissioner for Human Rights (1 for Khartoum, 2 for Al-Fashir, 2 for Nyala and 3 for al-Jeneina), were due to be deployed on 31 July 2004, but, as of 7 July, they had reportedly not yet received visas.

Thus the benefits of the international monitoring force which was designed to play an important role in protecting the security of the people of Darfur, has not yet been felt by any of the destitute IDP.

National and international law

IDP should benefit from the full protection of domestic law as well as rights enshrined in international human rights law and international humanitarian law. The UN Guiding Principles on Internal Displacement is a collection of norms of international human rights law, humanitarian law and refugee law that set out the basic protection obligations of the Government of Sudan, and other actors.

Under the Sudanese constitution most basic rights, such as the right to life, safety and security, to food and to housing are guaranteed. The constitution states that: *“Every human being shall have the right to life, freedom, safety of person and dignity of honour save by right in accordance with the law; and is free of subjection to slavery, forced labour, humiliation or torture.” (Art. 20)*

International human rights law

International human rights law is applicable both in times of peace and in situations of armed conflict. It guarantees the right to life, prohibits torture, cruel, inhuman or degrading treatment or punishment, it lays down the right to an adequate standard of living, including adequate food, clothing and housing and provides that protection be accorded to the family. Article 1 of the International Covenant on Civil and Political Rights, ratified by Sudan in 1986, states that “In no case may a people be deprived of its own means of subsistence”. These rights offer vital protection during displacement. These and other human rights must be granted to everyone without discrimination, including discrimination on the grounds of displacement.

The African Charter on Human and People’s rights says that the right to life is “inviolable” and states that “In case of spoliation the dispossessed people have the right to lawful recovery of its property as well as to adequate compensation”. The Arab Charter on Human Rights equally guarantees the right of every person to respect for life and integrity of person as well as for property and family life.

International humanitarian law

International humanitarian law, including the Geneva Conventions, ratified by Sudan, and their optional protocols, provide protection to civilians and others taking no active part in hostilities, in times of armed conflicts. If the general provisions of international humanitarian law that protect civilians are respected then displacement should not occur or it should be limited. If displacement occurs people taking no active part in hostilities are entitled to protection in accordance with international humanitarian law.²

Both international human rights law and international humanitarian law are binding on States parties. In non-international armed conflict armed groups, such as the Sudan Liberation Army (SLA) and Justice and Equality Movement (JEM) are bound by the provisions of the Four Geneva Conventions.

“I arrived in the camp five days ago south of Nyala. My husband and I went first to Nyala to look for a place. But there was no way that we could build a shelter there. So we moved to the camp. But we still don’t have anything in our hands. No money to build a shelter. No money to buy food. We stay at my aunt’s place for the time being and we share her food. But I’m afraid that very soon, my aunt will not be able to sustain sharing the food with us (it is five people in total). We have to build our own shelter first. And then we have to wait for the organisations to bring us some food. We have no chance to get daily work in Nyala, it’s too

² The UN Guiding Principles on Internal Displacement is a collection of norms of international human rights law, humanitarian law and refugee law that set out the basic protection obligations of the Government of Sudan, and other actors. The Guiding Principles list the rights and duties that are relevant to ensure protection from forced displacement and to ensure that individuals access protection and assistance both during and after displacement. The rights that IDPs should enjoy include the right not to be forced to return or to resettle to an area where their life, safety, liberty and/or health would be at risk, the right to freedom of movement, including the right to move freely out of camps and other settlements, and the right to an adequate standard of living. They also set out the principles that governments should respect with regards to delivery of humanitarian assistance, e.g that assistance should be delivered impartially and without discrimination and that humanitarian actors must be assured access to IDP populations and be protected and respected.

crowded. Since my child is sick, I’m sick as well. I have pain in all my body: in my back, in my chest, in my legs, in my knees and in my foot. I’m very tired.”

WRITE TO THE SUDAN GOVERNMENT CALLING ON IT:

- to immediately disarm and disband the *Janjawid* and ensure that they are no longer in a position to commit human rights abuses;
- to ensure that any member of the *Janjawid* in whether or not they have been integrated in the armed forces who has been responsible for human rights abuses is arrested, and tried in accordance with international standards of fair trial without the possibility of the death penalty;
- to take all necessary measures to allow full and free access to Darfur for humanitarian agencies to ensure that the IDP population is provided with humanitarian relief;
- to ensure the safety of the IDP population is guaranteed by preventing the *Janjawid* from operating inside and on the peripheries of the IDP camps;
- to ensure that IDP are not forcibly returned to any place where their life, safety and / or health is at risk;
- to accept the full and unhindered deployment of international human rights monitors who should investigate all allegations of human rights abuses by all parties to the conflict in Darfur and report publicly;
- to implement all the commitments made in the joint statement with the United Nations on 3 July.

ACT NOW!

► Please send your appeals to:

• Lieutenant-General Omar Hassan Ahmad al-Bashir
President and Commander-in-Chief of
Armed Forces
President's Palace
PO Box 281
Khartoum
SUDAN
Fax: + 24911 776603 / 777583

Salutation: Your Excellency

Fax: + 249 11 779173/770883

Salutation: Dear Sir

•Mr Ali Osman Mohamed Taha
First Vice-President
People's Palace
PO Box 281, Khartoum, Sudan
Fax: + 249 11 771025/779977
Salutation: Dear Minister

•Mr Osman Mohamed Yousif Kubor
Governor of Northern Darfur State
c/o People's Palace
PO Box 281
Khartoum
Fax: +249 11 776432/ 771651/ 783223
Salutation: Dear Sir

• Major-General Abdel Rahim Mohamed Hussein
Minister of Internal Affairs and Presidential Representative for Darfur
Ministry of Interior
PO Box 281
Khartoum
Fax : +249 11 773046
Salutation: Dear Minister

• Al-Hajj Atta al-Manan
Governor of Southern Darfur State
c/o People's Palace
PO Box 281
Khartoum
Fax: +249 11 776432/ 771651/ 783223
Salutation: Dear Sir

•Mr Mustafa Osman Ismail
Minister of Foreign Affairs
Ministry of Foreign Affairs
PO Box 873
Khartoum, Sudan
Fax: + 249 11 779383
Salutation: Dear Minister

•Major-General Suleiman Abdallah Adam
Governor of Western Darfur State
c/o People's Palace
PO Box 281
Khartoum
Fax: +249 11 776432/ 771651/ 783223
Salutation: Dear Sir

•Dr Yasir Sid Ahmed
Advisory Council for Human Rights
PO Box 302, Khartoum, Sudan

► **Please raise Amnesty International's concerns with your own government** ◀

More information on the human rights situation in Darfur can be obtained on Amnesty International's website:

<http://www.amnesty.org/sudan>

Amnesty International

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EXTERNAL

