

# Urgent Action In Focus

An insight into the stories behind UAs

Public  
July 2004  
AI Index: ACT 60/013/2004

## DARFUR: A HUMAN RIGHTS CRISIS

***"It was the Urgent Action Network that alerted many people as early as 2003 to the deepening troubles in Darfur." - Amnesty International Sudan researcher***

Over the past two years, Amnesty International has sought to focus the attention of the international community on the growing human rights crisis in the Darfur region of Sudan. The organization's basic message has been simple: that a resolution to the human rights issue is essential if there is to be an end to the humanitarian crisis.

"By making sure the human rights situation is safe," a member of Amnesty International's Sudan research team told *UA Network*, "it will allow humanitarian aid to reach those who need it and enable refugees and internally displaced people to return to their homes without fear. Without this, the circle of conflict and violence will continue."

Urgent Action letter-writers in particular have played a vital role in keeping human rights on the national and international agenda during this time, bombarding the relevant authorities with letters and emails demanding an end to torture, incommunicado detention and "disappearance". They were often among the few people in the world who were campaigning on such abuses – and, as the situation rapidly deteriorated, letter-writers themselves found their time and skills in increasing demand. As AI's Sudan researcher says, "constant pressure has been the only way to get anything through."



Elderly man in flight, Darfur (c.AI/Philip Cox)

Letter-writers' calls for freedom of expression and association as well as a fair justice system and solidarity for human rights defenders were crucial. They also ensured that individuals and communities at risk were not forgotten. "Urgent Actions have helped human rights organizations in Khartoum establish the names and background of those in detention, and have been important documents with which Amnesty International can use to hold the government to account," notes Amnesty International's Sudan researcher. "This is why it is so important for Amnesty International to list the detainee's names – to put a face to the name – to show that they are individual human beings who have been arrested. By naming them Amnesty International is trying to stop them from disappearing."

### **The escalation of conflict in Darfur**

The conflict in western Darfur has its roots in an ethnic and cultural clash between nomadic and sedentary tribes. When the first Amnesty International delegation in the country for many years visited Sudan in January 2003, it visited the city of Al-Fasher, capital of North

Darfur state, and held talks with the then state governor and other government authorities. It also spoke to rural groups who told of "genocide" and a failure of the government to protect them from "Arab nomad militia" or the Janjawid (armed men on horses). The police and government stated that they considered the problem to be primarily caused by desertification and competition for scarce resources.

A new armed political group, calling itself the Sudan Liberation Movement/Army (SLM/A), emerged in February 2003. The SLA, which is composed mainly of members of settled ethnic groups, said that it took up arms against the government because "Khartoum only talks to those who have arms." At first the local authorities in Darfur appeared to seek a peaceful solution but by the end of March 2003 they had decided to respond with force.



Sudanese Liberation Army (SLA) fighters in action in Darfur c. AI/Phillip Cox

In April 2003, the conflict escalated when the SLA attacked the airport in Al-Fasher, reportedly killing some 70 government soldiers and destroying planes. The SLA declared the attacks were in protest at the perceived failure of the government to protect villagers from attacks by nomadic groups, and the underdevelopment and marginalisation of the region. Another armed political group, the Justice and Equality Movement (JEM), appeared in Darfur, with demands broadly similar to those of the SLA.

The Sudanese government appeared to



Darfur village attacked and burned by the Janjawid c. WFP/Marcus Prior

decide to respond to these attacks by massive force. They provided military and logistical support to the Janjawid, and allowed its members to act with impunity. By supporting the Janjawid, AI's Sudan researcher argues, "the government has not only allowed the crisis to happen but has encouraged it to happen because they have continued to support the Janjawid even after a year of horrific attacks and devastation."

In many instances Janjawid attacks on non-Arab villages were preceded by government planes dropping bombs. This has often been followed by armed horsemen wearing government issued uniforms entering the village where they have then murdered, raped and looted. The scale of the crisis is immense. As the Sudan researcher explains: "The Janjawid, is responsible for the systematic burning and looting of villages in an area the size of France...I was trying to tell my brother this but as I said it I thought it was such an unbelievable thing to say. I thought he just wouldn't believe me."

The government of Sudan continues to maintain that the violence in Darfur is largely committed by "outlaws" and has refused to acknowledge its own role in the region's human rights and humanitarian disaster.

### **A justice system dominated by impunity and complicity**

Ordinary people in Darfur are being failed by the very system that is supposed to

protect them. The government, police, security system and the law courts are themselves committing gross human rights violations involving incommunicado detention, torture, unfair trials and the curtailment of freedom of expression and association.

Since April 2003, there have been no further arrests or detentions of those from nomad groups accused of attacking villages and killing villagers from sedentary groups. The government of Sudan has allowed the Janjawid to kill, rape and loot with impunity. At the same time there have been scores of arrests of members of sedentary groups, not only of those suspected of supporting the rebels, but also of many targeted because they were community leaders, journalists, lawyers and human rights activists.

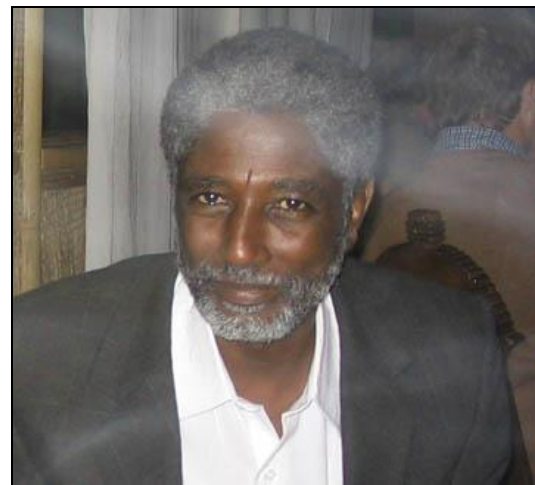
The Urgent Action network has often been called upon to help scores of people who have been illegally detained and tortured.

Abaqer Adam Mohamed Sho'aib and Abdul Aziz Ahmed Musa were arrested on 12 August 2003 on suspicion of supporting the SLA. Along with 22 other men they were allegedly flogged and severely beaten with sticks over a two-day period by members of the military intelligence in the town of Kass. In September, five weeks after an Urgent Action was issued on their behalf, they were released along with nine other detainees as part of a ceasefire accord between the SLA and the Sudanese Government. However, no investigation into their allegations of torture has yet taken place; the government has also still to respond to letter-writers' calls to make a strong public statement that torture is never acceptable (UA 251/03, AFR54/075/2003, 20 August 2003 and UA 135/03, AFR 54/034/2003, 15 May 2003).

### **Freedom of expression and association under threat**

The situation in Darfur has been further worsened by a climate of fear which has curtailed the freedom of expression and association. Discussion of the situation in local newspapers is banned. Those who openly criticise the government's policy, including human rights defenders, lawyers, students and even village leaders, have been targeted.

For example, in January 2004, an Urgent Action was issued on behalf of human rights activist Dr Mudawi Ibrahim Adam. As the Director of the Sudan Social



Dr Mudawi Ibrahim Adam © private

Development Organization, he had bravely spoken out for human rights in Sudan, which led to his arrest in December 2003 following a visit to Darfur. He was initially held without charge, but went on a hunger strike which led to charges being laid, some of which carried the death penalty. (UA 02/04, AFR 54/002/2004 5 January 2004 & follow ups)

### **Special Courts: A unique injustice**

The Urgent Action network has also campaigned on behalf of those who are victims of a "justice system" that is a contradiction in terms. Special Courts established in 2001 and headed by one civilian and two military judges with no legal qualifications, regularly handed down death penalties after trials that often lasted less than an hour. Those on

trial were not permitted lawyers to represent them and could be held in incommunicado detention where they may be at risk of torture or other ill-treatment.

In April 2003 Special Courts were replaced in South Darfur by Specialized Criminal Courts, headed by one civilian judge only. Although under these courts lawyers have been permitted to represent their clients, they have however only been given limited access to them, sometimes just hours before a trial. Appeals against sentences handed down by the courts are not allowed, except against the death penalty, amputation or life imprisonment.

An example of the injustice of these courts is illustrated in a November 2003 Urgent Action which was issued on behalf of five people who were sentenced to death by hanging by a Specialized Criminal Court in Nyala, south Darfur. The five all confessed to a charge of murder after being tortured. When they later attempted to withdraw their confessions in court, they were unsuccessful as Specialized Criminal Courts accept confessions which may have been extracted under torture. However, there is some hope as although executions have taken place, it is rare for those subject to an Urgent Action to be executed. This may be because the action underlines the injustice of the trial and affects the Supreme Court which hears the appeal. (UA 343/03, 20 November 2003, AFR 54/097/2003)

### **Fleeing from violence, to violence**

In November 2003 and May 2004 Amnesty International delegates travelled to camps in eastern Chad where they met just some of the 100,000 men, women and children from Darfur who had sought refuge across the border. Many had arrived with only the clothes they had fled in.

Delegates heard testimonies from refugees who had fled the violence of the

Janjawid, only to find themselves living in fear of others who raided across the



Refugee women visited by Amnesty International delegates in a camp in Chad c. AI

border. Some confirmed that their villages had been attacked. One refugee recounted his story:

"I was at home when the military came along with the Janjawid on horseback and on camels. They surrounded the village, set fire to a number of houses and shot at people. My brother was killed in front of me."

Another refugee in Chad from the village of Murli, near al-Jeneina, told of two attacks on his village in which more than 150 were killed:

"During the first attack the village was burned and some people were killed by gunshots. Others, like children and the old, were burnt. We didn't have time to protect ourselves. Women are often attacked, their clothes taken from them and they are left naked; men are killed and women are raped; they are tortured, raped and beaten."

According to AI's Sudan researcher, even when they reached the camps the women were not safe as many have been raped and beaten as they collect water or firewood. They were afraid to send their men, because they knew the men would be killed if they were found by the Janjawid outside the camp. (*Continued on next page*)

## **A humanitarian crisis in the making**

***"The situation in Darfur is the world's greatest humanitarian crisis, and I don't know why the world isn't doing more about it."*** - UN Coordinator for Humanitarian Affairs, March 2004.

Tens - perhaps hundreds of thousands - of people from Darfur may die this year as a result of hunger and disease, as many areas of Darfur are cut off by the rains. Thirty thousand have already lost their lives. According to the Sudan researcher: "This is not just a humanitarian crisis, it's not just about the fact that there is not enough food, this is a human rights crisis and the government is directly responsible."

To date, an estimated 170,000 refugees have fled to neighbouring Chad and 1.2 million people are internally displaced in Darfur. Thousands are facing the real threat of starvation as well as continuing violence at the hands of the Janjawid. Although most are in camps in West and North Darfur, a significant number of people have been absorbed by the local population and are surviving on support from relatives and casual labour. All remain potential targets of the Janjawid militia and of the government troops who have been continuing deliberate and indiscriminate attacks against civilians. As AI's Sudan researcher says: "The people of Darfur are collectively being punished for the actions of the SLA."

When Amnesty International delegates asked what would alleviate their suffering, one Sudanese refugee said, "we need the international community to see what is happening in Darfur and we need justice for the victims. Also we need freedom, freedom to move, freedom to think, freedom to speak."

It is a freedom for which Amnesty International, and members of the Urgent Action network, will continue to call with all our strength.