



Ref.: AFR 54/159/2004

The Chairperson,
African Commission on Human and Peoples' Rights
36th Ordinary Session
Dakar
Senegal

27 November 2004

ORAL STATEMENT BY AMNESTY INTERNATIONAL

The situation of human rights in Africa: Sudan

Chairperson, Commissioners,

Human rights violations in Darfur, Sudan have occurred on an unprecedented scale and gravity; they are unfortunately continuing and there is a lack of commitment by the government to address them. The situation in Darfur threatens the political stability of the whole of Sudan and of the region (including Chad which has welcomed 200,000 Sudanese refugees). The conflict in Darfur is a human rights crisis which has caused devastation and a humanitarian disaster. Amnesty International believes that there can be no comprehensive solution to Darfur without respect for human rights.

Amnesty International is seriously concerned that women and girls in Darfur have been subjected to horrific sexual violence. We have spoken to countless Sudanese victims and witnesses of rapes in Chad and Darfur who have told how, during attacks, members of militia and the Sudan armed forces raped women and girls in front of their husbands, fathers, brothers and neighbours. Pregnant women were raped; girls as young as eight-years old have not been spared; sometimes they have been gang-raped. Women and girls have been abducted by attackers; those who have escaped have told how they were continuously raped in military camps.

Amnesty International believes that rape was used as a weapon of war in Darfur. Women and girls in displaced camps in Darfur have also told us that rapes and abductions are continuing when they go out of camps to fetch wood. Women and girls also report increasing assaults by Sudanese policemen placed in camps to protect them. When police forcibly relocated the displaced of Al-Geer camp in Nyala on 2 and 10 November 2004, at least one girl was raped by a policeman.

The shame and stigma of a whole population in Darfur are immense. Women and girls do not have access to adequate medical care and counselling. Many are giving birth to babies who will not know their father's name and whom they will have to care for without support. Hundreds, if not thousands, have been raped but Amnesty International only knows of one case in which two policemen were suspended, pending investigation, for the rape of a displaced girl in Abu Shawq camp in Al-

Fasher. Most women are too afraid and ashamed to report rape to the authorities they do not trust; the most courageous ones have been turned down by the police who often refuse to take their complaints.

During its last visit to Darfur, Amnesty International noticed how fear among displaced people remains pervasive. Civilians feel the pressure of the government not to speak out and not to complain. While in June 2004, there was an urgency to talk to foreigners about the massive human rights abuses committed in Darfur among the displaced community, it seems that since September, displaced persons are too afraid to talk. They are being watched by the security forces and the police within the camps, and fear being arrested if they talk to foreigners.

The security forces, including the military intelligence, arrested dozens of displaced persons in Abu Shawq in Al-Fasher in August, after they spoke to foreigners. Those who stand up to government attempts at returning them to unsafe areas or relocating them are being arrested or threatened by the police. More than a hundred persons were arrested in Kalma camp in Nyala in July 2004 for such reasons; more than 30 displaced civilians were arrested in Al-Geer camp on 10 November 2004, during a raid by the Sudanese police aiming at forcibly relocating them to another camp. Many of those who seek to help the displaced, or voice their concerns, for instance lawyers and human right defenders, are also arrested and detained for several days or months, as a means of intimidation.

Darfurians living in Khartoum are also victims of arbitrary detentions, apparently only on the basis of their ethnicity, by the security forces. People arrested by the security forces and the military intelligence are almost systematically subjected to torture. Those sent to prison are held in poor conditions.

Under pressure from the international community, the Sudanese authorities have also arrested a few of those said to have perpetrated rapes, attacks or looting. When Amnesty International asked the judiciary and the police in Darfur about investigations of some of the massive violations which have occurred, they were told that nothing could be done because “most of the perpetrators are unknown”. Those who are said to be under prosecution all seem cases unrelated to the government-supported militias, known as the *Janjawid*.

The reality is that government efforts are directed at repressing and controlling the victims of the conflict instead of putting a firm stop to the violations its citizens have been subjected to. The government does so by continuing to use repressive security laws, undermining the powers of the judiciary, and by entertaining an atmosphere of fear and distrust to dissuade victims to seek justice. The situation is such that victims of human rights violations face obstacles virtually at every stage of the complaints process, while perpetrators of violations remain protected in the law and by the practices of law enforcement officials.

The situation in Darfur has grown more complex and is no nearer a solution. Darfur is still a conflict zone. Both sides have breached the ceasefire, armed groups are proliferating and villages have been attacked by government planes and government supported militias throughout October 2004. Armed groups are attacking humanitarian convoys and taking hostages.

Amnesty International notes the work of the AU monitors, which are now being expanded in number. The expansion of their mandate is also important, and is welcomed by Amnesty International. Amnesty International urges the African Commission to:

- Strongly and publicly condemn the continuing human rights violations in Darfur, and to ask all parties involved in the conflict to comply with international humanitarian and human rights law.
- Call on the government of Sudan to end all human rights abuses against civilians, including rape, arrest and arbitrary detention of perceived critics; and to investigate all reports of human rights abuses, including rape and to bring those suspected to be responsible to justice.

- Make public the report of its July 2004 mission to Sudan. Working together with the African Union Peace and Security Council, the African Commission must ensure that the government of Sudan implement fully its findings and recommendations.

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