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Open letter to all members of the Security Council

Dear Ambassador,

Before the Security Council's monthly briefing by the Special Representative of the Secretary-General for Sudan, I am writing to provide Amnesty International's latest information about the seriously deteriorating human rights situation in Darfur.

In the past few days, attacks on civilians by *Janjawid* nomad militias supported by the Sudanese government have resumed. Some of these attacks have been supported by government armed forces and aircraft. I attach details of recent incidents in an Annex to this letter. The Ceasefire Commission has reportedly investigated all these attacks.

Recent events show the continuing and complete disregard of the Sudanese government for its human rights obligations and prohibitions against targeting civilians under international humanitarian law. In an attempt to encourage the parties to the North-South armed conflict in Sudan to sign a peace agreement by 31 December 2004, the Security Council adopted, in its Nairobi meeting on 18-19 November, a resolution which failed to send a strong message that violations of human rights and international humanitarian law will not be tolerated. In doing so, the Council may have created the impression that the government can act with impunity.

Amnesty International urges the Security Council to use this month's debate as an occasion to act decisively against the ongoing breaches of international human rights and humanitarian law that are being committed by all parties. In view of the deteriorating situation, the organization reiterates its call on the Council to impose a mandatory arms embargo on the Sudanese government to stop military and related supplies reaching all parties to the conflict in Darfur, until effective safeguards are in place to protect civilians from war crimes and other grave human rights violations. The embargo should be accompanied by an adequately resourced UN monitoring mechanism including an Expert Group which reports regularly to the Security Council.

In its latest report, *Sudan, Darfur: No one to complain to – no respite for the victims, impunity for the perpetrators*, our organization described emergency laws permitting arbitrary arrests of displaced persons, and the lack of international standards of fairness inherent in proceedings of Specialised Criminal Courts. The Sudanese legal system has not been able, to date, to address the massive human rights violations which continue to be committed in Darfur and the system requires reform. Amnesty International

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requests that Council members urge that those fundamental human rights which are deemed non-derogable in international law are fully protected in Sudanese law, and to ensure that reform of the legal system and respect for basic human rights standards are central to the discussions on peace in Sudan.

Finally, I would like to inform the Council about the difficulties of access to Darfur experienced by our organization. Resolution 1564 (2004) welcomed that the government of Sudan had lifted obstructions to access of “international human rights non-governmental institutions”. However, since the end of October 2004 and despite numerous attempts, Amnesty International has not been given further visas to Sudan. Amnesty International requests that the question of access by humanitarian and human rights organizations will be addressed in tomorrow’s debate on the basis of the Council’s pertinent observations in resolution 1564 (2004).

Amnesty International hopes that these recommendations will be considered by the Security Council and reflected in a future resolution on Sudan. We shall be pleased to provide any further information.

Yours sincerely,

Renzo Pomi
Amnesty International Representative at the United Nations

Annex

Recent attacks on civilians in Darfur

- * On 28 November 2004 19 men aged between 21 and 86 were reportedly arrested or abducted from the street or from their homes by a force of soldiers and militias (*Janjawid*) who entered Adwa in 4x4 vehicles. Their whereabouts is not yet known. On 30 November 2004 at 6am, a force estimated between 600 and 1,000 government forces and Janjawid militias attacked Adwa, a town some 50km north of Nyala. Investigators said that the attackers were riding horses and camels and supported by about 20 vehicles when they attacked the SLA-controlled town, which was swollen by the presence of tens of thousands of people displaced by previous Janjawid raids. An Antonov plane and two helicopter gunships also bombed the town. Estimates of those killed range between 90 and 140: observers said they had so far found 20 bodies. Thousands of people are said to have fled to nearby areas. African Union monitors who came to investigate the attack the following day came under fire and a Chadian ceasefire monitor was shot in his right shoulder.
- * On 5 December at 7am, several hundred Janjawid militias riding horses and camels attacked villages in the Tuwal area situated south of Nyala. A total of 17 villagers were reportedly killed. Homes in the villages were burnt and at least two villages are now said to be empty. Some 4,000 people are said to have fled to the bush.
- * On 5 December at 6am a force said to be *Janjawid* militias mostly wearing uniform and riding on horses and camels reportedly attacked Salakol, a village about 15-20 kilometres south-west of Niyertiti containing around 500 Fur including those who had escaped from elsewhere. They reportedly killed 17 people in the village, burnt down all the houses and looted possessions. The villagers are said to be remaining in the burnt village.

List of those reportedly arrested/abducted in Adwa on 28 November

Adam Omar Idriss (m), aged 42
Adam Ali Atim (m), aged 85
Abdel Aziz Mohamed Abdallah (m), aged 22
Abdallah Tairab Saif Al Din (m), aged 21
Abdallah Yusif Tairab (m), aged 23
Adam Suliman Abaker (m), aged 50
Ibrahim Abaker Osman (m), aged 41
Idriss Adam Abdallah (m), aged 55
Mohamed Fadul Abdallah (m), aged 85
Yahya Atim Adam (m), aged 62
Hamid Abdel Rahman Mohamed (m), aged 52
Ibrahim Mohamed Hussein (m), aged 65
Adam Hussein Abdallah (m), aged 70
Adam Ahmed Mohamed (m), aged 38
Ishag Ahmed Mohamed Nur (m), aged 50
Abdallah Adam Hamad (m), aged 48
Abdallah Adam Abdallah (m), aged 52
Mohamed Ahmed Abdallah (m), aged 38
Ibrahim Suleiman Adam (m), aged 27

List of those reportedly killed in the attack on Salakol near Niyertiti on 5 December

Saleh Ali Yahya (m)
Abdel Aziz Yaqub Hassan (m)
Ismail Adam Saleh (m)
Yassin Ismail Adam (m)
Abdel Rahman Mohamed Ibrahim (m)
Mohamed Siddiq (m)
Ismail Yahya Hassan (m)
Musa Hussein Rashid (m)
Halima Mohamed Osman (f)
Kubra Harun Ishaq (f)
Maimuna Harun (f)
Khadija Ahmad Daw al-Bait (f)
Mohamed Yahya Abaker (m)
Abbas [other names unknown] (m)
Hassan [other names unknown] (m)