

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

17 September 2010
AI Index: AFR 54/031/2010

Sudan: A time for the UN Human Rights Council to prevent human rights violations

Amnesty International made the following oral interventionⁱ at the 15th session of the UN Human Rights Council (13 September to 1 October 2010), during the Inter-active Dialogue with Mr. Mohammed Chande Othman, the Independent Expert on the situation of human rights in the Sudan, that was held on 17 September 2010.

Thank you Mr. President,

As this Council heard today from the Independent Expert on the situation of human rights in the Sudan, the human rights situation in the country has deteriorated in recent months.

Since January 2010, large scale attacks have resumed in Darfur, often targeting civilians. Humanitarian organizations and the joint United Nations African Union Mission in Darfur (UNAMID) often had no access to the people affected by the conflict. Thousands of persons have been displaced by bombardments, clashes between armed opposition groups and the government armed forces, and inter-communal fighting. Almost half the population of Kalma camp, one of the largest internally displaced persons camps in the world, had to flee the camp because of insecurity inside the camp.

Arbitrary arrests and detentions continued. According to the Independent Expert's latest report, between May and June 2010, UNAMID documented more than 30 cases of arbitrary arrest by the National Intelligence and Security Service (NISS) in Darfur. Amnesty International has itself documented scores of cases of arbitrary arrests and detention without charges between 2009 and 2010. For example, 12 displaced persons have been detained without charges in North Darfur since August 2009, after a number of others were released.

There has also been a clampdown on freedom of expression in Sudan since the April 2010 elections. Some journalists have been detained for carrying out their work, while others have been tortured or tried on politically motivated charges.

The worrying deterioration of the human rights situation in Darfur exemplifies the human rights crisis raging in the country. However, the people in Darfur are at risk of being forgotten again, as attention shifts to the preparations for the referendum and the North-South dialogue.

Mr. President,

The Human Rights Council must not repeat the mistake made by the former Commission on Human Rights, when it terminated the mandate of the then Special Rapporteur on Sudan, despite his warning of "a serious deterioration of the situation, with a high potential of destabilizing the country"ⁱⁱ. The Council must renew the Independent Expert's mandate for a period of at least three years with a strong resolution that addresses concerns throughout the country. The Council must also closely monitor and follow-up on the recommendations made by the Group of Experts.

Amnesty International attaches importance to the Independent Expert's recommendation in his latest report (A/HRC/15/CRP.1) for reform of the 2010 National Security Act which allows the NISS extensive powers of arrest and detention for up to four months and a half without charges, and perpetrates the culture of impunity.

We encourage the Independent Expert to continue to pay special attention to and report regularly and systematically to this Council on the situation in Darfur and to human rights violations by the NISS. Preventing violations must be a foremost consideration.

Thank you Mr. President.

ⁱ See also the Amnesty International written statement, "Sudan: A Call for Human Rights Council's Decisive Action to Stop Violations by National Security Services" A/HRC/5/NGO/59, also at <http://www.amnesty.org/en/library/asset/AFR54/030/2010/en/81265118-6837-498b-b13c-6179611acfdc/afr540302010en.pdf>.

ⁱⁱ Since creating a Special Rapporteur on Sudan in 1993, the Commission received early warning and recommendations for preventive action. The Special Rapporteur already started focusing on Darfur in 2001 and visited the region in October 2002 "because of the seriousness of reports received". At its 59th session in 2003, he warned the Commission of "a serious deterioration of the situation, with a high potential of destabilizing the country". Despite this, the Commission ignored his warning and terminated his mandate at that session. Instead, the Commission could have sent a strong message to the Sudanese government and parties to the conflict to halt abuses. Only the following year did the Commission adopt decision 2004/128 to establish an Independent Expert on Sudan. In 2005 the Commission replaced the mandate of the Independent Expert with a new mandate for a Special Rapporteur, which, in 2009, was replaced by the Human Rights Council with that of an Independent Expert.

/ENDS