

# AMNESTY INTERNATIONAL

## Public Statement

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## ORAL STATEMENT BY AMNESTY INTERNATIONAL

### Item 9 e: Presentation of the Activity Report of the Special Rapporteur on Refugees, Asylum Seekers and IDPs in Africa

#### DISPLACED PERSONS IN SUDAN

Chairperson, Commissioners

Amnesty International is concerned that Sudan remains a microcosm of the refugee problems in Africa, hosting 280,000 refugees mostly from Ethiopia and Eritrea. Millions of Sudanese themselves have become refugees or displaced over the past decades. Those who remained in Africa include 600,000 southern Sudanese refugees from the conflict with the north living in camps outside Sudan and some 2,500,000 refugees living a miserable existence as internally displaced persons in camps mostly around Khartoum and Kordofan, many of them without access to basic socio-economic rights.

In Darfur, there are 1.86 million internally displaced; and 200,000 refugees fled to eastern Chad. The government funded, supported, and aided militias to kill and drive from their homes members mostly from certain ethnic groups, the Fur, Masalit, and Zaghawa. Contrary to the propaganda by the government they were not "caught in the crossfire". The ordinary villagers who had taken no part in any conflict were targeted by the very government which should have protected them.

Two years after the forced displacement started the displaced still do not dare to return home, fearing continued attacks, human rights violations and looting by the militias.

The UN Guiding Principles on Internal Displacement note that national governments have the primary responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction. However, the government of Sudan is still failing to protect its people. In the displaced camps in Darfur, women are still raped, usually when they leave the camp to collect firewood. The medical organization, *Medecins sans frontieres* said they had to treat nearly 500 women raped between October 2004 and February 2005. Further, the government of Sudan is often harassing and arresting the displaced, sometimes for talking too openly or for making criticisms of the government. Even humanitarian workers, who appear to be taking testimonies, have been detained without charge or trial for days.

Until the government protects its people, their protection will rest largely with the

international community and monitoring forces, in particular the African Union Mission in Sudan, based in Darfur. In October its mandate was widened so that it could protect "civilians it encounters under imminent threat and in the immediate vicinity". But in its mission to protect the people of Darfur the African Union (AU) has often been hindered, rather than helped, by the government of Sudan. For example, an AU force was prevented from camping near the village of Khor Abeche in South Darfur, before the militia attack which destroyed it on 7 April 2005, by what a joint AU/UN statement described as "what can only be inferred as deliberate official procrastination".

Another rainy season is starting, and the rural areas of Darfur are still not safe for the displaced to return. As a result they will have to live for a whole year more on the bare minimum of handouts given by donor and international humanitarian organisations, with limited or no access to basic social and economic or civil and political rights, including their rights relating to physical security and integrity. When Amnesty International visited the displaced camps of Darfur, it was the despair and distrust of the government which was most evident in talking to displaced; now it is the anger and frustration that despite all the talking, the situation of the displaced in the camps has not improved.

The voluntary and sustainable return in conditions of safety and dignity of all displaced people and refugees must remain the ultimate human rights goal in all areas in Africa where displaced and refugees have fled from. Refugees and displaced persons must make their own free independent and informed decision about whether it is safe to return on the basis of complete, accurate and objective information.

Amnesty International urges the African Commission to:

- send a strong message to the government of Sudan that the fundamental human rights and freedoms of displaced persons must be protected;
- urge the government to fully cooperate with the international community and in particular the African Union force in addressing the protection problems facing internally displaced persons in Darfur;
- ask the Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa to keep the situation of the displaced in Darfur under review and to investigate and make public recommendations in order to ensure their effective protection and the enjoyment of their rights under the African Charter on Human and Peoples' Rights and other international and regional standards;
- urge the government of Sudan to respond to the Commission's report of its July 2004 mission to Sudan. The Commission must not allow any further delay by the government of Sudan. Should the government continue to fail to respond, the Commission should make public the report and ensure that Sudan implements all of the Commission's recommendations.