



January 2008

country summary

Sudan

The dynamics of conflict in Darfur in western Sudan became increasingly complex during 2007 as militia and rebel factions proliferated. Peace talks in Libya towards the end of the year were hampered by key groups refusing to participate. Meanwhile, delays to the implementation of the Comprehensive Peace Agreement (CPA), signed in January 2005 to end 21 years of north-south conflict, threatened to derail the consolidation of peace in the south. The delays both result from and contribute to deteriorating relations between the two ruling parties, the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM), prompting fears of renewed conflict in southern Sudan.

Abuses also occurred in other parts of the Sudan. Security forces killed and injured seven people involved in protests against two dam projects in northern Sudan, and injured and arrested many others. Restrictions on freedom of expression persist, along with arbitrary arrests and detention of journalists, activists and others.

The Conflict in Darfur

The proliferation of rebel groups, which clashed with each other as well as with government military and allied forces, not only challenged peace initiatives but also created an increasingly unpredictable situation on the ground for civilians, peacekeepers and humanitarian agencies. Throughout the year, parties on all sides of the conflict committed atrocities against civilians.

The Sudanese government played a central role in fomenting the chaos, both continuing to carry out direct attacks on civilians and failing to rein in or hold accountable individuals responsible for abuses. In July the government finally consented to the deployment of a joint African Union-United Nations "hybrid" peacekeeping force for Darfur. However, throughout the rest of the year progress

towards deployment was dogged by Sudanese government obstruction, bureaucratic delays, and the slow pace of military contributions to the force.

The government made no genuine efforts to address the impunity with which abuses have been carried out. On April 27, 2007, the International Criminal Court's (ICC) Pre-Trial Chamber issued arrest warrants for Sudan's state minister for humanitarian affairs Ahmed Haroun and the Janjaweed militia leader "Ali Kosheib." The Sudanese government publicly refused to cooperate with the ICC, and instead of handing Haroun over to the court, in September 2007 it appointed him co-chair of a committee authorized to respond to human rights complaints, including on Darfur. Kosheib, who had been arrested in connection with other crimes was, according to Sudan's Foreign Minister, released from custody in October.

In late 2006 the government renewed bombing, striking areas under rebel control in North Darfur on an almost daily basis. Government-backed militias also attacked the civilian population throughout Darfur, even in camps for internally displaced persons. Prior to peace talks in October 2007 there was once again an increase in violence, including major attacks on the towns of Haskanita and Muhajariya.

In May 2006 Sudan Liberation Army (SLA)-Minawi rebel leader Minni Minawi signed the Darfur Peace Agreement with the government and was subsequently appointed Special Assistant to the President, but residents of North Darfur increasingly complain about abuses carried out by his forces. These abuses—and clashes between rebel groups and SLA-Minawi fighters—caused thousands to flee from the Korma and Tawila areas of North Darfur to displaced persons camps. Since January 2007 fighting among Arab groups has also left more than 200 people dead and forced thousands more to flee. More than 250,000 civilians were newly displaced in the first nine months of 2007 alone, bringing the total displaced population in Darfur to more than 2.2 million.

While large scale attacks drive people into IDP camps, ongoing violence keeps them there. The camps themselves are becoming increasingly violent with no guarantee of safety. Sexual violence in particular continues to be a feature of everyday life for women and girls.

The African Union Mission to Sudan (AMIS) has also come under attack. On September 30, 2007 unidentified forces attacked an African Union base in Haskanita, South Darfur, killing 10 AMIS peacekeepers.

After almost five years of conflict, more than four million people—two thirds of the population of Darfur—depend on humanitarian assistance. However, humanitarian operations continue to be hampered by insecurity. The UN estimated that in June 2007 one in every six relief convoys that left provincial capitals was attacked, either by Janjaweed, rebels, or bandits. Twelve humanitarian workers were killed in the first nine months of 2007.

South Sudan and Political Reforms

Implementation of the CPA continues to fall behind schedule as key deadlines, such as the start of a national census and the establishment of the National Civil Service Commission, pass without progress.

The government's handling of the Darfur conflict is one source of contention between the NCP and the SPLM. The SPLM has become more involved in attempts to resolve the conflict and supports UN deployment to the region, contrary to the policy of the NCP. Other issues include the refusal of the NCP to make information available to enable the SPLM to calculate the oil revenue to which they were entitled; failure to withdraw Sudanese Armed Forces from southern Sudan by the agreed deadline of 9 July 2007; and ongoing disagreement over the status of the border area of Abyei. Matters came to a head in October 2007 when the SPLM suspended its participation in the Government of National Unity (GNU), highlighting the vulnerability of the CPA.

With national elections due in 2009, the development of a legislative framework to support them is well behind schedule. Several key pieces of legislation are yet to be tabled at the National Assembly, including the Elections Act as well as the National Land Commission and the National Security Act.

Security is essential to enable refugees and other displaced persons to return to their homes in southern Sudan. However, there has been only limited progress on

disarmament and violent inter-tribal clashes left hundreds dead in 2007. In May 54 people were killed following clashes over cattle between Didinga and Toposa community members in Eastern Equatoria. In July 56 people were killed following violent inter-tribal clashes between Nuer and Murle in Jonglei State.

Merowe and Kajbar Dams

In northern Sudan the government moved forward with construction of two major dams in Merowe (also known as Hamadab) and Kajbar, despite protests from local communities and human rights campaigners. Currently scheduled to be completed in 2008, the Merowe dam is expected to displace more than 50,000 people, while Kajbar will affect more than 10,000.

In April 2006 security forces killed three people and injured and arrested dozens of others when community leaders organized a peaceful protest against the construction of Merowe dam. Local community protests against Kajbar dam were also violently dispersed by police and security in June 2007. Four people were killed at the scene and more than eight people were injured when security forces used tear gas and live ammunition to scatter the protesters.

Some journalists attempting to report on the dam protests were arrested without charge and allegedly tortured. In Dongola, capital of Northern State, four journalists and three lawyers, along with their driver were arrested on their way to the Kajbar dam site. More than ten more people were arrested in Khartoum and Dongola in the following days; all were later released.

Arbitrary Arrests and Detentions

There has been a notable increase in cases of arrest and incommunicado detention of journalists and political activists in Khartoum, often without charge. Articles 31 and 33 of Sudan's National Security Act allow for detention without charge for up to nine months, in violation of international standards.

In July 17 people were arrested in Khartoum on suspicion of plotting to overthrow the government. Most remain in detention without charge, including retired army

generals and members of the Umma Party Reform and Renewal splinter group, including its leader Mubarak al-Mahdi.

Freedom of Expression and Human Rights Defenders

Journalists in Sudan use the term “red line” to describe issues they cannot report on for fear of reprisals by the government authorities. “Red line” issues include Darfur, the ICC, and the July detention of the 17 alleged “coup plotters,” including Mubarak al-Mahdi, leader of the Umma Party (Reform and Renewal). Newspapers risk confiscation of their publications or closure if they report on these issues, and journalists risk harassment and arrest.

Following passage of the Voluntary Work Act in 2006, several organizations, especially human rights groups, have been harassed and intimidated, for instance by being summoned to national security for questioning. Lengthy new registration procedures connected to the Voluntary Work Act have forced some to suspend their activities for months.

Key International Actors

In 2007 international efforts on Darfur focused mainly on the deployment of peacekeepers. In July the Sudanese government consented to the deployment of a new peacekeeping force for Darfur, and the UN Security Council passed resolution 1769 authorizing a “hybrid” AU-UN force of up to 26,000 troops and police. However, there was no sign that Sudan was prepared to change its policy of supporting the Janjaweed militia or its refusal to cooperate with the ICC. Resolution 1769 does not mention Sudan’s obligation to turn over the two suspects wanted by the ICC.

The UN, EU, US, UK, and France have consistently decried the violence in Darfur. However, such condemnations have largely failed to translate into concrete political action. It is clear that the government of Sudan has consistently failed to fulfill its obligations under international law, including those imposed by various Security Council resolutions. It continues to carry out attacks on civilians, has failed to take action to reign in the Janjaweed militia, and has refused to cooperate with the ICC.

However, to date, the United Nations has imposed targeted sanctions on only four low-level individuals, none of whom are senior government policymakers.

Draft language that would have threatened additional sanctions in the event of Sudanese government obstruction of UNAMID was deleted from resolution 1769 prior to its adoption, apparently at the insistence of China and other Council members. Divisions among Security Council members appear to make additional targeted sanctions unlikely.

On May 29, 2007, the United States unilaterally placed targeted economic sanctions on two Sudanese government officials, a rebel leader, 30 companies owned or controlled by the Sudanese government, and one company alleged to have violated the UN arms embargo on Darfur.

Although the European Union and individual EU leaders have also indicated willingness to adopt targeted sanctions, and have even threatened to do so, they have not done so as of yet. European contributions to peacekeeping in the region have mainly focused on the EU force in Chad (see Chad); offers of support to UNAMID from Scandinavian countries were rejected by the Sudanese government.

China continues to have an important partnership with the Sudanese government and is believed to have played a key role in influencing Khartoum to consent to the hybrid force. Sudan was among the African countries visited by Chinese President Hu Jintao on his first visit to the continent in February, and in May a new Chinese Special Envoy was appointed, with a special focus on Darfur.

In December 2007 the Human Rights Council is due to receive the final report of the Group of Experts on Darfur. Many of the recommendations compiled by the Group of Experts, which provide a framework of indicators that the Government of Sudan should account for, have not been implemented by the Sudanese authorities. In the same month the Human Rights Council is due to debate the future of the mandates of both the Group of Experts on Darfur and the Special Rapporteur on Sudan.