

SUDAN

LOOMING CRISIS IN DARFUR

Whilst the Sudanese government is in peace talks to resolve the civil war in the south that has been raging for much of the last 45 years it is allowing another conflict to ferment in Darfur, western Sudan.

In Darfur respect for human rights has been undermined over the past twenty years by an increased number of attacks mostly by nomadic groups on sedentary groups and an increase in attacks by "bandits". The response by the government has been heavy-handed, including many instances of human rights violations.

These attacks have killed and wounded hundreds of people. Animals, crops and homes have been destroyed and looted and hundreds of people have been forced to flee their homes. Water supplies have been destroyed, aid routes are too dangerous and humanitarian agencies do not have full access.

Sedentary groups complain government forces have failed to protect them from attacks by nomadic groups. The government lays the blame for clashes on a struggle for resources resulting from desertification.

In response to the inadequate action by the government an armed group has now emerged, the Sudan Liberation Army. Citing underdevelopment, marginalisation and the government's lack of protection for the people in the region as the reason it has taken up arms. The government has now vowed to employ military force to resolve the crisis. The situation in Darfur must not be allowed to escalate into all-out war.

Amnesty International fears another humanitarian crisis is looming in Sudan.

Amnesty International's calls to the Sudanese government to establish an

Independent and impartial commission of inquiry into the deteriorating situation in Darfur fell on deaf ears. We are now calling for an International Commission of Inquiry to clarify to the people of Darfur and the world the complex factors which have led to the present deteriorating situation and identify mechanisms which are in accordance with human rights standards to protect effectively the population from violence.

The government must attempt to resolve the conflict by discussions among leaders of different ethnic groups and civil society in Darfur and the investigation of human rights violations committed in the region. A resolution to the conflict must be based on respect for human rights and accountability for human rights violations.

Darfur region is outside the remit of the Machakos Protocol, the agreement, signed in July 2002, between the government and the Sudan People's Liberation Army to end the civil war in southern Sudan. This agreement was reached under the auspices of the Inter-Governmental Authority on Development (IGAD) and international mediators from United States of America, United Kingdom, Norway and Italy. Under this agreement a civilian protection monitoring force has been established. There have been no investigations by any monitoring force into the recent killings in Darfur and Amnesty International is calling for the Darfur region to be urgently included in the human rights monitoring set up under the IGAD peace process.

The government's response to armed clashes have been ineffective and have served solely to inflame the situation by taking measures that violate human rights. Hundreds of people, primarily from sedentary groups, have been arbitrarily thrown into prison without charge or trial and denied communication with the outside world for months. Many report they have been tortured.

• At least 10 Shoba community leaders were arrested and detained incommunicado for several months without charge or trial after an attack on Shoba in April 2002. Some were released in August and others in November. They have never been told the reason for their arrest.

Leaders of nomad groups have been similarly treated. Special Courts set up in 2001 by Presidential decree try those accused of armed robbery, "banditry" or possession of weapons. They hold summary trials before a partly military panel of judges and have sentenced people to death without even the presence of a lawyer.

• 38 members of various nomadic ethnic groups were brought to trial on 17 March 2003 accused of attacking and killing 35 villagers from Singita on 31 December 2002. They were held for at least two months in incommunicado detention and allowed three lawyers between them who were not allowed to ask more than four questions of any witness. 26 defendants were sentenced to death on 26 April including one 15-year-old boy. Evidence from prosecution witnesses was inconsistent and some of them reportedly changed their stories more than once.

Those who commit crimes must be brought to justice, but international human rights standards of fair trial must be respected. Such abuses of human rights will only cause more bitterness.

Until questions of injustices and discrimination in all areas of Sudan are addressed adequately, the seeds of conflict will remain in the country. A durable peace in Sudan will only be achieved if the human rights of all are not only enshrined in law but also respected in practice.

AMNESTY INTERNATIONAL IS CALLING FOR:

- An International Commission of Inquiry to examine the factors behind the deteriorating situation in Darfur, investigate abuses and suggest mechanisms to bring to justice the perpetrators of human rights violations. The Commission should report its findings publicly and its recommendations should be implemented.
- Darfur to be urgently included in the human rights monitoring set up under the IGAD peace process.
- The Sudan government to protect the people of Darfur. Those guilty of attacking others should be brought to trial in fair trials without the application of the death penalty.
- The provisions of the Special Courts which contravene international standards of fairness should be amended or abolished.
- All death sentences, lashings and amputations handed down in the Special Courts in Darfur should be commuted.

ACT NOW!

► Please send appeals to:

- Your Minister of Foreign Affairs, International Development and your government's Special Envoy to Sudan. Urge them to urgently take action on Amnesty International's recommendations both directly with the government or Sudan and within inter-governmental fora.
- President Omar Hassan Ahmad al-Bashir
President's Palace
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