

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	186
Land:	Sudan
Kilde:	Human Rights Watch
Titel:	World Report 2010
Udgivet:	20. januar 2010
Optaget på baggrundsmaterialet:	27. januar 2010

Title	World Report 2010 - Sudan
Publisher	Human Rights Watch
Country	Sudan
Publication Date	20 January 2010
Cite as	Human Rights Watch, <i>World Report 2010 - Sudan</i> , 20 January 2010, available at: http://www.unhcr.org/refworld/docid/4b586ce050.html [accessed 27 January 2010]



World Report 2010 - Sudan

Events of 2009

Four years after Sudan's ruling party and the southern rebels signed the 2005 Comprehensive Peace Agreement (CPA) ending 21 years of civil war, Sudanese civilians in Darfur, northern states, and the South are still enduring human rights violations and insecurity. The Government of National Unity (GNU) has been unwilling to implement national democratic reforms as envisioned in the CPA. The failure of both Sudan's ruling National Congress Party (NCP) and the southern ruling Sudan People's Liberation Movement (SPLM) to implement other provisions of the CPA has contributed to insecurity and led to outright violence in some settings.

Accountability for human rights abuses remains practically nonexistent. On March 4, 2009, the International Criminal Court issued an arrest warrant for President Omar al-Bashir – the first for a sitting head of state by the ICC – for alleged war crimes and crimes against humanity committed in Darfur.

Darfur

The conflict in Darfur continues to involve government-backed militia forces and rebel and ex-rebel movements that have caused civilian deaths, injuries, and displacement. The government has kept its war machinery in place, with heavy military deployments throughout Darfur, including auxiliary forces such as Border Guards that have absorbed Janjaweed militia into the army. Despite international mediation and diplomatic support, the government and rebel factions have not reached a political solution to the conflict.

In early 2009 fighting between government forces and Justice and Equality Movement (JEM) rebels in Muhajeria, South Darfur, displaced more than 40,000 civilians. The government used indiscriminate force through aerial bombing, often in combination with ground forces, to attack civilian populations linked to rebel movements. In May, during government-JEM clashes in North Darfur, witnesses reported heavy aerial bombing on civilian areas with scores killed and many more injured. After a lull during the rainy season, fighting resumed in September when government forces clashed with rebel movements in North Darfur, killing more than a dozen civilians and destroying several villages.

The situation for 2.7 million displaced people and other conflict-affected people living

in unprotected villages has not improved. The government's expulsion of 13 international humanitarian organizations following the ICC arrest warrant for al-Bashir has seriously undermined provision of humanitarian aid to Darfur. Stop-gap measures and one-off distributions averted an immediate catastrophe, but are not sustainable and do not cover protection and human rights programs that were closed down with the expulsions. In addition, criminal banditry and attacks on international aid workers and United Nations staff also hampered humanitarian operations. More than a dozen UN peacekeepers have died from hostilities since the mission's deployment in January 2008.

Displaced women and girls in towns, camps, and villages throughout Darfur continue to experience sexual violence by government forces, allied militia, rebels, and criminal actors. Between April and June 2009, UN human rights monitors documented 21 cases involving 54 victims, 13 of whom were under 18 and most of whom described attackers as wearing military uniforms. Human Rights Watch research on sexual violence against Darfuri women and girls suggests this number represents a small fraction of actual cases.

Beyond Darfur itself, the government continued to target suspected Darfuri rebels and human rights activists for arrest and detention, particularly after the ICC warrant. The African Union-United Nations Mission in Darfur (UNAMID) documented 16 cases of arrest and detention by government security forces of people alleged to support the ICC or to have provided information to international interlocutors. In April-May 2009 security officials arrested some 20 members of a student group affiliated with a faction of the Sudan Liberation Army (a Darfur rebel movement), which openly supported the ICC indictment by organizing events at various universities.

More suspected rebels were sentenced to death, bringing the total to 102. The trials, by special courts formed under a 2001 anti-terrorism law to try individuals accused of participating in the May 2008 JEM attack on Omdurman, fell below international standards: defendants had no access to lawyers before trial, were held incommunicado for months, and claimed their confessions were made under duress. The whereabouts of some 200 people who "disappeared" in the post-Omdurman attack crackdown remain unknown.

Civil Society Activism and Media Freedom

The closure of three Sudanese human rights organizations after the ICC's al-Bashir arrest warrant contributed to an atmosphere of oppression in Darfur and throughout the northern states that prompted more than a dozen lawyers and activists to leave the country.

Between January and June 2009, authorities prevented publication of newspapers on at least 10 occasions through heavy censorship, harassed or arrested journalists and the author of a book on Darfur, and closed an organization that was supporting journalists. In September al-Bashir announced the end of the pre-print censorship policy, but warned journalists to abide by established "red lines," implying they should not publish articles that are seen as critical of the government.

Insecurity in Southern Sudan

The Government of National Unity's failure to implement agreements under the CPA on border demarcation and troop deployments threatens to expose civilians to further abuse and insecurity, particularly around the several disputed areas along the North-South border.

During February clashes in Malakal between the NCP-led Sudanese Armed Forces (SAF) and the southern Sudan People's Liberation Army (SPLA) soldiers, former militias whom the SAF had failed to integrate instigated violence and human rights violations. The GNU Presidency has not taken sufficient action to remove SAF ex-militias from the area and reduce the threat of further violence. Both armies have failed to downsize and fully integrate ex-militias in various locations as required by the security arrangements in the CPA.

Abyei, the oil-rich area that straddles the North-South border and is one of three transitional areas governed by separate protocol to the CPA, also remains a flashpoint. In May 2008 clashes between SAF and SPLA soldiers caused near-total destruction of the town and displaced some 60,000 civilians. The parties agreed to restore peace to the area and submitted the question of Abyei's boundaries to international arbitration. On July 22, 2009, the Hague-based Permanent Court of Arbitration awarded much of the area (excluding Meiram and Heglig) to the Dinka Ngok community. Leaders of the Dinka Ngok and the Misseriya (another community claiming land rights over Abyei) publicly accepted the decision, but some Misseriya leaders have made dissenting statements rejecting the demarcation. The parties to the CPA have yet to implement the terms of the Abyei Protocol and the arbitration award.

Elsewhere in the South, severe inter-ethnic fighting, usually linked to competition over resources and exacerbated by the widespread availability of weapons, is the primary and escalating threat to civilians. Intercommunal fighting occurs in many states, but has been most acute in Jonglei: in 2009 alone, attacks and counterattacks between armed members of the Murle and Lou Nuer ethnic communities killed well over 1,200 civilians. Clashes between other armed communities killed hundreds more. Southern Sudanese authorities have been unable to address the underlying causes of these conflicts or protect civilians from the inter-ethnic violence. The Southern Sudan Police Service (SSPS) and SPLA are insufficient in number or resources to repel armed attacks, and are not trained to effectively intervene to protect civilians.

Ugandan Lord's Resistance Army (LRA) rebels operating in the Democratic Republic of Congo (DRC), Central African Republic (CAR), and inside Southern Sudan attacked civilian populations, resulting in an influx of refugees to Western and Central Equatoria. An estimated 18,000 refugees from the CAR and DRC are living in camps in Southern Sudan, while 68,000 southern Sudanese are displaced by LRA violence.

Child Soldiers

Children continue to be recruited and used by armed groups in Darfur and eastern Chad, and by groups operating elsewhere in Sudan including Southern Sudan. More than 200 children were abducted by armed groups in the context of inter-ethnic fighting, and scores more were abducted by LRA rebels in attacks on civilians in Southern Sudan.

Key International Actors

International diplomatic attention shifted away from Darfur and focused more on implementation of the Comprehensive Peace Agreement and insecurity in Southern Sudan. Despite numerous high-level meetings on Sudan, key governments have not adopted a coherent common strategy. The United States strategy, released in October, broadly outlined an approach to ending conflict and human rights abuses in Darfur and promoting accountability while implementing the CPA and averting conflict. The policy did not, however, articulate clear indicators for progress, and it remains to be seen to what extent human rights and civilian protection priorities will drive US engagement.

The African Union at its July summit called on member states not to cooperate with the ICC in al-Bashir's arrest and surrender because the UN Security Council had not responded to an AU request that the council defer the case against al-Bashir. Subsequent to the AU's call for non-cooperation – which is contrary to the obligations of African states parties to the ICC – al-Bashir made moves to attend meetings in Uganda, Nigeria, and Turkey. This generated public outcries and he ultimately did not travel to any.

On October 29 the AU released the report of the High-Level Panel on Darfur offering recommendations to address accountability, impunity, peace, and reconciliation. The Sudanese government has yet to formally respond.

The two international peacekeeping missions in Sudan faced obstacles. UNAMID, now in its second year of operation, is still not fully deployed, and continues to face

obstruction in its deployment and movement by the Sudanese government. This undermined its overall effectiveness, including its ability to protect civilians and monitor the humanitarian and human rights situation in Darfur. The United Nations Mission in Sudan (UNMIS), mandated to monitor the Comprehensive Peace Agreement, also faced access restrictions that undermine its ability to monitor both the ceasefire and the human rights situation, particularly in northern states. The mission has yet to adopt a clear strategy for delivering its mandate to protect civilians in the South.

Copyright notice: © Copyright 1992-2009, Human Rights Watch
