

5.17 Sudan

Introduction

The 2005 Comprehensive Peace Agreement formally brought to an end the longest-running civil war in Africa. The subsequent interim national constitution includes a bill of rights that enshrines the principle of human rights at all levels of government and society. Despite this, Sudan's human rights record is poor and there is a widespread culture of impunity. Our concerns include: the death penalty; torture; Hudud punishments (amputation, flogging and stoning); freedom of the media; and harassment and arrest of activists and political figures. Many parts of the country remain insecure, with a proliferation of small arms. The situation in Darfur remains characterised by systematic violations of human rights and breaches of international humanitarian law.

Current concerns

There has been some progress on Darfur with the UN Security Council mandating the hybrid UN-African Union peacekeeping force for Darfur (UNAMID) in July 2007, and talks between the Sudanese government and the Darfur rebels that began in Libya on 27 October 2007.

The 2005 Comprehensive Peace Agreement led to the formation of a government of national unity, provisions on the sharing of power and wealth and a largely observed ceasefire across southern Sudan. However, rights enshrined in the agreement and constitution have had little impact on the ground. Slow implementation of the agreement was the main cause for the temporary withdrawal of the Sudanese People's Liberation Movement from the government of national unity on 11 October 2007. For example, the national Human Rights Commission, which should have been established under the Comprehensive Peace Agreement, has not yet been set up.

The government is falling short of its human rights commitments. There have been no improvements in press freedom. Political prisoners continue to be detained. Belligerents on all sides of the conflict in Darfur continue to commit human rights abuses. We have made it clear that there must be no impunity for those who have committed these crimes.

UK action

We are working with the international community to bring lasting peace and security to Sudan. Lord Malloch-Brown visited Sudan in September 2007 to reaffirm UK commitment to a peaceful and prosperous future for Sudan.

We are calling on all sides to fully implement the Comprehensive Peace Agreement. We have actively contributed to the EU-Sudan Human Rights Dialogue and have supported UN efforts to reconvene a regular human rights forum with the Sudanese government.

On 31 July 2007, we sponsored UN Security Council Resolution 1769, mandating UNAMID, which will help restore peace and stability. We are working to support its prompt and effective deployment. In the meantime, we continue to support the African Union Mission in Sudan. Total UK support committed to the mission is £73 million.

The only solution to the Darfur conflict is a negotiated political settlement. We are supporting African Union/UN-led political talks that started on 27 October 2007 in Libya. We have called on all sides to engage seriously in these talks or face tough measures.

The UK is committing considerable resources to alleviate the immediate humanitarian crisis. We are the second largest bilateral humanitarian donor, having contributed over £290 million in humanitarian assistance to Sudan (£145 million to Darfur) since April 2004.

Banditry and insecurity have hindered humanitarian organisations' ability to provide assistance. We continue to press for unimpeded and safe access for humanitarian agencies, and a full cessation of hostilities.

The Sudanese government and the UN issued a joint communiqué on 28 March 2007, undertaking to remove bureaucratic impediments to humanitarian agencies. We are pressing the government to comply through the High-Level Committee set up to monitor the communiqué's implementation.



A man injured during violent clashes sits on a makeshift bed outside the African Union Mission in the Sudan military group site in Mohajiriya in southern Darfur.

The International Criminal Court

There can be no impunity for the crimes committed in Darfur. The UK co-sponsored UN Security Council Resolution 1593 (31 March 2005), referring human rights violations in Darfur to the International Criminal Court. The International Criminal Court Prosecutor, Luis Moreno-Ocampo, reported to the UN Security Council on 5 December that Sudan has not met its obligations. We have made it clear that we expect the Sudanese government to co-operate fully with the court and surrender the two individuals for whom it issued arrest warrants in connection with alleged atrocities in Darfur.

United Nations Human Rights Council

We support the Council's work on improving human rights in Darfur. The Council's report on Darfur of 12 March 2007 stated that the situation in Darfur was characterised by systematic violations of human rights and breaches of international humanitarian law. On 30 March 2007, the Council adopted a resolution on further recommendations to improve human rights on the ground. On 24 September 2007, the Darfur experts presented an interim report. We made it clear that there had not been acceptable progress, and that we need to see further action ahead of the Darfur experts' final report at the December 2007 Human Rights Council session. The Council extended the mandate of the Human Rights Rapporteur for Sudan to cover the Darfur experts' recommendations for Darfur. The Council also passed a resolution criticising Sudan for failing to implement the Darfur recommendations.

Southern Sudan

The threat to civilians in southern Sudan posed by the Lord's Resistance Army has receded since the launch of the Juba peace process in 2006. These peace talks have produced a cessation of hostilities agreement, which has resulted in much-reduced Lord's Resistance Army activity in southern Sudan. However, with no final peace agreement, and the freedom of the Lord's Resistance Army's leaders, a threat to human rights remains. We are working with partners to support the Juba peace process and to ensure that Lord's Resistance Army leaders are brought to justice. The government of southern Sudan, along with other regional governments, has an obligation to support the International Criminal Court in executing the arrest warrants issued to bring the Lord's Resistance Army's leaders to justice.

The UK is funding a major programme on safety, security and access to justice, which includes provision of support to rule of law organisations and law enforcement bodies. The programme has provided substantial capacity-building support to the government of southern Sudan's Ministry of Legal Affairs and Constitutional Development. We are supporting the Southern Peace Commission and the Southern Sudan Human Rights Commission and have funded several smaller projects, working with national non-governmental organisations (NGOs) to raise awareness of human rights issues with local communities.

Detentions

We regularly raise the issue of detentions with the Sudanese government. On 13 June 2007, human rights activists protested against the building of a dam near Kajbar. The Sudanese government responded with force: four people were killed and a number of people detained. Following lobbying from the UK and others, eight people were released. Leading opposition politician Dr Mubarak Al Fadil was arrested on 14 July on charges of plotting a coup. We raised his continued detention with a number of Sudanese officials including the foreign minister.

Children and armed conflict

The Sudanese government has begun to implement the recommendations of the UN Secretary-General's report of 2006. Child soldier recruitment in Darfur has grown with the multiplication of rebel factions. We have called on all parties to implement the recommendations of the UN Secretary-General's reports without delay.

Sexual and gender-based violence

All sides to the conflict in Darfur have committed sexual and gender-based violence. Tackling this is a priority at the regular meetings between the international community and the Sudanese government. We continue to press the Sudanese government to implement its action plan to eliminate violence against women.

Women are particularly vulnerable to attack when they leave camps to collect firewood. We have encouraged the African Union Mission in Sudan to resume patrols to accompany women – it had discontinued them because of security concerns. The deployment of UNAMID will enhance capacity to carry out these patrols.

The UN's Common Humanitarian Fund funds a number of women's rights projects in Sudan. The total allocation for 2007 is US\$984,503, to which the UK contributes 60 per cent. Projects are implemented by UN agencies and international NGOs and include action in Darfur and southern Sudan.

Death penalty

At least 65 people were executed in Sudan in 2006. We regularly raise human rights issues, including the death penalty, with the Sudanese government. We will continue to use existing human rights fora to discuss the death penalty abolition (or moratorium), including through the EU presidency and the EU-Sudan Human Rights Dialogue.

Individual cases

We regularly raise individual cases with the government of Sudan through the British Embassy in Khartoum and ministerial contacts. We know that in some cases concerted international pressure has led to the release of human rights defenders and other detainees.

International obligations

The Sudanese government has ratified many international and regional human rights treaties, but has not fully implemented them in domestic law. Sudan has refused to sign the Convention on the Elimination of All Forms of Discrimination against Women because of concerns over incompatibility with Sharia and Sudanese tradition, and has signed but not ratified the Convention against Torture. The Sudanese government is still considering these treaties, and we have offered them our full support.

Projects

We support a range of projects related to human rights, including human rights training for prison officers, strengthening the application of the rule of law and access to justice for victims of human rights abuses, and support programmes on human rights and peacebuilding activities. We have also supported media campaigns that have sought to tackle the issue of violence against women and children.

Forward look

We will continue to raise human rights issues regularly with the Sudanese government and work with human rights NGOs and international organisations, including the UN human rights team.

We will continue to press the government of national unity to implement all parts of the Comprehensive Peace Agreement. We will work with the African Union and the UN to support a negotiated, peaceful solution to the Darfur crisis, underpinned by an effective peacekeeping force and unimpeded humanitarian access.