

**The United Nations Mission In Sudan****Date: 14 September 2005****Office of the Spokesperson****PRESS BRIEFING**

Good afternoon ladies and Gentlemen,

Abuja Talks

UNMIS will take part in the Abuja talks scheduled to start on 15 September with workshops on wealth-sharing and power-sharing. UNMIS senior leadership will join the talks once the substantive talks start.

Visit of the SG Special Advisor on Gender Issues and Advancement of Women

-The Secretary-General's Special Advisor on Gender issues and Advancement of Women, Ms. Rachel Mayanja, visited the Mission area in Sudan from 4 to 11 September. During her visit, she met with VP Salva Kiir and discussed with him the commitments of the Government of Sudan under the Being Platform and the Security Council Resolution 1325 (2000) and the urgent need to prevent sexual and gender-based violence against women in Darfur. In Juba, she met with the VP of the Government of Southern Sudan, Mr. Ryek Machar and in Rumbek with members of the Southern Sudan Constitutional Drafting Committee. The Special Advisor welcomed the efforts of the SPLM to introduce quotas to increase representation of women in decision making positions. In Juba, she met on 8 September with representatives of 15 women's groups. It was the first meeting where UNMIS was able to bring Southern Muslim and Christian women together. In Darfur, she visited IDP camps in North and South Darfur. She met also with senior Government officials, the African Union, civic and women organizations.

Military Update

-The deployment of military observers, protection force elements and enabling units is in progress and as of now, there are 371 military personnel in Khartoum, 730 in Juba, 14 in Wau, 22 in Malakal, 226 in Kadugli, 146 in Damazin, 57 in Abyei and 265 in Kassala. There are currently 2358 military personnel in total in the mission area including 145 military observers. 120 military personnel from India, will arrive to Wau next month.

-The CJMC met in Juba on 13 September and discussed a range of issues on its agenda, including the composition of the Area Joint Military Committees, Joint Intergraded Units' movements; release of prisoners, data of force strength of the parties, DDR, national monitors and demining. The decisions reached by the CJMC include: the Parties would provide the Joint Military Committee's Office with a Senior Liaison Officer and 3 staff officers for the JIU, Mines and DDR prior to the next CJMC meeting. The Parties also reaffirmed their intent to inform the UN Sector HQs of troop movement prior to it occurring; the ICRC will brief the

CJMC on the general status of their discussions with the Parties; the parties would take immediate steps to provide the correct data on their respective forces' strength; UNICEF would be invited to brief CJMC10/05, alongside the UN Child Protection Team, on their work to clarify how both Parties, alongside all groups who will eventually be aligned to either Party will work towards an 'end state' of achieving the Cape Town Principles on Child Soldiers. The parties agreed to provide five National Monitors for each UN sector before the next CJMC meeting, with sustenance provided by the respective parties, subject to the Government of National Unity providing funding for the national monitors.

Darfur/Security

Security concerns were prominent throughout the week in Darfur. As a result of the high incidence of increased banditry, particularly in South and West Darfur, humanitarian traffic along four main roads in Geneina is only safe to travel with AU military escorts. The UN has had to temporarily suspend activities in Silea and Jebel Moon due to reported intertribal fighting in the northern part of West Darfur. In the north-eastern part of South Darfur banditry, as well as fighting between reported SLA and militia near Feina , (*90 km north of Nyala*), has prompted the relocation of humanitarian staff. In North Darfur, armed men attacked Abujidal, 70 km north-east of Saraf Omra, on 8 September. Twelve villagers were reportedly killed. In South Darfur, 10 Sept., 13 armed men allegedly attacked Umm – Bagaya village, 2 km south of Sheria. One man was killed during the attack. In Tawilla, shooting between GoS police and unidentified armed gunmen on 9 September resulted in three dead and 17 wounded among the civilian population, and 11 GoS policemen wounded. Three international NGOs temporarily relocated to El Fasher as a precautionary measure.

Human Rights:

On 8 and 10 Sept., UNMIS Human Rights Officers were granted access to Kassala and Port Sudan prisons for general inspections of all areas. Port Sudan Prison holds 870 prisoners and Kassala Prison holds 500 prisoners. UNMIS is concerned about the possible execution of individuals who were under the age of 18 when they committed their crimes; the imprisonment of a political detainee in Port Sudan Prison; and poor living conditions. At Port Sudan Prison there are 129 prisoners who have been sentenced to death, confined by chains around their ankles and wrists. Port Sudan Prison officials said there is one political detainee (accused of being a member of JEM), in the custody of National Security, who has been in detention since Jan 2004. The sanitary conditions at both prisons were poor. Port Sudan Prison has no running water and in each prison the toilet facilities are inadequate. Port Sudan Prison has 10 poorly maintained toilets for the 500 prisoners in the main cell block. Kassala Prison has nine toilets for the entire prison population of 500. UNMIS was also informed that in Port Sudan Prison there is one man who was sentenced three years ago by a Darfurian court to amputation of the hand for armed robbery. The prison authorities stated, however, that this type of punishment has not been carried out for many years.

Humanitarian Offices established in Southern State capitals

The UN has increased its support for the government of Southern Sudan, its line ministries and the Sudan Relief and Rehabilitation Commission – or SRRC – through capacity building programmes including renovation of key buildings, provision of equipment. staff training and helping the SRRC set up offices in the 10 Southern state capitals.

UN Agencies unify Southern operations

On its part, the UN has also moved forward in unifying its Southern operations. All UN agencies operating in Southern Sudan—former Garrison towns and former SPLM areas – are now working together in one unified region. In the past, UN agencies operating in GoS areas reported to their headquarters in Khartoum while those operating in SPLM-held areas reported to Nairobi or Rumbek. In addition to unifying Southern Sudan operations and management structures in Rumbek and Juba, UN agencies, as well as NGOs, are continuing to significantly increase their presence throughout the South, supporting the establishment of the Government of Southern Sudan. The first UN Country Team meeting for the South was held in Juba on the 31 August and most agencies committed to consolidating operations in Juba by the end of October.

Darfur Humanitarian Profile

The most recent **Darfur Humanitarian Profile**, was released yesterday. With the hunger season nearing its peak, the total number of affected populations in Darfur continues to rise and currently stands at almost 3.4 million people. As of 1 August, resident populations constituted almost half of all affected people in Darfur. This steady increase in resident populations is due to four main factors: exhausted coping mechanisms of the local populations, seasonal conditions including drought in some areas, expanded humanitarian access to new areas, and increased operational capacity.

There are now over 13,500 (national and international) humanitarian workers from a mere 228 aid workers in April 2004.

Finally, I would like to draw you attention to a press release issued yesterday by WFP on the impact of jet-fuel shortages on its humanitarian deliveries to the South. I sent it to you electronically yesterday and we have hard copies of it the room. We have also a humanitarian update and the weekly health update from WHO.

Q & A

Q: In your briefing you touched some points about the prisoners you visited in Port Sudan. You did not mention also the places which I used to visit. And I really found a lot of prisoners in Gedharef maybe synonymous to those in Port Sudan and other places who are suffering from torture from the (*indiscernible*) after the death of John Garang. But I see there is no step taken at least to rescue the situation of these prisoners in the prisons. They are suffering from torture and there is nothing done to them. They are suffering from malnutrition. I don't know what kind of privileges have the United Nations taken towards their situation?

Spokesperson: The United Nations mandate is very clear in terms of monitoring human rights, investigating cases and reporting on them and also assisting the authorities in improving on the institutional legal framework that they have when it comes to issues related to human rights. Our human rights' mandate is spelled out in Resolution 1590, there is a specific reference to human rights. In that resolution you will see that our mandate is quite large. It is not restricted in any way, shape or form. We are monitoring, among other areas, the status of prisons and prisoners in Sudan.

I am not sure whether our Human Rights Section is working on that specific case you raised but I am sure that it will be considering all cases notified of them. Normally, the authorities are supposed to grant us access to prisons to visit detainees and so on so we can see and monitor the situation and draw our conclusions. I am not familiar with the case that you spoke about but I will follow up with the Human Rights Section.

Q: I have another question, this one concerning the police. The system of police now in Sudan has changed from its origins. Now the citizens fear the police more than the military. The system has changed – when citizens see the police they begin running away or throwing stones and all this. Before, the police were friends to the citizens because they follow the laws but now the police is used to beating people here and there. I do not know if there is any means where the United Nations military have something to do with at least to change the system of the police in the Sudan to its original place so that at least they can become friends with the citizens. This is because now they look like the military and even the military have become better than the police.

Spokesperson: I really don't know about that but I didn't see what you said – maybe because I am not around. But first I want to clarify that the United Nations military has got nothing to do with the police of Sudan – that is not their task. However, you do know that we have a component of United Nations Civilian Police and their overall number is 715. We don't have them all on the ground. But again when you look at our mandate as put forward in Resolution 1590, you will see that we have that component of United Nations Civilian Police with a number of tasks including assisting the GoS and also the GoSS in improving on its security institutions and particularly in promoting the rule of law, institutionally and legally. So far I know that our Civilian Police that is present currently is assisting the police of the GoS and the GoSS in terms of training and so on.

I know that UNDP has engaged in many programs at least in many locations –my colleague from the UNDP here can give you more details. They did lots of training programs and so on but by the end of the day, it doesn't matter how much training you give them but it is an issue for the senior leadership and authorities of this country and the higher institutions to make sure that the police behaves in a way that respects the rule of law; they have to introduce the concept of the rule of law in the security apparatus that they have; they have to train people in terms of human rights and how to deal with citizens and how to do their work in keeping with the principles of the rule of law and human rights and so on.

We can do as much as we can. First we are here to assist and to help and we started already doing this as UNMIS and other agencies and I cited UNDP are also helping. We can provide the parties with the advice required, we can give them expertise – and this is what we are here for. We do also report to the Security Council on how far the parties are advancing in implementing the requirements and the commitments they have in the Comprehensive Peace Agreement. That includes, among other things, the rule of law, promotion of human rights and so on. This is what we can do but ultimately the responsibility of upholding a disciplined police is for the parties to do. We can not force them to do it.

Q: In your briefing you mentioned that UNMIS is concerned about the prisons and the prisoners in Kassala and Port Sudan. What concerns exactly do you mean? Are you going to take care of the prisoners or you are going to repair the toilets which are in poor sanitary condition? And if you are going to take care of the prisoners of Kassala and Port Sudan, what about the other prisons in the Sudan?

Spokesperson: First I don't think this is a joking matter. This is a very serious matter and it is not an issue of toilets. I hope that people understand what it means when you have 500 prisoners in one location with ten toilets that are not even up to standard. So I hope that when questions are asked about these issues they are asked seriously – it is a serious issue.

The United Nations is not here to fix the toilets. The United Nations is here – and I deliberately spoke at length on our mandate in terms of monitoring human rights on purpose for people to understand why we are highlighting these issues - the Sudan as a State is signatory and party to most human rights agreements and whatever international law there is. But regardless of the fact that they are party or not party to these international instruments, the country of Sudan has to abide by international rules. In this specific case, we are talking about rules that are applicable to the management, the maintenance of prison and detention facilities. The United Nations is not here to fix these problems in terms of the facilities themselves but we are here to draw attention to the existing problems and to request the authorities to take measures and provide them with assistance.

We are concerned about the state of the facilities, that's one. We are concerned about the fact that some individuals are condemned to death sentences when they committed the crimes when they were under the age of 18. Please do your homework or ask me the question if you do not understand what we are talking about. There is an international agreement and that is the United Nations Convention on the Rights of the Child and the definition of a child according to that convention sets the age of a child from 0 up to 18. Any person who happens to be in that particular age is considered as a child and can not be dealt with from a legal or criminal point of view as an adult. That is one. Two; the United Nations in general does not condone death penalties – in general. That is our stand. Of course there is no international agreement *per se* that prevents any country from using or enforcing death penalties but the United Nations in general encourages moratoriums on death sentences. But when it comes to sentencing to death somebody who committed a crime in that category of age between 0 and 18 years or they are sentenced to death because they committed the crime when they were that old, it is something contrary to the United Nations Convention on the Rights of the Child.

These, sir, are the issues we are concerned about and it is up to the authorities of this country to do something about their own people because, after all a prisoner, no matter what he did, is to be treated in a way that keeps with his or her human dignity.

Q: What role has the UNMIS played in helping the GoS and the SPLM resolve the dispute or crisis coming up over ministerial positions, specifically the ministry of mining and energy? Being part of the wealth sharing, it is stipulated in the Comprehensive Peace Agreement and your mission here in Sudan is to safeguard this peace and to see to it that nothing shakes this peace agreement. And this morning in the newspapers, Salva Kiir, the President of the GoSS and the First Vice-president said he will never give up the energy and mining ministry whatever the case. And don't you think that this may lead to another war since the ruling National Congress party is not respecting the provisions of the Comprehensive Peace Agreement? What do you think about this?

Thank you very much.

Spokesperson: The role of the United Nations mission is not to safeguard the CPA. We try to help the parties doing it. We have an obligation of effort and not an obligation of result, which is the parties' obligation. If the parties are not the ones to uphold their agreement,

nobody can do it for them. And I remind everybody that we are here as a Chapter VI operation – that is the chapter of the United Nations Charter about peaceful resolution of conflict. We are not here as a peace-enforcing mission but we are here to assist the parties in implementing their agreement, that's one.

Two; as far as the issue relating to the fact that the two parties did not agree or have not agreed so far on that particular portfolio, the United Nations can not do much. What we can do is that we can remind them of the need to not let the process slip. Ask them to do everything they can to find a compromise, to find a solution and keep up with the actual momentum that we felt since the signing of the agreement itself and even after the aftermath of the death of late John Garang when the two parties gave us reason to believe that they were more resolved than ever to go ahead with the implementation of all the clauses of the Comprehensive Peace Agreement. So the role of the United Nations is to remind the parties of their obligations, ask them to resolve their differences as swiftly as possible and to make sure that delays are as short as possible. We keep telling them that there is still a lot to do and we did not even start the most difficult parts yet. We are still talking about putting institutions together but at some point, these institutions will have to implement on the ground the peace agreement in its substance.

The other thing that we do is to monitor the status of the implementation of the peace agreement by the parties and we do report to the Security Council on what has been achieved, what has not been achieved, why it was not achieved and it is up to the Security Council to address the Parties in whatever way it wishes. So this is our job.

Hopefully, the parties will overcome this difficulty and hopefully the government of national unity that has been postponed for quite a while now would be announced soon. And that is our appeal to them just to get over this and proceed ahead with what is still to be implemented and they know more than I do that the challenges ahead are quite numerous.

Q: The question we are talking about is that of course the Comprehensive Peace Agreement was very clear and a timeframe was also set and United Nations, the IGAD and others are partners in the peace process. And now when the two combatants – that is the GoS (or the National Congress) and the SPLM – do not agree, definitely those partners in the peace process can come and tell them, “what is happening? Why don't you follow your deadlines? You have had so many promises – many promises have been changed from time to time and people are waiting to see what is going on.” The people are not informed; the people are staying in a dilemma and the United Nations and the IGAD have lately been quite. So we don't know what is happening. This situation needs to be addressed. What is the role of the United Nations? Have you talked to the GoS or the SPLM and told them: hey you guys we have to keep going – things are not going well?

Spokesperson: I don't know – I mean, I answered that question about what is the role of the United Nations. The United Nations, as I said, is not here to force the implementation of the Agreement. I mean we can not find a solution for them. We can not distribute portfolios. We do not do that and we can not do that. That is not our role.

It is up to the Parties ultimately to take the necessary responsibilities and to provide on the commitments they took before their people. As for information, I think that the first people I think you should address your problem to are the Parties. They are the ones who are supposed to inform you on what is it they are doing to implement a Comprehensive Peace Agreement

The Comprehensive Peace Agreement itself actually puts the responsibility for information on the shoulders of the Parties primarily and, more-or-less, exclusively. We can give you information as we view it, as we see it. I can not tell you why they can not find solutions to their problems. I don't know why. There are things that they tell us, things they don't tell us. We talk to them, yes, we remind them that they should perform the way their people expect them to and if they have problems they should explain it, if they need assistance they should ask for it, and so on. This is what we can do for the Parties but, again, we can not find the solutions for them. That is for them. For you as a citizen, if you want information, ask for it from the Parties primarily. We are not here to substitute for the parties. We do what we can but the Comprehensive Peace Agreement is there, our mandate is clear and please review those, but the United Nations can not be expected to do the job instead of the Parties.

Q: I just want some clarification about this humanitarian profile especially here in page 5. I don't understand that they are talking about longer term development strategies and at the same time people can not cultivate and I don't know – how can you combine these long-term development plans while the people are not able to cultivate their land and the next several months they will be dependent on aid?

Spokesperson: I did not read that particular passage but it has been in the thinking of the United Nations humanitarian community and the United Nations as a whole. We are trying to think ahead and we put some projects together to try to get prepared for the long-term needs in terms of development in Darfur for instance among other areas in Sudan. We are hoping that the situation in Darfur is not going to be what it is for the long-term, so among the solutions to the problems of Darfur would be to provide for means for sustainable development. Yes you are right – one of the problems that we are highlighting is the fact that people can not exploit the land and can not cultivate but that is mainly due to the the security situation.

So, again, I did not read that particular paragraph but I am just telling you the line of thinking that we have. The fact that we have a crisis, the fact that we currently have people who will not be able to settle and to cultivate their land does not mean that we do not provide for planning for longer-term development projects and one of our priorities is to try as much as we can to switch from relief to development and that is not only in Darfur, that is all over Sudan.

For further details, please follow-up with my colleague from OCHA to give you more insight about that particular issue, My colleague Dawn from OCHA is sitting right there, please follow up with her.

Q: The other question is that since the talks about the IDPs (*indiscernible*). But if that is the case, then any talk about the IDPs ever returning to their places will be a big problem unless we are going to repeat what the Israeli government did in Gaza.

Spokesperson: I don't know about the comparison you're making but the fact is we do know that many people who try to return to their home villages found out that other people are occupying their lands and their areas – that is a fact, regardless of who denies it or whatever. Two; we highlighted it many times the issue. And if you remember, Alula, - you have been with us in many briefings and press conference – one of the issues that Mr. Pronk highlighted and stressed and was a recurrent theme in his discussions particular with the authorities in Darfur and with the GoS is that once people flee an area, the government and the authorities

are to make sure that these areas are not occupied by somebody else. Because some attacks just aim to empty the area for some people to take over – that we know. There are some other attacks where people flee and some other people, not because they are driven by an agenda of land occupation, they find the land and settle in it and that is not right and that is something that should not be allowed to happen. And we sensitized the government to this risk. Assuming that there is good faith and people leave and other people come and occupy their land just because they happen to find the land or the houses empty, we said that will be a problem because you have to make sure - find arrangements, use the African Union for instance– but try to find a way to make sure that these areas are not being occupied by other people because if you don't you might have to face other conflicts over land issues.

Again, that is an issue to be sorted out by the authorities; we know that the problem exists; we keep sensitizing the government and reminding them of their obligations and they have to take the responsibilities because we would like for this problem of Darfur to be settled, And whatever can be settled, it has to be settled in a way that is not conducive to other problems in the future. But this is what we can do.

Q: I would like to ask about the negotiations between the government and the rebels of eastern Sudan. Last time you said that these negotiations will begin in the middle of this month. When the negotiations will start.

Spokesperson: That's for the parties to decide. I don't say this often but please take note carefully of what I am going to say about this issue of the Eastern Front. I will address your question first and then I will give you the whole background. What is happening is the following: Mr. Taye Zerihoun went to Asmara last week and he met with the senior leadership of the Beja Congress and the Free Lions which form together what they call the 'Eastern Front'. And that was to follow up on the discussions we held before with the Eastern Front and also with the GoS on holding a preliminary meeting to discuss holding talks. It is a little bit complicated but I will explain a bit later. You spoke about 15th September as a date for the preliminary talks that I was talking about. That was an initial proposal. However, you know how it goes with many processes over here - by the time people come back to you with their reaction it is too late, there is a short time left and you can not organize the talks. That is the only problem – there is nothing more, nothing less. What is important to us is that the two parties made statements to us and even publicly that they are willing to hold these bilateral talks with the presence of the United Nations at their preliminary stage.

Why am I emphasizing all of this? Because there is a lot of confusion that I see in the newspapers about what it is that we do. I even read quite an interesting article saying that Pronk was in Asmara and that the United Nations is relinquishing its mediation. Again I reiterate my appeal to you, please when write your reports, ask first before you put this in print because that confuses your public opinion more than anything else.

Let me backtrack on the United Nations role in this issue of talks between the Eastern Front and the GoS. First of all, you know, if you read Resolution 1590 carefully, we have a mandate to use of good offices at the request of the Parties. If the Parties ask us to use our political good offices, we are ready to provide them with it. And in the case of eastern Sudan and the GoS, they asked us to use our good offices to be a kind of link between the two who, at the time, were not willing to talk to each other eye to eye and wanted the United Nations to be the link between the two to arrange for talks about the talks. So the meeting that is going to take place, hopefully soon – hopefully beginning of October – between the two, is one that

will consider procedures for holding substantive talks, an agenda for the talks, a mediator for the talks and issues of this nature. So please do understand what we are doing. We are not talking substance with the parties at all. The substance of what is their problem with each other is not what we are talking with them about. What we are talking with the Parties about is: are you willing to meet with the government, yes or no. Are you willing to talk with the Eastern Front, yes or no? Both said yes. Where and when do you think this meeting should take place? Now we are waiting for them to come back to us with their idea on where and when and who should be the mediator for their substantive talks. So once the Eastern Front gives us its answer we will give it to the government who will react to the Eastern Front proposals. Once we have an understanding between the two then we would proceed with that preliminary meeting which is going to be talks about talks. The mediation is not established yet and it is up to the parties to decide later on who will be the mediator of the substantive talks.

I am sorry to be lengthy on this but there are too many confusions and I want our role to be clearly understood. I give you the example of Dr. Salim Ahmed Salim for instance. He is a mediator because he talks to the Parties about the substance of their problems – I mean the problems of Darfur, the power and wealth sharing and so on. We do not talk to the Eastern Front about their problems. Yes they inform us about them but that is another story. But as far building bridges between them and the government, it has nothing to do with the the substance of their problems, they have to sit together and set the agenda of what is it they want to talk about and they will have to decide who will be the mediator.

So far the United Nations does not intend to be the mediator for the substantive talks. I hope that clarifies everything for you. And I hope that if you are going to be reporting on this tomorrow, I see the straight story on the newspapers.

Q: The mandate of the United Nations is clear which is to monitor the Comprehensive Peace Agreement in the Sudan and to report it to the Security Council. This is what we understand it in the Sudan according to what you said now.

My question is, now it is almost two weeks that the government and the SPLM are pulling a rope on the ministry of industry and mining. When will you report this to the Security Council so that the Security Council takes an action on what is to be done because the two Parties are delaying the implementation of the Comprehensive Peace Agreement?

Spokesperson: Again I go back to Resolution 1590. We have to report to the Security Council on the implementation of our mandate as set forth in Resolution 1590 every three months starting from the day of issuance of Resolution 1590 and that is 24 March 2004. Our mandate actually has to be renewed shortly by the Security Council on the 24th of this month. You know that we have been established only for six months and it has to be renewed. As for the report and when we are going to be reporting on all of this to the Security Council, as I told you, our report is supposed to be considered and submitted to the Security Council on the 23rd of this month I think. I will come back to you on the exact date on when the Council will be considering the report. The report has been finalized and, to my knowledge, the report is going to be released to Security Council members shortly and is going to be released to the media after its release to the member-states and Mr. Pronk is the one who will be presenting the report to the Security Council in New York.

Hopefully, by that time our update to the Council would be that the government of national unity has been formed and announced – hopefully.

Any other questions?

So I will see you next week.