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## Office of the Spokesperson

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### PRESS CONFERENCE

*Below is a near verbatim transcript of the press conference by Dr. Sima Samar, the Special Rapporteur for Human Rights in Sudan, held on 17<sup>th</sup> August 2006 at the UNMIS Press Briefing Room, Ramsis Building.*

**Spokesperson Radhia:** Thank you very much for coming, ladies and gentlemen.

On my right side is the United Nations Special Rapporteur for Human Rights to Sudan Dr. Sima Samar. It is not her first visit here to Sudan. She came here twice earlier and will be briefing you today on her activities in Sudan within her mandate.

So without any further ado, I give the floor to Dr. Samar. Dr. Samar, you are welcome.

**Dr. Sima Samar:** Good afternoon everybody, I think I know some of you already and you know me. Thank you for coming here.

As she already mentioned, this is my third visit to Sudan since my appointment as Special Rapporteur. During this visit, in addition to meetings in Khartoum I also traveled to North and West Darfur to assess the human rights situation. A full report of my findings and recommendations will be presented to the UN Human Rights Council in September and to the UN General Assembly in October 2006.

I would like to take this opportunity to brief you on my findings.

I was informed by the Government of Sudan that a number of positive developments have taken place since my last visit to the country in March 2006. They cited the signing of the Darfur Peace Agreement on 5 May, the release of several political prisoners held in connection with conflict and the drafting of a disarmament plan for the implementation of the DPA. The Unit to combat violence against women has made efforts to address the consequences of rape in Darfur through better medical and social care. There are two of them at least in North Darfur and in South Darfur it has been established but the one in West Darfur is not functional due to some technical problem. I was informed about one case of rape, committed by a police officer, which was successfully prosecuted in West Darfur in

May 2006. The Khartoum Criminal Court dismissed charges against 99 of the 137 people detained in relation to the Soba Aradi incident of 18 May 2005 due to lack of evidence. It also dismissed charges against students and individuals who were arrested during the anti-DPA demonstrations in mid-May on submission of no case to answer.

I asked about law reform related to the democratic transition and the CPA. I was informed that to date nothing has changed. Legislation which is in violation of the Interim National Constitution and international human rights standards is still in place. The April to July session of parliament made no progress regarding reform of important laws including the Criminal Act, the Criminal procedure Act, the National Security act, the Armed forces act, the Press and Publications act, the Police forces act and the National Human Rights Commission bill. I was informed that some bills are being prepared for the next session of parliament however there has only been limited consultation with civil society. I call on the Government to ensure that all bills are presented to the National Constitutional Review commission and to hold consultations with civil society without delay. I welcome the dialogue which has already started with civil society in regards to the establishment of the National Human Rights Commission and encourage the Government to continue the process.

After meetings in Khartoum I visited North and West Darfur and was extremely disturbed by the critical human rights situation in the region and the signs that there will be a further deterioration in the coming months if action is not taken to protect civilians from attacks and end the conflict through peaceful means.

Despite the ceasefire provisions there has been an upsurge in violence in the region resulting in killings of civilians, rape, and displacement. I was told about recent attacks on civilians, in their villages, around IDP camps and when they go to cultivate their land. The seasonal migration of nomadic tribes has added to the already significant presence of militant and other armed elements around farming communities and IDP camps; and tensions along the border with Chad continues to destabilize areas of West Darfur. I heard from internally displaced persons (IDPs) in North and West Darfur about the high insecurity within and outside the camps. These security concerns have not resulted in action by the local authorities.

There is a clear failure to differentiate between combatants and the civilian population during clashes. Additionally, civilians from tribes viewed as supporting the opposition or opposing the DPA are being targeted by the different factions.

The continued fighting and violence severely undercuts any prospects of peace in Darfur. The peace agreement has not yet delivered peace and relevant parties to the conflict refuse to accept it. Provision of security and respect for human rights and fundamental freedoms need to be ensured. It is essential that there be immediate disarmament of the militia and compliance with the ceasefire agreement by all armed groups.

As a result of the unrest in North Darfur, during last July thousands of IDPs sought refuge in the camps for the displaced located north of Al Fasher, reporting indiscriminate killings, rape and abduction from their villages.

As the security situation deteriorates in Darfur and the population become increasingly vulnerable I am concerned that the Government is not taking the necessary action to facilitate the delivery of humanitarian assistance to the effected communities. Many civilians cannot be

reached by humanitarian organizations due to the fighting or limitations which have been imposed by the authorities on the delivery of assistance imposing heavy bureaucratic requirements and additional costs and delays, similarly restrictions have also been placed on civil society working on protection.

Moreover, there is not only a lack of prevention and protection but also lack of justice for the crimes that are committed whether it is killing of civilians, rape, looting or destruction of property. Where impunity is allowed to prevail, protection will remain elusive. Sudanese efforts at establishing accountability and ensuring justice and reparation for the victims and survivors of the conflict have so far proved inadequate.

I call on the Government of national unity to fulfill its obligations and immediately take action to protect and prevent attacks against civilians, urgently disarm the militia and strengthen the criminal justice system in Darfur and provide the resources it requires to investigate and prosecute those responsible for human rights violations.

I call on the Government and all armed movements in Darfur to respect international law and in particular the distinction between military and civilians.

The international community should fulfill its pledges to the AU so that they have the necessary resources to provide some protection to the people in Darfur and especially women.

Finally, I would also like to express my serious concern about recent forced relocations and human rights violations connected to these incidents.

Yesterday in the early morning, without prior notice, the demolition of houses in Dar essalaam squatter camp in Al Jazeera state commenced using heavily armed police officers, Special Forces and tanks. The camp of 12 thousand residents had expressed concerns regarding the relocation site due to toxic waste from factories surrounding the area and entered into an agreement with the authorities which was broken. Some members of the resident committee were arrested and there are reports of a number of deaths including children and injuries. I call on the authorities to immediately halt the forced relocation and allow access to the area so services can be provided to the population.

I am also concerned about the relocation issues related to the Merowe Dam project affecting some 50 thousand people. Allegations have been received that flooding of the area started to force people to relocate and services are not being provided.

Finally, I would like to thank the Sudanese government for providing the possibility and hospitality for me to be able to visit the work in Sudan and also UNMIS for facilitating my trip in the country.

**Spokesperson:** Thank you very much Dr. Samar.

There are lots of documentation that we have in the back of the room. A brief biography of Dr. Samar, relevant information on our work and also a press release that is issued today by the United Nations in Sudan regarding what is happening in Sudan.

Without further ado, I open the floor for questions.

## Q & A

**Q:** There have been reports that UNMIS Human Rights staff in Darfur has uncovered some evidence of mass graves in Darfur? I haven't seen anything being made public about these findings. Is there any evidence of mass graves that your people have found in Darfur and if so, could you give us more detail of them?

**Dr. Samar:** I haven't seen myself. We were not able to travel so I can not confirm it. Maybe UNMIS will release a statement as soon as it gets more accurate information.

**Q:** But your people have seen it on the ground? The UNMIS staff on the ground, have you talked to them? Have they seen such evidence?

**Dr. Samar:** Yes, we were with them in West Darfur.

**Q:** And they have confirmed there was evidence of mass graves? Are there mass graves? Have your people on the ground seen them?

**Dr. Samar:** To be honest, we didn't discuss the issue because we saw most of the government people and civil society and the people from the camps but nobody raised the issue.

**Q:** You mentioned lack of justice. Could you give us more details? What do you think about the performance of the special courts formed to try crimes committed in Darfur?

**Dr. Samar:** We were in the North Darfur and I did ask about this special court of North Darfur. They said that there were only a few cases – about six or seven. But in West Darfur, they said they did not have any cases or nobody was convicted because of the problem in Darfur or the crimes committed in Darfur.

**Q:** Do you think that any effort is being made with those courts to convict people? Have you seen any improvement; have you seen any effort with respect to those special courts?

**Dr. Samar:** To be honest, no.

**Q:** You said that the authorities have released political prisoners. Have you personally confirmed that the prisons are empty?

**Dr. Samar:** They gave us the list of 13 people released in connection to the Darfur problem. And they gave us the number of the other people who were connected with the Soba Aradhi riots after John Garang died, you all know about it. [*indiscernible – could be citing a figure*] more have been released. It doesn't mean that the prisons are empty.

And unfortunately, I have to mention that the UNMIS Human Rights office does not have access to the prisons since April this year. And we would like the interior ministry to give the UNMIS human rights offices access to the detention centres and the prisoners because when I have to report to the Human Rights Council and also to the General Assembly, I have to report about the human rights situation in Sudan generally. So I don't have information about those people who are in detention centres or in the prisons.

**Q:** Just a follow-up question on a question asked but which you did not answer. You talk about the courts in Darfur and say it is not delivering, or is lacking, justice. Could you elaborate?

**Dr. Samar:** I didn't say that the court in Darfur is lacking justice. I said; practically there is no improvement in justice or the special criminal court in Darfur is not really bringing in more people in justice. There is a court in Darfur which is carrying out its daily work; they are not only working in the special courts in Darfur. We saw the head of the special court in Darfur in my first visit in October and they gave us a list and I shared it with you then.

**Q:** Recently the US Congress has been bringing up the case of slavery in Sudan. The government has a Committee for the Eradication of Abduction of Women and Children which is not working at the moment. Could you tell us more; ss there slavery in Sudan under International and Humanitarian Law; what is being done about CEWAC and or to support CEWAC in combating it?

**Dr. Samar:** It was a very short visit this time and most of the time we spent in Darfur. We all know about the CEWAC and I saw Dr. Attia who is working on the commission combating violence against women which I mentioned to you that it had started to do some work in North and also in South Darfur but it is not very functional in West Darfur because, according to her, of their human resources.

**Q:** Is that on abductions or is that ...

**Dr. Samar:** They do take care of abductions also.

**Q:** So there are still abductions going on?

**Dr. Samar:** But she didn't mention that abduction is going on.

There was some abduction during the war, yes ... the recent clashes.

**Q:** My question could be a little bit special. You have just made a kind of an appeal to the government of Sudan to collaborate with your human rights offices to improve the human rights situation in Sudan. What practical plans do you have to see to it that the government in Sudan will collaborate to improve the human rights situation in Sudan?

What do you think the government will do in your absence to make sure that it implements your appeal and collaborate to improve the human rights situation in Sudan?

**Dr. Samar:** My job is not a permanent job in Sudan and what I can do is only to ask. I think the United Nations presence in Sudan could be more involved with the government of Sudan in order to bring in some positive changes.

Finally I would like to call upon all the warring factions in Darfur to really think about the suffering of the IDPs in the camps. They are really in a very bad situation and their human rights are being violated every day.

**Spokesperson:** Thank you very much everybody for coming and hopefully we will see you next Wednesday.

On behalf of all of you, I would like to thank Dr. Samar for coming here and for giving you an overview of her activities and her findings so far. Thank you very much.