9 November: The joint African Union-United Nations Mission in Darfur (UNAMID) called on the Sudan Liberation Army/Abdul Wahid to stop impeding its work. On 4 November, armed elements from the rebel group surrounded a UN helicopter landing at Deribat, South Darfur, and prevented it from taking off for three hours.

12 November: UNICEF called on donors to increase assistance to prevent food shortages in Southern Sudan, including in Jonglei and Upper Nile states, due to poor rains and insecurity, from escalating into a deeper crisis.

17 November: The Security Council encouraged UN missions in the Democratic Republic of Congo, Central African Republic and Sudan to coordinate strategies to protect civilians from the rebel Ugandan Lord’s Resistance Army (LRA), which had killed, kidnapped and displaced thousands of people.

18 November: UN-backed peace talks resumed in Doha, Qatar, with the participation of Darfurian civil society organizations, including women’s and youth groups.

18 November: Sudan tightened security in Khartoum ahead of the crucial football match between Algeria and Egypt for the 2010 World Cup qualifications. Khartoum State reportedly deployed some 15,000 police officers in the capital’s streets to prevent escalation of hostilities between the thousands of Algerian and Egyptian fans. Algeria defeated Egypt 1-0.

22 November: While commending the Sudan People’s Liberation Army for signing an action plan to discharge children from its ranks, UN Special Representative for Children and Armed Conflict Radhika Coomaraswamy warned of the threat posed to children by various armed militia operating in the country, including the Justice and Equality Movement and Sudan Liberation Army factions.

25 November: Over 300 ex-combatants participated in a three-day demobilization and reintegration scheme in El Fasher, North Darfur. The exercise, organized by the Sudanese government and UNAMID, was expected to move on to West and South Darfur, targeting a total of 5,000 former combatants.

2 December: Secretary-General Ban Ki-moon named veteran Nigerian diplomat Ibrahim Gambari, who had recently served as his top envoy to Myanmar, as the new Joint Special Representative of UNAMID, effective 1 January 2010.

2 December: On the eve of the commemoration of the International Day of Persons with Disabilities, a delegation representing disability organizations in Sudan held discussions for the first time with election authorities in Khartoum, outlining specific problems that could inhibit the effective participation of persons with disabilities in 2010 elections.

3 December: Appointed new governor of Upper Nile State through a presidential decree on 14 November, National Congress Party (NCP) member William Othwon Awer of the Shiluk tribe arrived in Malakal, replacing former Governor Gatluak Deng Garang.

7 December: Voter registration, which began 1 November and had been extended by the National Elections Commission for seven days, concluded after registering more than 15 million people, over 75 per cent of the estimated voting-age population.

7 December: Police arrested Sudan Peoples’ Liberation Movement (SPLM) Secretary-General Pagan Amun, his deputy Yassir Arman and other members of the opposition and civil society at a demonstration that had been declared illegal by the government the night before. The SPLM members were released later the same day, while angry protesters burned the NCP office in Wau, Southern Sudan. Special Representative of the Secretary-General Ashraf Qazi expressed his concern over the incident and urged the two parties to the Comprehensive Peace Agreement to bring about a conducive political environment.

8 December: A two-day workshop focusing on a joint framework for the elimination of violence against women kicked off in Khartoum. The activity was organized by the Unit of Elimination of Violence against Women at the Ministry of Justice and UNMIS Human Rights as part of the 16 Days of Activism against Gender Violence.
Government of Southern Sudan (GoSS) President Salva Kiir Mayardit struck a solemn note on the day he introduced the newly appointed Southern Sudan Human Rights Commission (SSHRC) more than three years ago.

“We in the government are seriously committed to upholding and respecting human rights,” said the GoSS leader, who also serves as First Vice-President of Sudan, speaking in the regional capital of Juba on 27 June 2006. “(The commission) is not only a testament to our commitment but also a catalyst for change, a vehicle for promoting a culture of human rights.”

The five-member panel acquired new powers with the enactment of the 2009 Southern Sudan Human Rights Commission Act last February, and its 60 full-time staff members have established a physical presence in seven of the 10 states in Southern Sudan.

But respect for human rights in the region leaves much to be desired. A Human Rights Watch report issued in February 2009 decried what it called an “environment of impunity” that has allowed some murders of civilians by members of Southern Sudanese security forces to go unpunished.

And as the bloodiest year in Southern Sudan since the signing of the 2005 Comprehensive Peace Agreement (CPA) comes to a close, the commission will come under renewed pressure in 2010 to fulfill the pledge made by GoSS President Kiir on the day of its unveiling.

The legislation he signed into law 10 months ago authorizes the SSHRC to monitor the application and enforcement of the rights and freedoms enshrined in the 2005 Interim Constitution of Southern Sudan, investigate complaints about the violation of human rights, advise government bodies on issues relating to human rights and promote awareness among citizens about their rights and obligations.

The commission has inspected prison conditions, conducted a number of public seminars about Southern Sudan’s legal system and monitored the recently concluded voter registration campaign.

But not all complaints filed with the body have constituted serious violations of human rights worthy of in-depth investigation.

Though the 2009 legislation endows the body with expanded investigative powers to summon witnesses and require the production of evidence, the commission in a number of instances has been unable to compel suspected perpetrators to appear before its members and address the charges facing them.

“Some complaints were outside our mandate and were referred to appropriate bodies for action,” said SSHRC Executive Director Victor Lado Ceasar. “But [in the case of] complaints with clear human rights violations, the commission has no legal basis on which to summon the (accused) to answer or provide necessary information in relation to such allegations.”

A leading independent human rights activist acknowledged that important strides have been made in Southern Sudan since the signing of the CPA.

“The GoSS has made significant progress in the (creation) of rule-of-law institutions and the reconstruction of a society ravaged by a long civil war,” said Christopher Taban, chairman of the Southern Sudan Civil Society Forum on Human Rights.

But he also warned that a failure to make present and former members of Southern Sudanese security forces accountable for proven human rights abuses could undermine the credibility of existing government institutions like the SSHRC.

“Some soldiers and former soldiers often view themselves as ‘liberators’ of the south (who are) above the law, and this has resulted in a lot of crimes that are committed against civilians by those security forces,” said Mr. Taban, who works for the non-governmental organization Generation Agency for Development and Transformation.

“Such cases are rarely prosecuted, even when government bodies investigate human rights violations by soldiers.”

The SSHRC is planning to open new branch offices in the states of Lakes and Northern Bahr El-Ghazal in the coming weeks.

But the panel has encountered stout opposition in Warrap state, where local officials founded their own human rights commission in 2008.

Governor Tor Deng Mawlen has defended this action on the grounds that the state constitution authorizes the creation of such a body that reports directly to his office.

An SSHRC human rights officer assigned to neighboring Western Bahr El-Ghazal state rejected the governor’s view.

“States have no right to establish their own commission,” said Made Julius Mariano, citing the 2006 presidential decree that installed the SSHRC as the sole entity legally empowered to uphold, protect and promote human rights in Southern Sudan.

Ojja Bosco and Hailemichael Gebrekristos
Photos: UNMIS/ Felix Waya Leju
Acting against violence

Facing up to the problem of violence against women is a major issue for Sudanese society, which is characterized by traditional practices that often lead to abuses of power and discrimination. "There is violence in every community, even economic violence," said Dr. Attitat Mustafa, head of the Ministry of Justice-created Unit for Combating Violence Against Women and Children.

Speaking from her Khartoum office about women’s physical, emotional and financial vulnerability, the ministry official said the two-year plan would target legislation, health, social protection, media and police. The action plan, developed by Dr. Mustafa’s unit together with civil society organizations, women, religious leaders and the United Nations, was being discussed by the Ministry of Justice as In Sudan went to print.

Besides informing community, police and decision-makers about women’s rights, legal reform was needed and laws must be harmonized with the constitution, experts noted. Prosecution of sexual violence, for instance, was greatly hindered by the obscure legal definition of rape.

“The Criminal Act, which is the base for securing justice, does not include a clear definition of rape and other types of sexual crime,” said UNMIS Judicial Affairs Officer Eman Naser.

Dr. Mustafa noted that her justice ministry unit had made recommendations to amend the 1991 Criminal Act, which was problematic as it directly linked rape to adultery and sodomy.

Under the law, adultery required a complicated evidentiary procedure, including four eyewitnesses, with the burden of proof falling on survivors. Thus, rape survivors rarely reported the act to police or opened criminal suits, mainly due to social stigmas as well as fear of punishment.

Another obstacle was that “domestic violence does not appear anywhere (in the laws) directly,” pointed out Sudanese Women’s General Union Advocacy Secretary Umsalama Mohammed.

Although people were aware of domestic violence, Ms. Naser said, they were uncertain how to deal with it. “Whenever … a brother is mistreating his sisters, they just say he is the man, he can do it.”

“Some think it’s tradition for men to take all,” Dr. Mustafa remarked.

The Sudanese Interim Constitution and the Comprehensive Peace Agreement both granted rights and protection to women, but women were not fully aware of those benefits, advocacy secretary Ms. Mohammed noted at the 22 November launch of “16 Days of Activism against Gender Violence" in Al Inqaz area, south of Khartoum.

Addressing the gathering of mostly women, children and village representatives, Ms. Mohammed spoke about Islam and the Quran protecting women’s rights, emphasizing the role of advocacy.

“We have to empower women to take their lives in their own hands,” Chief of UNMIS Human Rights Benedict Sannoh said at the ceremony.

Reinforcing the elimination of violence against women as a human rights concern, the 16 Days of Activism run from 25 November, the International Day for the Elimination of Violence against Women, to International Human Rights Day on 10 December.

Story and photos by Eszter Farkas

Sudan’s first FGM ban

Encircled by dozens of young villagers, a group of men were dancing under a tree to celebrate a recent campaign for women’s empowerment in Kadugli, Southern Kordofan State.

Members of both Nuba and Arab tribes were concluding a day of workshops on early marriage and female genital mutilation (FGM). A year ago, Southern Kordofan became the only state in Sudan to pass a bill banning the practice.

The joint initiative of local non-profit organizations Nuba Mountains International Association for Development (NMIAD) and Oxfam Canada mainly aimed to raise awareness of FGM’s health implications and the outlawing of its use.

“The campaign has involved local leaders, both Muslim and Christian religious leaders, youth leaders and 15 Hakamas (female singers who previously accompanied armed groups into battle),” said NMIAD Program Officer Kamis Nimeri.

“FGM is very problematic for women especially during pregnancy and childbirth and it involves a higher risk of HIV/AIDS and other diseases,” noted another NMIAD staff member, Sumaiya Kafak.

The effort is supported by several imams currently speaking about the harmful practice and HIV/AIDS in the mosque. “Maybe after two to three years people’s thinking will change,” said Mr. Nimeri.

Although the anti-FGM law had not been enforced yet, several trainings had been conducted to advocate it, in collaboration with UNMIS Gender and facilitated by religious leaders, noted UN Population Fund (UNFPA) team leader Dr. Maria Briar from her Kadugli office.

Workshops have been organized for police and legal officers, some from areas in Southern Kordofan largely populated by communities highly involved in practising FGM.

To ensure the non-practice of FGM and any surgically related procedure, an oath has also been introduced by the Reproductive Health National Directorate of the Federal Ministry of Health. Taking the oath was required for health professionals, including midwives, whose licenses could be suspended if they continued the practice.
Releasing the children

The Special Representative of the UN Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy, recently completed a nine-day tour of Sudan. Marking Ms. Coomaraswamy’s second visit to the country since she was appointed to the post in April 2006, the Special Representative’s travels took her to Juba, Yambio and Bor as well as the strife-torn region of Darfur. A US-educated lawyer who formerly chaired the Sri Lanka Human Rights Commission, Ms. Coomaraswamy spoke to in Sudan as she completed the Southern Sudan leg of her trip.

In Sudan: Can you briefly tell us about the purpose of your visit to Sudan and the key discussions you have held with different parties?

Radhika Coomaraswamy: The purpose of my visit was to have a first-hand assessment of what is going on and to interpret progress made according to UN Security Council resolutions. I had discussions with government officials and non-state actors.

My discussions mainly centered around the concerns of the Security Council about the recruitment and use of child soldiers, rape, sexual violence, killing and maiming of children, targeting of humanitarian workers, the denial of humanitarian access, and protection of children in the recent inter-tribal conflicts in Southern Sudan.

What in your view is the most serious violation of children’s rights in Sudan?

From our perspective, it is the recruitment and use of children as child soldiers. Practically every armed group in Sudan recruits and uses children as young as 10 years old.

One of my main tasks has been to try and get these groups to work with the UN to release the children and reintegrate them back into community. We are beginning to turn the corner, at least in Southern Sudan.

What discussions have you had on the recruitment and use of child soldiers in Sudan?

There is still a large number of children associated with armed groups. When we met children (who had been abducted by members of the Lord’s Resistance Army), we could see that the light had been completely erased from their eyes after years of abuse.

We also met with children who had come to the camps of the Sudan People’s Liberation Army (SPLA), mainly because many of them were orphans and the SPLA was the only form of refuge. What this really tells all of us in the aid and development world is that we need to come up with reintegration programmes for these children. That is the real challenge of the hour.

What is your comment on reports of rape and other forms of violence against children, especially girls, in Sudan?

Rape and sexual violence is the second biggest issue in terms of our mandate, but it is very difficult to assess this because of the stigma associated with rape. When rape takes place, it is very hard to get details because victims don’t come out.

What is positive is that during my last visit you couldn’t even talk about it, but now I see people are beginning to talk. And even laws and institutions are being set up to deal with rape.

What are you doing to address the long-standing problem of child abduction in Southern Sudan, especially in Jonglei state?

Over 370 children have been abducted in the last few months alone. UNICEF will be conducting a study on the causes of these abductions.

We talked to Governor Kuol Manyang of Jonglei State on this issue, and we now have the commitment of the governor and his cabinet ministers to come up with the means to end the practice.

Did you receive any other commitments during your trip?

The main commitment is with the SPLA, which signed an action plan on 20 November. It calls for the release of children, the verification of that release by United Nations agencies and the reintegration of the children.

Another significant commitment is with religious leaders in Darfur, who have agreed to use 900 mosques to speak out against the recruitment and use of child soldiers as a way of raising awareness among the community.

What is your message to the Government of Sudan?

First, it should enter into an action plan to release children from the Sudan Armed Forces. Second, it has begun very important conversations about protecting women and children. Now it needs to implement a lot of the laws and standards that it has accepted, including the International Convention on the Rights of the Child.

What message from this visit will you be taking back to the Security Council?

Since (my last visit in) 2007, there have been positive changes, but some major challenges exist. First is the need for concerted international and donor activity to raise funds and resources for the reintegration of children associated with armed groups as well as children affected by war such as orphans and others.

Second, there is a real need to have large-scale donor funding coming to that area. If action plans are going to be implemented we would need much, much more in both resources and programmes.
Freedom to express

Considered vital as country-wide elections loom in 2010, Sudan’s new Press and Publication Bill passed into law after a month of heated debate earlier this year.

While the bill was hailed by some as an improvement over its initial draft, others felt the document did little to further freedom of expression in the press.

According to Faisal Elbagir, General Coordinator of the group Journalists for Human Rights, the law was “very disappointing to journalists”, as it failed to meet international standards.

“This press law gives (the Press Council) great powers to suspend newspapers, even to cancel their licenses without judicial rule,” said Mr. Elbagir, who also serves as programme coordinator at the Khartoum Centre for Human Rights and Environmental Development.

Press Council Deputy Chairperson Abednego Akok, however, insisted the law met requirements for freedom of expression in the Bill of Rights of the country’s interim constitution. “There are no restrictions against freedom of expression (in the law) … press freedom is there,” the deputy chairperson said.

The bill’s initial draft gave the Press Council wide powers in licensing and registering media, as well as the right to inflict penalties, repeal licenses and suspend newspapers. Among its more contentious clauses, the draft allowed the Press Council to suspend newspapers for seven days and impose fines of up to 50,000 SDG ($22,350) for publishing violations.

The controversial draft made it past the second reading (of a required four) in the National Assembly (NA) before a week-long parliamentary walk-out by the Sudan People’s Liberation Movement and journalists’ protests led to amendments in its text.

Approved in its final form on 16 June, the new law allows the Press Council to suspend newspapers for only three days unless a court order is obtained to extend this. The new law also replaces the 50,000 SDG fine provision with “any fine as decided by the court”.

The law puts the registration and discipline of journalists under the Journalists’ Union instead of the Press Council, requires notification of the Union before reporters are arrested, and removes criminal liability of editor-in-chiefs for work of journalists they supervise.

In addition, the law stipulates that a less government-dominated Press Council be created, with six of its 21 members appointed by the president in consultation with the first vice-president and the other 15 elected -- eight by the Union of Journalists, five by the NA and two by publishers and printing press firms.

Pre-publication censorship

Views also differ on Sudanese President Omar Al-Bashir’s move to lift pre-publication censorship in a decree on 27 September, about a week after editors-in-chief had endorsed a Sudan Press Code of Ethics.

The code sprung from a meeting between the Press Council, the Ministry of Information, security institutions and chief editors to discuss the future of the press, according to Deputy Chairperson Akok.

“They agreed that a code of ethics would be drafted and signed by journalists themselves. They drafted it, signed it and declared it publicly. In light of that, the president lifted censorship,” he said.

Previously, security officers stationed at newspapers decided which articles, columns or whole pages should be eliminated or rewritten. On some occasions, entire editions were suspended, printed newspaper editions and equipment confiscated and journalists arrested.

Despite the presidential decree, Mr. Elbagir felt pre-censorship was still occurring in an altered form. “The burden of censorship has been put on the shoulders of the chief editors … the security organs are still dictating their decisions (on what can be published) by phone.”

But Deputy Chairperson Akok denied any form of government interference with the press, stating that editors were now in sole control of their publications. “Nobody can stop newspapers or restrict journalists now. They can write their opinions freely and willingly.”
At the start of this year, journalists and editors had reason to believe that working conditions in Southern Sudan might improve in the foreseeable future.

Four long awaited bills affecting their industry had been drafted by the Ministry of Information and Broadcasting of the Government of Southern Sudan (GoSS) in close consultation with leading members of the profession. And the legislation had been submitted to the GoSS Ministry of Legal Affairs and Constitutional Development for review.

But months went by without significant progress, and when the bills — reduced in number to three — were finally presented to the Southern Sudan Legislative Assembly they had undergone significant revisions.

By last October, the chairman of an influential media organization decided it was time to sound an alarm.

In a letter addressed to GoSS President Salva Kiir Mayardit (made available to In Sudan by GoSS Ministry of Information and Broadcasting Undersecretary George Garang Deng), Jacob Akol, Chairperson of the Association for Media Development in Southern Sudan, deplored what he termed the “deformity” of the original media legislation, warning that the legislation in its current form would “become tools for ministerial control of the media”.

Within days of receiving Mr. Akol’s plea, the GoSS leader issued a presidential order that withdrew the bills from the Southern Sudanese parliament and sent them back to the desk of GoSS Legal Affairs and Constitutional Development Minister Michael Makuei Lueth.

“The government has taken into consideration the complaints raised by various members of the media about the current draft bills,” said George Garang Deng, Undersecretary of the GoSS Ministry of Information and Broadcasting. “Action is being taken.”

A prominent Southern Sudanese author and journalist who heads the Nairobi-based Gurtong Trust Peace and Media Project, Mr. Akol challenged a proposed media authority bill that would create an independent commission to oversee and regulate news outlets in Southern Sudan.

Among other criticisms, he specifically objected to the removal from the amended bill of the guiding principles and policies that would inform the deliberations of that commission.

Mr. Akol also questioned a new provision in the draft legislation that would require print media to obtain government-issued licenses along with radio and television stations.

And he asserted that a separate “rights of access to information” bill would limit those rights to government-run publications and radio and television stations and deny such access to privately owned media outlets.

Journalists and political analysts broadly agree that media houses in Southern Sudan operate with greater freedom than do their counterparts in the north of the country.

But Sudan Mirror Managing Editor Dan Eiffe cautioned that freedom of expression could be at risk in 2010 without the passage of media laws that clearly spell out the rights of journalists.

The absence of such laws fosters a climate that is conducive to the harassment of journalists by Southern Sudanese security forces, according to editor-in-chief Nhial Bol of The Citizen newspaper.

“In most parts of Southern Sudan, harassment is on the increase,” said Mr. Bol, noting that one of his reporters was recently denied access to parts of Northern Bahr El-Ghazal state because the journalist wanted to probe reports of irregularities in the voter registration process.

“The editor himself is no stranger to such treatment, having been arrested and detained on 38 occasions between 2000 and 2006 when he was mainly based in Khartoum.

Intimidation tactics and physical assaults remain a fact of life for some members of the working press in Southern Sudan.

A radio journalist in the city of Rumbek was recently attacked by a senior Lakes State government official after airing a story that accused a local minister of corruption.

Nearly a year has elapsed since the former acting editor-in-chief of The Juba Post was briefly detained for publishing a press release that accused a Sudan People’s Liberation Army general of involvement in a controversial land scheme. His case has yet to go to trial.

Director General Mustafa Biong of the GoSS Ministry of Information and Broadcasting said measures were being readied to afford the news media greater protection and guarantee a level playing field for political parties, as Sudan heads towards its first truly multi-party national elections in 24 years next April.

“The government is going to ensure that there is press freedom during the coming elections and referendum,” said Mr. Biong. “Equal airtime will be given to all political parties.”

But he also accused some local journalists of biased and inaccurate coverage, urging them to practice restraint and professionalism during a potentially volatile period culminating in the referendum in Southern Sudan on unity or secession scheduled for January 2011.

The possibility of rising political tensions in the coming months is all the more reason to codify press freedoms in legislation that will promote a democratic environment, said Nhial Bol.

“The media laws should empower independent and professional journalism rather than restrain it,” said the veteran editor. “They should encourage pluralism and diverse political debate.”

Antonette Miday
A vehicle for rights

Sudanese President Omar Al-Bashir signed a law paving the way for a national human rights body in May of this year, but no steps have yet been taken to appoint its members.

As both the country’s Comprehensive Peace Agreement (CPA) and Interim National Constitution call for a National Human Rights Commission (NHRC) to be set up in Sudan, the NHRC is a key outstanding CPA issue.

According to the May law, a 15-member commission will be mandated to protect, strengthen, and create awareness of human rights as well as monitor application of rights and freedoms in the Interim National Constitution.

The commission’s tasks will include receiving complaints from individuals and civil society or other bodies and conducting investigations into complaints. It will not judge cases and issue verdicts, but recommend that the government make appropriate reparations.

The NHRC will have its head office in Khartoum, but will establish branches in all Sudanese states.

Since the commission’s independence – and thereby its credibility - largely rests on the independence of its commissioners, the process of selecting members is critical.

The UNMIS Human Rights section has stressed in talks with various stakeholders the importance of a transparent, inclusive and participatory appointment process to ensure wide social representation on the commission.

UNMIS Human Rights chief Benedict Sannoh explained that human rights commissions monitored and reported on government adherence to human rights and freedoms in the constitution as well as international instruments.

“There is always a tendency for the executive branch to control the appointment process so that commissioners remain under the whips and caprice of the government,” said Mr. Sannoh, who also serves as Representative of the UN High Commissioner for Human Rights in Sudan.

Such control could paralyze the commission, rob it of independence and make it extremely difficult to expose patterns of government human rights violations as well as act generally to improve human rights, the UNMIS official added.

The transparency of appointments will be key in determining whether the NHRC complies with global minimum standards for national human rights institutions, the so-called Paris Principles, and accredited internationally. The decision is made by the International Coordinating Committee of National Human Rights Institutions.

While the formal appointment of commissioners may be made by a head of state as stipulated in the Sudanese NHRC Act, international best practices call for the involvement of the legislature and/or civil society in the appointment and explicitly discourage that selection of members be left exclusively to the executive.

Sudanese civil society has called for transparent appointments with broad consultations on several occasions.

In a press conference on 25 August, the Civil Society Coordinating Secretariat, representing nine civil society networks, requested that the National Human Rights Commission be set up in line with the Paris Principles and stressed the importance of broad consultations regarding selection of commissioners at the national level.

“As civil society activists we are very much concerned about the establishment of the National Human Rights Commission,” said Azhari AlHaj, General Coordinator for Human Rights and Legal Aid Network and Chair of Civil Society Coordinating Secretariat.

In September, the Civil Society Coordinating Secretariat submitted an official memorandum to the Presidency, reiterating calls to set up an independent commission with members appointed in an open selection process involving civil society.

“We want to … encourage the Government of National Unity to expedite the process of establishing the National Human Rights Commission and we urge that this Commission be a truly independent body,” the General Coordinator said.

During September and October, UNMIS Human Rights, in collaboration with the Civil Society Coordinating Secretariat, organized a series of workshops to raise awareness on the role of the future National Human Rights Commission, as well as the importance of appointing commissioners for various target groups, including women, youth, academia, media and political parties.

Commenting on the workshops, UNMIS Senior Human Rights Officer Jose Maria Aranaz said, “The impressive turnout and interest showed by civil society and citizens participating in the workshops throughout Sudan illustrates the pressing need for a mechanism through which human rights concerns can be channeled.”

The Commission was expected to respond to such demands, Mr. Aranaz added, and also contribute to respect for rights in various national and international instruments, “especially the rights of those most vulnerable groups in society”.

Following a concluding round table discussion, civil society groups identified personalities that in their view fulfilled the criteria for independence stipulated in the NHRC Act and shared a list of names with the president.

Jose Maria Aranaz

Interim constitutional rights

The Interim National Constitution and Interim Constitution of Southern Sudan include in their Bills of Rights all those in the CPA but add several others, including the rights to:

- Own Property
- Education, including compulsory and free primary schools
- Public Health Care
- Privacy
- Rights of Persons with Special Needs and the Elderly
- Rights of Ethnic and Cultural Communities

The two bills also state that no death penalty shall be imposed on a person under the age of 18 or over 70 and upon a pregnant or lactating woman (of less than two years).

The ICSS Bill adds a Right of Access to Information that is absent from the INC. It also has separate articles and more detailed provisions on the rights of women, children and religious practice.
Over the past several months, Sudan has witnessed increasing tribal conflicts as well as tension in areas like Abyei, Malakal and Jonglei State. To learn more about the security situation in the country, in Sudan spoke with UNMIS Force Commander Maj. Gen. Paban Jung Thapa, who arrived at the mission in May 2008.

**In Sudan:** During your stay here, what have been the biggest security challenges for UNMIS in monitoring the country's ceasefire?

Maj. Gen. Paban Jung Thapa: I arrived here in the aftermath of conflict in Abyei between the Sudan Armed Forces (SAF) and Sudan People's Liberation Army (SPLA). This was the only major ceasefire violation. We continuously engaged with both parties to disengage and abide by the ruling on the Abyei Roadmap area.

The withdrawal of the 31st SAF brigade from the Abyei Roadmap Area was another challenge. Abyei has always been a potential flash point and we need to ensure security and peace in the area.

Taking into consideration the PCA (Permanent Court of Arbitration) ruling on the Abyei area boundaries of 22 July 2009, the grazing rights of communities must be well coordinated by the parties and supported by the UN, so that the coming migration season is peaceful, as was the last one.

There were also JIU (Joint Integrated Unit) clashes in February 2009 in Malakal, which could easily have spread to JIUs in other areas. We brought together JIU commanders on the ground and worked with the political and ceasefire mechanism to ease tensions. Now, we are in the last 14 months of CPA (Comprehensive Peace Agreement) implementation and agreement on major benchmarks -- census results, elections, border demarcation, the referendum and wealth sharing -- still need to be resolved. The parties need to build stronger trust so that these issues, which have the potential to instigate major conflicts leading to destabilization of the CPA, are resolved within the CPA timeframe.

How would you describe the current security situation in the UNMIS area of operations?

It is stable but unpredictable. We need to work closely with the parties to ensure continuance of the peace process in letter and spirit, so that CPA implementation can occur.

The increasing intensity of tribal conflicts in Southern Sudan, which have changed from simple cattle rustling to revenge killings, have led to significant loss of civilian life. The GoSS (Government of Southern Sudan) is responsible for ensuring that civilians are protected from such attacks, but we will provide necessary support within our capabilities.

How effective have the CJMC

(Ceasefire Joint Military Committee) and AJMCs (Area Joint Military Committees) been in situations of insecurity? Do they intervene in tribal conflicts?

The CJMC and AJMCs are the only effective ceasefire mechanism bodies to have been actively involved in maintaining the ceasefire between the parties by successful resolution of conflict situations and mitigation of tensions between the parties -- both during the Malakal incident and Abyei conflict. They provide a platform to engage both parties in resolving their differences and reaching an acceptable agreement.

As the names state, both are ceasefire military joint monitoring committees, whereas tribal conflicts are internal law and order problems between different tribes within Southern Sudan.

What is the current readiness of JIUs in providing security in the country?

About 84% of JIU deployment in different areas has been completed. As per the CPA, the JIUs should have been completely integrated by April 2009 with resources being provided by the GoNU (Government of National Unity) and the JDB (Joint Defence Board), but this has not happened. Hence, they lack the capacity to be effectively employed.

UNMIS is working closely with donor nations to obtain maximum support for basic equipment and administration, which they are sorely lacking. We are constantly engaging JIU commanders, so that maximum support can be obtained based on their priorities. They will then be in a better condition to provide security support for elections, border demarcation and the referendum.

When violent conflicts broke out in Jonglei State, temporary UNMIS operating bases were set up in Akobo and Pibor? How effective were they in preventing further conflict?

After the clashes in February 2009 and with the threat of counter revenge attacks, TOBs were established in Akobo and Pibor for three months. But due to bad road conditions, weather and lack of resources, they were confined to their areas of deployment and unable to reach out to places of potential threats where sporadic incidents continued to occur.

Also, due to their size, the capability of the posted platoons to sustain and deter tribal conflicts was very limited. Hence, Dynamic Air Patrols as part of Operation “Roving Eagle” were launched, which helped the UN reach out to remote areas, where we met people on the ground, collected information and encouraged tribal leaders to give up the gun culture and follow the path of peace and stability.

We were also able to identify problems in the area and are working out a plan with other mission sections to provide support. This was based on the three-track approach -- humanitarian aid and food security, governmental responsibility and monitoring as well as mitigating the situation.

Now that redeployment of Sudanese forces is almost complete, and also in view of the upcoming elections and referendum, are there any plans to restructure or relocate UNMIS military?

We are overstretched on the ground, but trying our best to reach out to most areas and fulfill our mandated tasks. Regarding coming (CPA) benchmarks, we are working closely with concerned departments as well as discussing and deliberating with UNMIS civilian sections to work out a future strategy to ensure peace and security.

We will be re-visiting our operational strategy so that we are able to implement our mandated tasks more effectively. We are also working closely with other mission sections to identify various scenarios leading up to and following the upcoming benchmarks.

Accordingly, we will be relocating ourselves for temporary or longer periods depending on the developing situation and the envisaged requirement of UNMIS military redeployment. We will keep our options open so that we are able to monitor and verify the situation and prevent conflict by constant engagement and deterrence.
Sudan’s nationwide drive to register voters for the country’s 2010 general election got underway in most state capitals on 1 November. The exercise proceeded at a snail’s pace early on, hampered by scant public awareness about voter registration procedures and poor roads that delayed the arrival of registration materials in outlying areas.

But the initially sluggish turnout of people at registration centres steadily picked up momentum as the month wore on, boosted by a Miraya FM publicity campaign designed to raise awareness among eligible voters about the need to sign up before the end of the month in order to cast ballots next April.

Miraya FM spotlighted the registration drive on its popular, five-hour-long show “Afternoon Mix down”, broadcast from different locations in the southern cities of Juba, Malakal and Wau during the first half of November. The Miraya FM programme gave election officials a unique platform to tell listeners how, when and where to register themselves as voters.

At the University of Juba, many students complained they would be unable to vote in their hometowns if they registered in the regional capital of Southern Sudan.

Similar concerns were voiced by students enrolled at the University of Bahr El Ghazal when the Miraya FM road show came to the city of Wau on 15 November.

But a total of 431 people nonetheless inscribed themselves on the voters’ rolls during a single day in the capital of Western Bahr El-Ghazal State.

An official of the state’s High Elections Committee praised the radio station for having mobilized a high turnout. “I thank the people who registered,” said committee spokesman Arkengello Udo Will.

The Miraya team later traveled to the Jonglei and Eastern Equatoria state capitals of Bor and Torit, respectively, to spread the word about voter registration.

Edward Kargbo, Othello Yarsiah and Michael Minassie.

Photos: Miraya FM /Edward Kargbo

Voter registration

countrywide

According to the National Elections Commission (NEC), more than 15 million people, or over 75 per cent of people eligible to vote, had registered to vote in and outside Sudan by the final registration date of 7 December.

Based on the revised schedule of elections, publication of the voter register on 10 December – including all the names of people who registered – would be followed by objection and revision periods and amendments. The final voter register would be published on 11 January, said NEC Media Advisor Abu Bakar Waziri.
Getting connected

Desperately lacking in communication services at the end of Sudan’s civil war, the country’s southern region has witnessed an explosion in mobile phones companies and networks over the past four years.

No less than six mobile operators are now working closely with the Government of Southern Sudan (GoSS) Ministry of Telecommunications and Postal Services to improve phone services across Southern Sudan.

Before the Comprehensive Peace Agreement (CPA) was signed in 2005, only Sudatel landline and Mobitel GSM (wireless) networks were licensed by the National Telecommunication Corporation (NTC), according to Juma Stephen Lugga, engineer and undersecretary in the GoSS telecommunications ministry.

“These networks were available in Juba, Wau, Malakal, Renk and Bentiu with limited services and in most cases affordable only to government employees,” the undersecretary said. Moreover, they worked only sporadically and were expensive at 3 SDG ($1.30) per minute for international calls.

A second, unlicensed southern landline based in Yei called Now operated during the war only in liberated areas, said Mr. Lugga. The line later became known as Vivacel, expanding to other southern states with the coming of peace. Gemtel also appeared at that time, originally covering Juba and Wau, Yambio, Torit and Jonglei State, but later moving throughout the region.

Initially, the NTC was the sole licensing agent for the south, but a 2006 memorandum of understanding between the Corporation and the GoSS allowed the telecommunications ministry to regulate and approve the operations of Vivacel and Gemtel.

Since then, four other companies of varying coverage have begun operating – Sudani/Sudatel with 30 town areas, Zain with 64, MTN with 40 and Canartel with one. Their combined coverage has provided an estimated one million subscribers with mobile services in the region over the past three years, noted Mr. Lugga.

Mobile operators have continued to expand coverage across the region, although tribal conflicts, cattle raiding and poor roads have hindered them in states like Jonglei, Eastern Equatoria, Western Equatoria, Lakes and Upper Nile.

Zain was the leading mobile business in the region, according to the company’s southern regional manager, David Deng Kur. “We are covering all the states in Southern Sudan with over 70 sites, microwave links in some areas, data connect cards, internet and many other (services).”

Another operator was MTN, which mainly targeted larger towns in increasing its reach, said Luyolo Gromyiko Sigaba, MTN regional general manager for Southern Sudan. “Our major priority is to support the community to have access to freely and cheaply communicate to their relatives.”

With so many operators covering diverse areas, most people use two or three different lines in one phone, depending on where their relatives or friends are and which businesses are servicing those locales.

Opening up business

Mobile phones have also broken down barriers keeping businesses and local economies from flourishing. Traders can now order and receive goods faster. Farmers and fishermen can call markets directly to learn top prices, rather than relying on middlemen.

With mobile phones easier and cheaper to obtain than fixed lines, more than three times as many cell connections have been created in the past few years as landlines, undersecretary Lugga noted.

He added that the major dividends of mobile phone coverage would come during upcoming elections, with people and observers calling at lower costs than using a Thuraya (satellite phone) to convey needed campaign information.

Mobile phones were vital in bringing people together and pushing development, the undersecretary said. “That’s why we have privatized it (the industry) and have only a regulatory mechanism on the operators. The role of telecoms is every bit as important as electricity and basic infrastructure in enabling development of an economy.”

The next step was to continue improving internet services, the engineer added. Zain had began making this available to customers in August 2008 and Vivacel would soon follow.

“The future plan is to get gateway media and fiber-optic network connections through Mombasa, which will reduce the cost, given the fact that satellite is very expensive.”

The role of telecoms is every bit as important as electricity and basic infrastructure in enabling development of an economy.”

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Prisons farming for food

Although the Government of Southern Sudan’s Prison Service has a budget for feeding inmates at each of its detention centres, authorities at Western Bahr El-Ghazal State’s main prison are teaching prisoners to farm during their time behind bars.

An innovative project at Wau Prison is producing crops like sorghum and groundnuts to generate an additional source of revenue for the facility and provide more food for detainees.

Farming activities started right with the inception of Wau Prison to create a situation in which the prisoners are transformed and rehabilitated during their stay,” said Brig. Othiri Ojulo Ocala, acting director of the state government’s prison service.

The state ministry of agriculture sent advisers on farming procedures to the prison at the start of this year’s rainy season to teach inmates about weeding techniques, the cultivation of different kinds of crops and the proper use of insecticides.

The ministry has supplied two tractors to the prison. “We have a policy of continuous support to the Wau Prison farming project,” said Agriculture Department Director Charles Albino Konan, adding that the assistance rendered to prison authorities extends right up to the harvest season.

The UN Food and Agriculture Organization also chipped in with vegetable seeds, hoes, spades and shovels.

The farming takes place at three separate locations in and around Wau – Baggari, Khobri-Ngab and Atido. Total cultivated land covers 90 feddans (about 83 acres), which is evenly divided between sorghum and groundnuts.

Last year, about 50 (45 kilogram) bags of groundnuts were harvested at Baggari and more than 30 (120 kilogram) bags of sorghum in Khobri-Ngab and Atido, but scanty rains will reduce this year’s crop, according to prison director Ocala.

The produce is sold to local traders and profits deposited into a South Sudan Prison Service account, but proceeds are fed back into the prison for food, services and upkeep.

Much of the farming this year was done by new prison service recruits on a traditional work programme before guard training, while inmates were sent to make bricks to be used in the prison or sold outside.

The prison also possesses a vegetable garden which has lain fallow since before the Comprehensive Peace Agreement was signed in 2005, but plans are afoot to rejuvenate it in the near future.

The only female prison service officer who is directly involved with the farming project urged other women to emulate the example of the Wau inmates.

Lieutenant Lina Andrea Mahdi has a private farm where she raises groundnuts and cassava. “Women should not remain at home waiting for their men to bring them food but learn how to cultivate their own crops.”

Ms. Mahdi’s colleague Captain Paulino Julu Ngaraqba agreed that the population in general should engage in more farming activity to increase food self-sufficiency. He added that more tractors are needed at the prison’s three farms to boost productivity.

Besides farming instruction, Wau Prison inmates are also being schooled in the skills of carpentry, welding and brick making.
High prices hit Juba boom

A scarcity of hard currency, falling purchasing power among consumers and damage wrought by demolition crews in some of Juba’s markets have put a crimp in the city’s economic boom.

Once described in some news reports as the fastest growing city on the African continent, Juba no longer holds the same appeal for foreigners hoping to make fast money as it once did.

“I don’t know how my business will be tomorrow,” said Abbey Mubiru, a Ugandan trader who runs a general store in Juba’s teeming Konyo Konyo market. “Two of my colleagues have closed their doors and returned empty-handed to Uganda, and I may be the next to follow if things don’t improve.”

Merchants and government officials blame much of the slowdown on the current shortage of dollars in the regional capital of Southern Sudan.

The Sudanese pound has fallen steadily against the American dollar this year. And since most food items and consumer goods that are sold in Juba are produced in other countries, the weakening pound is partly responsible for the soaring cost of living.

“Southern Sudan depends entirely on imports, so the cost of transportation and the various taxes involved normally push up prices,” said John K. Paguir, acting undersecretary in the Ministry of Commerce, Trade and Supply of the Government of Southern Sudan (GoSS). “The burden is transferred to consumers.”

Many of those consumers are flabbergasted when they ask about the latest prices for basic food staples. “Every day I come to the market, I find a change in prices,” said Wasuk Pitia, a shopper making the rounds in Konyo Konyo market. “We used to buy 50 kilos of maize flour for 75 Sudanese pounds ($34) but now it is 100 pounds ($45).”

“Two of my colleagues have closed their doors and returned empty-handed to Uganda, and I may be the next to follow if things don’t improve.”

As consumers cut back on their purchases, increasing numbers of traders are finding it difficult to survive in the current economic climate.

Exacerbating the general doldrums is a surfeit of merchants lured by tales of big profits made during the initial years of peace in Southern Sudan.

“There used to be a few traders in the market, but now the number has increased and almost all of the traders sell similar products,” said the Ugandan shopkeeper Abbey Mubiru. “It’s no surprise if you can’t make more sales each day.”

The bulldozers that destroyed hundreds of stands and shops earlier this year, as directed by the Central Equatoria State government, have further disrupted Juba’s commercial sector.

“There is no business these days because when you move, it will take time to get other customers,” said Mohamed Ahmed, a trader in the city’s Customs Market, which was targeted by the demolition operations. “It is also expensive in terms of rent and transport to move from one market to another.”

Mr. Paguir of the GoSS commerce ministry offers one possible solution to the present paucity of dollars that is strangling local commerce.

“We encourage traders to use the banks that are available for transfers,” said the official. “If they put Sudanese pounds in those banks, they will get the equivalent in the currency of their choice, whether it be Kenyan, Ugandan or Ethiopian.”

There is one major hitch to his proposal, however. Many traders dislike paying the transfer fees charged by banks for such international transactions, preferring to move their profits out of Sudan in cash instead.

Such practices are likely to keep the dollar scarce, the pound weak and prices sky-high in Juba for the foreseeable future.

Story and photos by Emmanuel Kenyi

Women buying ground nuts in Customs Market, Juba.

Women buying flour in Customs Market, Juba.
The sun was reaching full strength as bare-chested wrestlers paraded in a large circle one day at harvest end in Hamra village, Southern Kordofan, readying themselves to fight.

Accompanied by supporters, wrestlers belonging to the Hawazma tribe marched around, stopping every now and then to emit frightful cries while tensing their bodies in a show of courage and strength.

Once a wrestler picked a partner, the match began with a judge watching from two-three metre’s distance. As soon as one of the wrestlers threw the other on the ground, the colourfully dressed audience burst out singing and cheering.

Wrestling was a Nuba Mountain tradition that served various functions, including giving thanks for a good harvest, Girham Abdelgadir, director of information and promotion at the Ministry of Tourism and Wildlife, said in his Khartoum office.

Some of the greatest matches happened at the Konyinar festivities celebrating new crops between September and October (depending on when the rains ended), said the tourism director, who originally hails from the Nuba Mountains.

During the year, matches also took place between numerous villages competing for a designated flag, the symbol of championship. For these tournaments – some lasting up to two months – villages nominated their best wrestlers, who had a special way of preparing for the event.

“No connection is allowed between the wrestler and ladies for a given period,” said Mr. Abdelgadir, adding that a wrestler’s diet consisted of meat marinated in goat milk, grains roasted in oil, wild fruits and even animals like gazelle and guinea fowl.

Becoming a wrestler was predetermined, according to the director. All young men between the ages of 14 and 24 were considered wrestlers, and until about 40 years ago even women participated.

In the Nuba Mountains, Mr. Abdelgadir went on, responsibilities and entitlements were based on age groups. Boys between the ages of seven and 12 took care of cows and goats and then moved out of the village and into the cattle camp.

“To keep fit, they practise wrestling,” he said, and as soon as the last harvest day came, the Konyinar took place, offering wrestlers a chance to show their strength and tactics, which had been passed down to them by family elders.

The greatest reward for the largest tournament’s champion was not the goats presented to him by neighbours and relatives, said Mr. Abdelgadir, but songs of praise composed about him by the ladies.

The tradition of wrestling was all but isolated; as the Nuba were living together with Arab tribes, including the Hawazma, they passed on the culture of wrestling as well.

The two tribes’ relationship was based on interdependence. Some Nuba trusted the nomadic Hawazma to take their goats to El Obeid for better grazing in the rainy season, and offered to tend Hawazma farms in return, Mr. Abdelgadir said.

Today Nuba who have moved to Khartoum continue to practise wrestling in the capital’s Haj Yousef area, where a new stadium is also being built for the purpose.

“It is the continuation of our culture,” the former wrestler noted, adding that lacking its natural context, it was more like “urban folklore”.

Story and photos by Eszter Farkas

Nomadic women watching wrestlers, Hamra, Southern Kordofan.
Gunmen kill five UNAMID peacekeepers in Darfur

Five Rwandan peacekeepers from the joint African Union-United Nations Mission in Darfur (UNAMID) were killed in two separate attacks by unidentified gunmen in North Darfur on 4 and 5 December.

Two soldiers were killed at the scene of the first attack in Saraf Umr, where the peacekeepers were escorting a water tanker, while a third subsequently died from his wounds.

The remaining two Rwandans were killed in a second attack, which occurred near the gate of an internally displaced persons’ camp.

The two attacks brought to 22 the number of UNAMID armed personnel killed in hostile confrontation since the mission deployed in January 2008.

Deploring the attack, UN Secretary-General Ban Ki-moon called on the Government of Sudan to ensure that the perpetrators were swiftly identified and brought to justice.

UNHCR chief: Refugee women need more protection

Refugee camps in Eastern Sudan were home to 68,000 refugees, who faced difficulties accessing basic services, education and protection, Africa Bureau Director of the UN refugee agency George Okoth-Obbo said in Khartoum on 25 November.

The flow of refugees into Eastern Sudan was continuing at the rate of 1,800 persons per month, which created immense challenges in harsh surroundings, Mr. Okoth-Obbo of the UN High Commission for Refugees (UNHCR) said at an UNMIS-organized press conference after visiting three refugee camps.

“Acute poverty, persistent drought and deprivation, lack of access to health care and education, high levels of unemployment as well as land degradation and shrinking pastures” were hardships that refugees as well as the local population grappled with, he said.

Risks that female refugees in particular faced were human trafficking, sexual violence, abuse and rape, Mr. Okoth-Obbo said, adding that ensuring protection was a high priority for UNHCR.

Noting that there were 15,000 children in the 12 refugee camps in the East, he said, “Six thousand of these children lack primary education because refugee schools have not the capacity to absorb them. Many more fail to attend secondary school because families cannot afford the fees.”

Speaking about Sudanese refugees, Mr. Okoth-Obbo mentioned the successful repatriation of close to 330,000 refugees from neighbouring countries, 75 per cent of those in exile at the beginning of 2005.

Sudan commemorates World AIDS Day

Focusing on the importance of voluntary testing, awareness-raising and equal rights, Juba, Malakal, Wau and Khartoum celebrated World AIDS Day in early December.

“People living with HIV/AIDS in Southern Sudan face discrimination … some were dismissed from their workplace,” said Lole Laila Lole, Chairman of the Southern Sudan Networks of People Living with HIV (SSNEPT) at the Juba commemoration on 1 December.

Speaking at the event, President of the Government of Southern Sudan Salva Kiir called for legislation tackling discrimination against people living with HIV/AIDS and donated a land cruiser to SSNEPT in support.

“The number of people living with HIV/AIDS has increased, reaching an estimate of over 4,000 people on services,” Deputy Chairperson of the Southern Sudan AIDS Commission Viana Kakuli said, with Yambio, Nzara and Tombura having the highest numbers of people living with the disease.

On the same day, Wau town of Western Bahr El-Ghazal celebrated with a procession to Freedom Square. Addressing the gathering, Peter Ngisanga, Coordinator of the State Commission for HIV said 115 of the 448 females and 76 of the 549 males tested were found positive between June and October 2009, and urged the population to get to know their status.

Khartoum celebrated World AIDS Day on 7 December with sports events to raise funds for people living with the disease, a candle light vigil and Sudanese music.

Volunteers plant 1,000 trees in rural Khartoum

United Nations Volunteers (UNV) together with volunteers of the Sudanese Environmental Conservation Society planted 1,000 trees in Wawesi village to mark International Volunteer Day on 5 December.

Opening the event, which had the global theme of “Volunteering for the Planet”, UN representative Nils Kastberg said the world needed more volunteers acting against pollution without waiting for incentives.

The Sheikh of Wawisi village, about 50 kilometres north of Khartoum, said that the trees were greatly needed especially to lessen the harmful effects of the oil refinery in the village’s vicinity, which had caused premature births and animal deaths.

The rural area was previously forested but the lack of environmental knowledge and need for firewood had urged locals to cut trees down, resident Basheir Ahmed said, thanking the volunteers for investing time and energy into improving conditions.

Following discussions about the environment at Wawesi’s two high schools weeks before the event, volunteers of UNMIS, the UN Development Programme (UNDP) and local organizations planted 1,000 trees on the main street, around mosques, schools and mud-brick houses.

The event was accompanied by a drawing competition and a puppet show for children, focusing on environmental protection.

Sudan has some 900 UNV volunteers, including about 350 people with UNMIS, 400 with UNAMID and 150 with UN agencies, making it the biggest programme country.