



**United Nations Mission In Sudan
UNMIS**

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Following is a near-verbatim transcript of today's press conference (12:30 pm) by Jan Pronk, the Special Representative of the Secretary-General for Sudan:

Spokesperson:

Welcome ladies and gentlemen and today we have with us the SRSG Mr. Jan Pronk who will be briefing you on many issues that are dominating the media scene nowadays; recent developments ... I will not dwell on it, he will be briefing you on it. I will be giving brief interpretations. Thank you.

Mr. Pronk:

It is my first possibility to have a press briefing with you in this building. Sorry there is not yet simultaneous translation but that will be in place soon I hope.

I will say a few words, about seven points. Let me first mention them: First the report of the Commission of Inquiry, second; my visit to Darfur last week, thirdly; the upcoming meeting of the Security Council next week, fourthly; the AU Summit Meeting which took place in Abuja this weekend, fifthly; on the AU and sixthly; a brief word on Port Sudan.

One: The Commission of Inquiry Report: the text is available to all of you. It has been made public and it will also be made public in all other languages including Arabic but that will be towards the end of this week. It is a report of an independent commission of experts which was established by the Security Council. It is not a report of the United Nations.

It is a report to the United Nations. That means I cannot comment, myself, on the substance of the report. Comments on the report will have to be made by the countries in the Security Council which did ask for the report. They will study it, they will discuss it, they will take decisions on the basis of that report. It is for them to take decisions, not for the United Nations system itself. But it is important to know what is in the report. They are the following reports:

Firstly, the Commission of Inquiry has said that the government and the Janjaweed are responsible for crimes under International Law. You may say that it is not you because many NGOs and journalists have said so but those were individual statements. This is a statement by the highest committee, independent, which could make such a statement and which was established by the highest political organ in the world, the Security Council.

The second statement in the report is that these crimes did not only take place in 2003 or in the first months of 2004. They continued while the Commission was carrying out its investigations – which means also in November, December and January.

Thirdly; the Commission has said that also the rebel movements are responsible for serious violations of human rights which can also be called war crimes.

Fourth point of the Commission is that all these crimes are very serious. The Commission says that these crimes are no less serious than genocide.

Fifth; the conclusion of the Commission is that it is very urgent that the international community, through the Security Council, decides on action to stop the crimes, to stop the violence.

Sixthly; finally, as far as the report is concerned, there are names that have been mentioned by the Commission of Inquiry – more than 50 names of persons who are responsible for the crimes. These names are not in the report itself but in a sealed envelope which is closed and sealed and has been given to the Secretary General of the United Nations. These names are names of government people, military people, militia leaders including *Janjaweed* and rebels – one, two, three, four categories. The names, as I said, are in a closed envelope, sealed and secret. Only the members of the Commission know the names. The Secretary General does not know the names because he has not opened the envelope. If the Secretary General doesn't know the names, nobody in the United Nations knows the names – I don't know the names.

The Secretary General will hand over the envelope with the names to the Prosecutor who is attached to an international court which has to be selected by the Security Council. Not by the Secretary General but by the countries in the Security Council. As long as the Security Council has not yet decided which international court will have to deal with the consequences of the report, the names will be in the sealed envelope, in a safe in New York and will not be made public. I do not know when the Security Council is going to discuss this report.

They may take some time to study it and to reflect on it. Next week there are two sessions of the Security Council dealing with Sudan – I will say something about that a bit later. I do not expect that next week the Security Council will already discuss this report but I don't exclude it.

And finally, with regards to this report, let me emphasize again that what I said about the report is not what I think, not what the Secretary General thinks, it is the content of the report itself which is a report not by the Secretary General – he has not written it, he is not responsible for it – it is a report to him. He is not going to comment on the substance of the report. The only body which can comment on the substance of the report is the Security Council itself – all these fifteen countries together.

Two: My second point for this briefing – and all the other points will be a bit briefer than the first point. My second point is the visit which I paid last week to Darfur. It was a working visit so I went there together with my staff. It was not a JIM visit together with my co-chairman, the Minister of Foreign Affairs.

Firstly, I had meetings with leaders of the SLM/A in SLM/A controlled areas both in North Darfur and in South Darfur. I discussed with them the situation on the ground and I asked them, with strong conviction, to exercise restraint and not to carry out attacks. For instance the attack on South Darfur on the Mallam area which took place last week. I told them that they should not attack villages and that they should not attack also innocent citizens of villages. They are making innocent victims. I visited a

number of victims of the SLA attack in Mallam in Nyala in the hospital. I also asked the SLA to make it possible that the trucks which had been stolen, WFP trucks, to be returned to the United Nations because otherwise the WFP cannot continue to ride and to bring food to their people. They denied that they had stolen the trucks. They said it had been done by bandits but they also promised to look after it and to find information where these trucks could be and to report back to us.

They promised me to keep the ceasefire – whatever such a promise is worth from any party – but anyway they promised and they also said they will be very serious with regards to the next round of political talks which is scheduled for end of February, early March in Abuja. I also did visit the areas under the control of government in particular the area around Labado which had been attacked about a month ago by militia. I was horrified by what I saw in Labado. All huts had been demolished and burnt down. All possessions of the people in Labado have been demolished and burned, all water-wells have been destroyed – there is nothing left in Labado.

It is not only Labado. If you go around – and I did go around – you see that dozens of villages have been destroyed, have been burnt down, have been emptied, it is a whole empty area. All people have fled. This was done by the militia. They came with many, they terrorize the people in the field so that they flee away and don't dare to come back and they kill many. In Hamada, you know, about 100 people had been killed; eighty of them were women and children. This is not a story by biased journalists or whatever. I saw it with my own eyes. I had discussions also with the AU observers. These are facts. I saw you smiling when I said biased journalists but you know what I mean. I told the government that as far as I am concerned this means that what is in the Commission of Inquiry report that the crimes continue is true. It was not only in the past. Still there are crimes against civilian people, unarmed women and children in particular, in villages – farmers. They still continue. So I told the authorities in Nyala that this has to stop. You have to stop the militia, you have to denounce the actions by the militias and you have to stop them.

If you don't stop it, it will be very difficult in the Security Council decision next week to say that all these acts against humanity which have been described by the Commission of Inquiry are only things of the past. It is important to show that a policy now is in place which is completely different from the past – and I did not yet see that new policy. I also discussed another issue very briefly in Darfur namely the attitude of some authorities towards the humanitarian workers including national staff – Sudanese national staff – who are working in INGOs.

There is increasing difficulties on the ground and in the field while helping Sudanese victims and IDPs. I am very pleased to say that the government itself is not doing that; it is always some military security commanders in the field who are creating such difficulties. It is not a governmental policy, because the GoS wants the humanitarian workers to work independent and freely. We are also very pleased with the cooperation with the HAC in Darfur – the humanitarian assistance coordination machinery of the government. The government showed its goodwill, I am pleased, by promising me to set free the national staff members of NCA – Norwegian Church Aid – which had been detained already for a couple of weeks. I pleaded that they be set free on bail, they promised and they have been set free.

Three: Number Three, and I switch, first I go to say something about the Summit Meeting in Abuja, my third point, before I say something about the Security Council. There was an important meeting between the Secretary General of the United Nations, I was present, and President Bashir, and also minister Mustafa was present. The Secretary General did congratulate President Bashir with the Comprehensive Peace Agreement between the north and the south and he said that he hoped that that peace agreement will be translated also into peace in Darfur. We discussed how that could be done but of course I can not give you information about a discussion that took place behind closed doors between the Secretary General and the President. And I can also not give you anything about what happened in the closed meeting of the AU where President Bashir had discussions with all the other presidents of the African countries who were present.

But I will highlight one thing: the Summit Meeting decided that the next summit will take place in Khartoum not mid this year, because there is always a July meeting in Addis, but there is always an additional meeting. The next additional meeting will be held in early 2006 in Khartoum. It is a great diplomatic success for the GoS and I would like to congratulate them for that. Why is it important? It is important because 50 years ago, Sudan was one of the first African countries to become independent after de-colonization. That means that the next summit in Khartoum is not just a dull meeting but it is a kind of a festivity, a ceremony, to commemorate fifty years of independence. But you can not have big festivities on fifty years of independence if there is a war in the country.

So I take it that the GoS inviting the AU to come, commits itself to bring an end to the civil war before the end of this year – before 31st of December 2005. I think that that is and ought to be our objective: comprehensive peace agreement on Darfur to be signed on the 31st of December 2005. But that means of course that you have to negotiate, not like before the Comprehensive Peace Agreement between the north and south, ten years in Nairobi, but ten months, from March until December – ten months. That means that this February you have to decide on a road-map: what to negotiate, where, when, by whom. We can only of course have a clearer road-map which is being accepted if there is security and tranquility on the ground. That is why it is so important that there is a link between what I said: stop the attacks on the people on the ground and the start of a political re-negotiation.

May be we can get in February a road map and a DoP to start all these talks. May be we get in February also the decision of the Security Council following up on the report of the Commission of Inquiry which I just mentioned. Anyway, we will get in February next week two important meetings of the Security Council: one on Darfur, Tuesday, and Wednesday one on the mandate to be given to the United Nations on the basis of the peace agreement. I am going myself to these meetings next week. But what is more important is that we have taken the initiative to request the Security Council also to invite for that meeting next week Vice-president Taha and Dr. Garang so that they are present and can talk during the Security Council meeting on Wednesday on the mandate.

Yesterday the Secretary General of the United Nations said this request to the Security Council president he directly organized the meeting and the Security Council decided to invite Vice-president Taha and Dr. Garang. I will bring that invitation to

Vice-president Taha this afternoon when I have a meeting with him at 5 o'clock in his Presidency. By the way, the Security Council has decided also to invite my colleague here, the SR of the AU to Sudan, minister Kingibe of Nigeria, to go to New York. And that brings me to my fifth point which I mentioned and that is the cooperation between the UN and the AU.

Fifth: I had discussions with President Konari in Addis and these discussions have been followed last weekend in Abuja on intensification of the cooperation between the UN and the AU in matters with regards to the whole of Sudan in general and the AU in particular. We decided to work out a common strategy – UN-AU. We also hope to be able to work together on the ground and I expect that something will be discussed next week also during the Security Council discussions in New York.

Sixth: Finally: Port Sudan. I am very sad about the events in Port Sudan which were not an incident but really a tragedy. I have seen that the government will carry out an investigation on what happened and that is good. Until that investigation report will be available, I can not say much about what did happen because we were not there and you need to study what has happened quite well. I read in the press that the Beja representatives would like to hand over a memorandum to the UN. If they want to do that, in my capacity as the Special Representative of the UN, then I am happy to accept such a memorandum. From now on, I can only say before having met them, that I would like so many people to share in the condolence with regards to the victims in Port Sudan but I would like to appeal on the Bejja that they will resort to talk, talk and talk. That is the only way to solve the problem.

I apologize for the length of my introduction but there are many important things going on at the moment. Thank you.

Q: Your visit to Darfur and the suggestion that you made to both parties that they have to resolve the issue of Darfur by the end of the year 2005, do you think it is going to be sufficient given the last promises that were never kept and given the fact that on the ground it seems that more is needed on practical terms including by the AU and it includes something tangible on the ground. So do you think that what you said is sufficient?

A: I don't know. What I am sketching at the beginning is a road-map. Stop the fighting in February, get agreement on a DoP and a political road-map for negotiations in February, talk ten months because there are many serious issues that you cannot solve in ten days but you should not give yourself ten years, and at the same time, and I am pleased with your question, of course we need more troops of the AU on the ground in order to separate the enemies from each other. There are 1400 AU military people now in Darfur.

They promised to make available the number which was agreed on, 3,200 I think, in February, at the end of February. 1400 is not enough. But I saw with my own eyes that these AU troops are excellent, high quality, high dedication. They don't sit behind the desk here and stay until something happens; they go to the field proactively. They talk with the rebels, they talk with the military, they talk with the government, and they also talk with leaders of the militias. So I am really impressed

by the quality of the AU troops and my appeal is: you are so good, come with many more! Come fast – that means in February. In many respects, the month of February is crucial. That is my answer to your question

Q: You are talking about the militias reactions, who are these militias mainly? Given that there is government bombardment in Labado, are they government allied, government-backed militias. And I wanted to ask about given US and Chinese opposition to the ICC and European opposition to having a temporary court, how likely do you think that anyone will be prosecuted for crimes at the International Court?

A: Okay. Militia: I didn't have talks with the militia leaders. I hope to be able to have that in a certain moment but so far I did not. The AU does have it. They mobilize themselves with their *Thuraya*, weeks in advance they plan their attacks. Sometimes you get attacks with a thousand – two thousand militias at the same time. Then later you don't see them any more. In Dutch, something that you do not understand in Sudan you say: as snow before the sun – melted. The AU has informed me that some militia leaders have said to the AU: "we are going to attack all villages". They may have some legitimate claims; they may be angry for instance because of the fact that their cattle is being stolen or because of the fact that their cattle routes are being blocked. They may have legitimate claims.

I don't deny that. But they are not legitimate in retaliation. If you attack a village, if you attack people who are not armed, women and children, that's a crime. They have said to the AU: "we are not party to any agreement, we are not bound by any agreement so we just attack". That is a crime because they are citizens of a country with a government. And if the government is bound to an agreement, the citizens being represented by the government are also bound to the agreement. And I am saying to the government, and I have said so, you government have to indeed see to it that all your citizens including the armed militia follow your agreements and if they don't, you government have to stop them.

Q: The question is who are they, not what are they doing. I mean it happened the same time there was government bombardment and militia attacks at the same time, is there a link?

A: I don't know. I am only speaking about militia – that is what I am speaking about. I am speaking about attacks by militia. It's a structured pattern, day after day, in January that took place. The important things are the attacks by militia on the ground. That's the most important violation of human rights taking place in January. I don't call that an incident, I call that a pattern- a structured pattern – like what has been explained in the report of the Commission of Inquiry.

The AU also gave information about bombardments. I call that an incident not a pattern. Why? Because we had a meeting with the Minister of Foreign Affairs and he confirmed again that the President had given instructions to the military not to bombard and he said that in case it took place it was against the instructions and he would sanction the responsible military people. I believe that. I have to be very clear. I have requested the government to refrain from flying – not bombarding because they

said: we do not bombard and if it happens it is not what we decided – to refrain from flying over areas where civilians live because they get very afraid and it creates the impression that there is coordination and the government should avoid creating that impression by restraining itself and refraining from flying. The militia are the guilty party.

Your second question on the ICC. Very briefly, I only in briefing present facts and not “ifs”, I mean “what ifs”. Let them discuss in the Security Council. Let’s not comment on it now. They have the report; they will have a decision somewhere later. It is now up to them. I expect that they, at a certain moment, in the Security Council will come to a common conclusion. Give the super-powers on their own some time to do something.

Q: The AU forces who were shot at recently – who is responsible? The GoS or militias?

A: According to the AU, shots were fired at them very probably by *Janjaweed* militia. They say that they were not certain whether the shots were directed at them or whether they were warning shots because the shots came in their near vicinity. The *Janjaweed* may use bullets as warning; we only have words as warning signals. The militia has to be very careful because the AU is the force that has been brought to Sudan by all African countries to solve the problem and can not be themselves a target of parties. That’s why shots aimed at the AU, whether direct shots or warning shots, have to be denounced as was done by the AU and by the Secretary General of the United Nations.

Q: You mentioned, sir, that some relief workers, particularly Sudanese, face some kinds of difficulty connected to certain forms of government policy. What kind of difficulties do they face and who are those authorities?.

A: It is in particular, at the moment, the military who are stopping on the ground aid workers by asking additional permits which are not required by the government to pass through certain roads so that aid workers can not reach people in villages or in camps. There are also arbitrary arrests on grounds which are very often not clear. I should say something in balance: what rebels and bandits are doing to aid workers is worse. In the period that I am here four or five aid workers have been killed. I remember of aid workers, national staff members, have been abducted and are still missing. We are also raising these issues, points of great concern, with the rebel leaders.

Q: This Sunday the Secretary General of the ruling party has viciously attacked the UN Secretary General saying that he is talking about sanctions and punishment on the Sudan whereas people are talking about peace and discussion. Two; you talked about 50 people, including government people.

A: Fifty-one.

Q: Are you talking about junior local government officials or bigger government officials.

A: I read the statement and I would like to ask the author of the statement to read very carefully what the Secretary General of the United Nations said. He spoke about peace, peace and again peace. And he referred also to the Commission of Inquiry which itself says that violations against humanity, human rights and humanitarian law ought to be punished. That is a sanction. A punishment is a sanction. And I assume that the author of that statement would agree with me that when people have committed war crimes they have to be brought to court. That is a punishment. That is a sanction. I am certain that the author of that statement would agree with me that peace and justice have to go hand in hand.

On the second question, They are of different ranks, including very high ranks as you can read yourself in the report. I don't know anything more than you. Same report, same situation, nothing else.

Q: The SPLM leadership has tried to reject some of the nationalities which have been proposed by the UN in its mandate for the peace support mission in Sudan. In your discussion in Rumbek with the SPLM what was the outcome of this rejection of some nationalities in terms of providing a peace support mission in Sudan?

A: I said that the UN can not make a distinction between Islamic and non-Islamic countries, between Arab countries and other countries. For the UN all countries are the same. And I said to Dr. Garang that soldiers, when they come from a country, and get the Blue Helmet, are then UN soldiers. They more or less lose their national identity because then they become global soldiers.

And there is only one line of command: that is the Secretary General, me, the Chief Commander, and the government of the country where the soldier is coming from, for instance if he is a Dutch soldier, the Dutch government has nothing to do with the soldier himself. Of course I have assured Dr. Garang that we will try to find a balance – people coming from different countries, not all from one country. You asked what was the outcome of the discussions; there is not yet an outcome, next week, Security Council. Possibly in the presence of Dr. Garang who has been invited by the Security Council to come to New York.

Q: Any updates on what happened as far as the appeal launched by the UN in the Work-plan – the 1.5 billion dollars. What happened so far – the responses to the appeal?

A: Good commitments; but cash flows pretty slow and I am a bit concerned about the slowness of the cash flow. I thank you very much for the question because it gives me the opportunity to inform you that I will sign letters this week to all donors to urge them to follow up their commitments to bring the money soon to Sudan. Otherwise we will not be able to continue our work within all the humanitarian agencies. Thank you very much for that question and I can tell all the other journalists that I did not ask your colleague to ask that question.

Q: I have only one thing to ask about on the report by the Secretary General to the Security Council. Number 8 says that the government signed a statute mission agreement but the SPLM hasn't signed up to now.

A: Because the SPLM wants to sign an agreement by itself. And officially, the UN says, we only have one relation for a country and that is with the government. And then the SPLM says: yes, but we are not the government because we are fighting the government. And then you get those legal experts in New York who say: yes, whatever, but anyway there is only one country so there is one government. So it is a bureaucratic problem which can be solved very soon because now there is, very soon, one government – the government of national unity including the SPLM.