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Address: UNMIS Headquarters, P.O. Box 69, Ibeid Khatim St, Khartoum 11111, SUDAN
Phone: (+249-1) 8708 6000 - Fax: (+249-1) 8708 6200

Highlights

Preparations underway ahead of Abyei Arbitration decision

Al-Sahafa reports the SPLM has requested the Abyei Arbitration Tribunal to give the Parties to the CPA ample time ahead of the Abyei arbitration decision.

GoSS Presidential Affairs Minister Luka Biong said that the participants at the Washington conference on the CPA have agreed on the need for a UN presence in Abyei to avert any insecurity that may occur after the arbitration resolution. He also said that senior NCP and SPLM figures in addition to US Special Envoy Scott Gration and some representatives of the international community would be in Abyei at the time the decision is announced.

“All SPLM holders of constitutional positions would head to the region to urge the people to accept the decision especially since it would preserve their rights and contribute to the implementation of the CPA and stability in the region. He said that the SPLM had already started implementing its part of the deal reached in Washington over Abyei.

He said the SPLM had embarked on practical measures to establish presence in Abyei in implementation of what had been agreed upon in Washington. He added that consultations were continuing as to how the decision should be made public whether it should be announced by the court only or to organize celebrations in The Hague to mark the event. The decision, he adds, is expected before 23rd July 2009 and there are no indications that the Tribunal would seek a postponement of the date of announcement although it does have the right to do so.

He explained that the SPLM has requested that the Parties be informed before hand to enable them and the international community to create a suitable climate. He said among the key decisions reached on Abyei was that the arbitration decision would immediately be implemented. This would cover border demarcation, the Abyei Road Map, and the implementation of the wealth sharing deal. He also said that there would be a clear policy on the elections mechanism in Abyei. The SPLM, he said, has called for a special committee for elections in Abyei due to the peculiar status of the region.

Meanwhile, Presidential Advisor Dr. Ghazi Salahuddin who led the NCP delegation to the Washington conference said that the two sides have agreed to adopt a preemptive policy on Abyei to avoid violence after the arbitration decision. Ghazi told a press briefing in Khartoum yesterday that the two sides would abide by the decision and would avert any act that might cause trouble in the region. He added that the two sides also agreed in Washington to launch campaigns on the ground to sensitize the people on the arbitration in Abyei.

Census results will not be changed – NCP

Presidential Adviser and NCP mobilization secretary Ghazi Salah el-Din told a press conference yesterday that his party would not accept any change in the census results based on the SPLM's demands, **Al-Wifaq** reports. He said any political interference in the census results would mean “results rigging” and its consequences would be serious. He added that it was not only the NCP that has rejected change of the census results but also the international community including the UN which have participated in supervising the exercise.

According to **Sudan Tribune website** 29/6/09, Salah Al-Deen told the press conference that the delegation he led to Washington has achieved “unprecedented” results.

The Sudanese official spoke at a forum at the pro-government Sudanese Media Center (SMC) following his return from the US where he represented the ruling NCP in a conference aimed at reenergizing the CPA.

Al-Deen said that the visit gave his delegation an opportunity to meet with “decision-making institutions in the US congress, civil society organizations, research institutions, diplomats and media”.

He said that they have been able to demonstrate the uselessness of sanctions saying that they do not affect the government officials but the ordinary citizens.

The Sudanese presidential adviser said that there are no specific proposals from the US administration to accelerate the peace process in Darfur.

He hailed the role played by the US special envoy to Sudan Scott Gration saying that he is “acting in good faith” seeking to understand the issues on the ground adding that they would accept any “useful” proposals put forward by him.

Al-Deen disclosed that there has been an agreement on continuing the tripartite mechanism between the NCP, SPLM and the US administration in Khartoum and Juba.

He cautioned that if this mediation proves to be unfair to a party they will not deal with it but said that the US administration appears serious in supporting the peace agreement.

Release of JEM POWs depends on ceasefire agreement – Government

Al-Wifaq reports head of government delegation to Doha talks Amin Hassan Omer as saying that release of JEM POWs would depend on the conclusion of a comprehensive ceasefire agreement. Omer told reporters yesterday that the forthcoming two weeks would witness intensive efforts to push the Darfur peace process forward; saying the US envoy’s visit to Chad is part of ongoing efforts for a comprehensive settlement in Darfur.

Meanwhile, *Ajras Al-Hurriah* reports Omer as saying that the government has reassured the Darfur meditation that it would not carry out the death sentences against JEM convicts. However, Omer said it was not “a promise”, saying the government’s options remain open until a breakthrough is achieved at Doha talks.

State funding for political parties may be considered – NCP

Local dailies report that NCP Information Secretary Kamal Obeid has hinted the possibility of the state considering a request to fund the upcoming elections process. According to *Al-Rai Al-Aam*, he described the request by some political parties for funding as “a reflection of seriousness and national spirit in dealing with national issues”. “If a consensus is reached among the political forces, the issue of state funding can be considered,” he said. Obeid has also described SPLM SG Pagan Amum’s statement that the NCP is seeking unity of the country for the sake of the south’s resources rather than its people as “unfortunate”.

NEC begins receiving elections symbols

Ray Al-Shaab and *Al-Akhbar* report NEC SG Jalal Mohamed Ahmed as saying that the Commission has begun receiving the political parties’ electoral symbols in preparations for upcoming elections. He said the Commission so far received four symbols from the NCP, the DUP, the PCP and the Justice Party. Meanwhile, Ahmed anticipated the voter registration

process to kick off early November.

SPLM & NCP agreed to border demarcation

Miraya FM 29/6/09 - SPLM Deputy Secretary General Dr Ann Ito, told Miraya FM that the National Congress party has officially agreed upon the implementation of boarder demarcation between the North and South Sudan.

This came during the CPA support forum held in the US capital Washington last week.

Speaking to Miraya FM Ito said it has been very important because it brought together the countries that witnessed the signing of the CPA.

However, Dr Ito said that some issues like the referendum Law, National security Intelligence Act, southern Kordofan and Blue Nile are still pending.

SS Legislative Assembly calls for an urgent session

Miraya FM 29/6/09 - The southern Sudan Legislative Assembly will deliberate on Wednesday on the census results as an urgent matter. The speaker of the assembly James Wani Igga said that the assembly would summon the chairman of census commission to explain the outcome of the census result.

Sudan WES high court sentences two men to death

Sudan Tribune website 29/6/09 — The High court in Western Equatoria handed down the death sentence to two men named Kenneth Kaunda aged 45 and Wilson Elisa aged 56.

Both men pleaded guilty before the High Court for committing murder which making them punishable to death under subsection 251/2008 of the penal court act of southern Sudan.

According to the verdict read by the High Court Judge, "Mr. Wilson Elisa committed the crime earlier 2007 and the first hearing of the case started from November and December 2007 that is why to day the court has proved that the offender is guilty evidenced by witness brought before the court to testify before the panel of judges of the high court".

The High Court Judge stressed that, "Justice delayed is Justice denied".

This is the first ruling of its kind in the history of Western Equatoria State after the 2005 Comprehensive Peace Agreement (CPA).

"This will at least send a message to other people who take law into their hand" stressed the High court judge.

In related court ruling, Mr. Kenneth Kaunda who formally worked for SPLA Intelligence was behind the death of Mr. Jimmy Gibson Doro, which occurred in June 2008.

"The two men are waiting to be transported to the Main Prison of juba for custody until their time come for execution, just simply because Yambio prison has no guarantee place for keeping such people and no official ground for executing people" said Hon Bol.

This came following the letter from the president of the Supreme Court, Government of South Sudan to all the Judiciary department of South Sudan that all those waiting death sentence are

to be transported to Juba.

Late Jimmy Gibson worked for the State SPLM Secretariat as an information officer.

“It’s the duty of the judiciary to establish a permanent rule of law to guide the civilian from killing innocent people” Hon Bol said.

Furthermore the president of the High Court stated that, “the high rate of capital offence in Western Equatoria State is murder case, rape and adultery” and he also assured the journalists that, “the only crime punishable by death sentence is murder if evidence and witnesses are produced in the court and if the person is proven guilty.”

“Four people were convicted last week for capital offence, among them two were miserably sentenced to death and other two will be serving their terms in Yambio prison”.

The High Court in Western Equatoria State currently operates in the four counties, of which Yambio is the State Headquarters and Administration centre of the State, other counties are Greater Tambura, Greater Mundiri, Maridi respectively. And hopefully soon it will extend its branches in all the ten counties of WES.

The High Court is an independent institution; it has three pillars, The court of appeal is open to any convict who is not satisfied with its judgment; the door is open and free for any person who is convicted.

President Al-Bashir to lead Sudan delegation to Libya

Al-Sahafa reports President Al-Bashir is traveling to Libya tomorrow leading Sudan Government delegation to participate in AU summit. The summit is expected to discuss a range of issues including the report of the AU Panel on Darfur.

JEM receives weapons from Chad

Al-Khartoum reports JEM has received advanced weapons from Chad after the recent visit of JEM leader Khalil Ibrahim to Israel. Reportedly, JEM has embarked on coordination with the Chadian army. Sources said Chadian authorities ordered JEM to conduct quick change especially after the UNHCR charges against JEM regarding forceful recruitment of children.

Residents of “Juda” calls for SPLA withdrawal

Al-Intibaha reports the residents of the town of “Juda” in the Blue Nile State have held the CPA parties responsible for incidents occurring in the area and called for the withdrawal of the SPLA battalion which had trespassed the 1.1.56 north-south border by more than 4km.

The Presidential Assistant Nafie Ali Nafie has promised to resolve the problem within 72 hours. A delegation from Juda town in the White Nile State met with the NCP leaders yesterday for discussion on the situation at the border which witnessed tensions after the SPLA military buildup.

President Al-Bashir to visit north Upper Nile

Al-Raed reports President Al-Bashir will arrive in the town of Renk on July 5th on a visit to the north Upper Nile as part of the 20th Anniversary celebrations of the National Salvation Revolution. The President will launch several development projects.

Op-Ed: Africa and the International Court

By KOFI ANNAN

Published: June 29, 2009 the New York Times

Eleven years ago when I opened the Rome conference that led to the founding of the International Criminal Court, I reminded the delegates that the eyes of the victims of past crimes and the potential victims of future ones were fixed firmly upon them. The delegates, many of whom were African, acted on that unique opportunity and created an institution to strengthen justice and the rule of law.

Now that important legacy rests once more in the hands of African leaders as they meet in Libya on Wednesday. The African Union summit meeting will be the first since the I.C.C. issued an arrest warrant for Sudan's president, Omar Hassan al-Bashir, on charges of crimes against humanity and war crimes for his alleged role in the atrocities in Darfur.

The African Union's repeatedly stated commitment to battle impunity will be put to the test. On the agenda is an initiative by a few states to denounce and undermine the international court. In recent months, some African leaders have expressed the view that international justice as represented by the I.C.C. is an imposition, if not a plot, by the industrialized West.

In my view, this outcry against justice demeans the yearning for human dignity that resides in every African heart. It also represents a step backward in the battle against impunity.

Over the course of my 10 years as United Nations secretary general, the promise of justice and its potential as a deterrent came closer to reality. The atrocities committed in Rwanda and the former Yugoslavia moved the Security Council to set up two ad hoc tribunals, building on the principles of post-World War II courts in Nuremberg and Tokyo.

These new tribunals showed that there is such a thing as effective international justice.

But these ad hoc tribunals were not enough. People the world over wanted to know that wherever and whenever the worst atrocities were committed — genocide, war crimes or crimes against humanity — there would be a court to bring to justice anyone in a government hierarchy or military chain of command who was responsible. That principle would be applied without exception, whether to the lowliest soldier or the loftiest ruler.

Thus the International Criminal Court was formed. It now has 108 states, including 30 African countries, representing the largest regional bloc among the member states. Five of the court's 18 judges are African. The I.C.C. reflects the demand of people everywhere for a court that can punish these serious crimes and deter others from committing them.

The African opponents of the international court argue that it is fixated on Africa because its four cases so far all concern alleged crimes against African victims.

One must begin by asking why African leaders shouldn't celebrate this focus on African victims. Do these leaders really want to side with the alleged perpetrators of mass atrocities rather than their victims? Is the court's failure to date to answer the calls of victims outside of Africa really a reason to leave the calls of African victims unheeded?

Moreover, in three of these cases, it was the government itself that called for I.C.C. intervention — the Democratic Republic of Congo, the Central African Republic and Uganda. The fourth case, that of Darfur, was selected not by the international court but forwarded by the U.N. Security Council.

It's also important to remember that the I.C.C., as a court of last resort, acts only when national justice systems are unwilling or unable to do so. There will be less need for it to protect African victims only when African governments themselves improve their record of bringing to justice those responsible for mass atrocities.

The I.C.C. represents hope for victims of atrocities and sends a message that no one is above the law. That hope and message will be undermined if the African Union condemns the court because it has charged an African head of state. The African Union should not abandon its promise to fight impunity. Unless indicted war criminals are held to account, regardless of their rank, others tempted to emulate them will not be deterred, and African people will suffer.

We have little hope of preventing the worst crimes known to mankind, or reassuring those who live in fear of their recurrence, if African leaders stop supporting justice for the most heinous crimes just because one of their own stands accused.

Kofi Annan served as secretary general of the United Nations from 1997-2006 and is now president of the Kofi Annan Foundation.