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Media Monitoring Report

United Nations Mission In Sudan/ Public Information Office

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Highlights

Local Arabic and English language press

People of Sudan Initiative to be launched today

Radio Omdurman broadcasts People of Sudan Initiative will be launched today in Khartoum. Those expected to address the launch include President Bashir, FVP Kiir, Senior Presidential Assistant Minni Minnawi, Umma Party leader Sadiq Al-Mahdi and Presidential Advisor Bona Malwal.

The Senior Presidential Assistant Minnawi returned to Khartoum yesterday. Reportedly, he said would go back if matrix implementation stalls.

JDB says arms shipment not destined for SPLA

Khartoum Monitor reports JDB yesterday denied that arms shipment held by Somali pirates were destined for SPLA. The JDB spokesperson Bior Ajang said yesterday that the SPLA has the right to obtain arms in order to transform into a regular army through consultations with SAF. The JDB next meeting is scheduled for 18 November in Kadugli, adding the meeting discussed the budget which would be submitted to the Presidency in the upcoming days.

Al-Sahafa reports JDB spokesperson Ajang said SAF agreed to JIUs being assisted by five European countries. Ajang also said Abyei Area JIUs were facing financial and logistical constraints.

SRSG Qazi addresses forum

Local dailies report SRSG Ashraf Qazi addressed in Khartoum yesterday a forum on peace process in Sudan. The SRSG Qazi expressed UN full support for the peace process in the Sudan.

Qazi's lecture received wide coverage in local dailies under various headings such as: Nobody knows the value of peace better than the Sudanese people; challenges do not block government from realizing peace, stability and unity; UN will leave Sudan six months after referendum, Qazi answers difficult questions at forum yesterday; Qazi says rainy season may delay elections in July; Qazi says peace threats should be addressed; secession possible in self-determination referendum – UN; challenges before CPA – Qazi.

According to **Al-Rai Al-Aam**, Qazi said UN cooperates with ICC, saying it is an independent body. The paper said the only question Qazi did not answer was: Is UN priority to achieve peace or justice?

JIP to maintain security in Southern Kordofan

Al-Sahafa reports Governor of Southern Kordofan Omer Suleiman said the political committee set up to follow up implementation of the Southern Kordofan and the Blue Nile Peace Protocols would meet on Monday. He revealed that police joint committee opened Joint Integrated Police (JIP) points in areas to which access was previously denied by SPLA.

Security Council rejects mechanisms to monitor Sudan's airports and ports

Al-Rai Al-Aam reports SC adopted late yesterday resolution (1843) extending, for a year, an experts mission for arms embargo in Darfur. The SC could not approve the experts' recommendations due to division. The experts' recommendations include arms embargo, mechanisms to monitor airports and ports and extension of the embargo to include eastern Chad and north Central Africa Republic.

SAF criticizes Human Rights Watch

Al-Rai Al-Aam reports SAF spokesperson office yesterday criticized Human Rights Watch reports that Iran, Russia and some other countries supply arms to Khartoum. The office said Sudan has the right to deal with anybody. In the area of arms, Sudan deals with America and a number of other countries, the office said.

Websites/International News Coverage

ICC judges ask prosecutor for additional material on Bashir arrest warrant

15/10/08 (***Sudan Tribune website***) WASHINGTON – ICC Judges asked the prosecutor today for additional information on his application requesting the issuance of an arrest warrant for Sudanese president Omer Hassan Al-Bashir.

The judges of the Pre-Trial Chamber I which has officially started deliberating on the case against Al-Bashir earlier this month said in court documents that there are aspects of the ICC prosecutor's application which require "additional supporting materials".

The judges of the Pre-Trial Chamber I consist of Akua Kuenyehia from Ghana, Sylvia Steiner from Brazil and Anita Usacka from Latvia.

The judges attached a confidential annex to their request which contained items for which the prosecutor is required to furnish extra documentation.

The ICC prosecutor has until November 17 to provide the information.

Today marks three months since Ocampo announced his intention to seek an arrest warrant for Al-Bashir. It was widely expected that the judges will issue a decision in mid-October.

On October 1st the ICC judges met with Ocampo for over 3 hours in a closed session for oral discussions on his case against Sudanese president. The transcript of the hearing has not been released.

Ocampo was present at the hearing along with Essa Faal from Gambia working as the senior Trial lawyer on the Bashir case.

ICC Judges routinely meet with the prosecutor following a request submitted by him for an arrest warrant or summons to appear to question aspects of the case before making a decision.

Last year the Pre-Trial Chamber I convened a similar meeting with the prosecutor to discuss the application regarding Ahmed Haroun, state minister for humanitarian affairs, and militia commander Ali Kushayb charged in connection with Darfur war crimes.

The meeting is believed to have discussed whether or not the two suspects will surrender themselves voluntarily to the court justifying a summons to appear rather than an arrest warrant.

It is hard to assess the significance of today's decision which is normally not made public. No official from the ICC could be reached for comment.

Depending on when the prosecutor's office submits the material a decision may be forthcoming before December 12 which is the date the court goes into recess until January 2009.

World prolonging Darfur conflict - UN

15/10/08 (**AFP**) El-Fasher: THE commander of the UN-led peacekeeping force in Darfur says mistakes by the international community have prolonged the conflict and that there is no immediate prospect for peace.

General Martin Agwai's comments come as the Sudanese Government is set to launch an initiative on resolving the war, hoping to defer possible international legal proceedings against President Omar al-Bashir for alleged war crimes.

"Honestly, I do not see any prospects for immediate peace in Darfur because there are too many interests," Gen Agwai said in an interview at the headquarters of the United Nations-African Union mission in El-Fasher. "There is also infighting between the movements and between all the stakeholders. With that I cannot see peace coming immediately," he added.

"When there is no agreement on even how to negotiate, then you can see it's going to be very long and that is my concern."

The first days of the current conflict, which erupted in February 2003 when ethnic rebels in the western Sudanese region rose up against the Arab-led regime fighting for wealth, power and resources, has degenerated into a vastly more complex web of violence.

Gen Agwai said there were more than two dozen rebel movements in a population of six million and that the conflict was no longer simply "African against Arab" but coloured by infighting between Africans, Arabs and rival signatories of past peace accords.

He also had a strong message for the international community, whose massive engagement has failed to translate into peacekeeping boots on the ground, saying its mistakes have prolonged the conflict.

"Prolonged it in the sense that the approach has been delayed, because if we had approached it from day one with constructive engagement, maybe we would have got beyond where we are today," he said. "Now we are taking time to correct them (the mistakes)."

Two Darfur rebel SLM groups merge

15/10/08 (**Sudan Tribune website**) AL-FASHER — Darfur's historical rebel movement has joined forces with a rival rebel group to pool resources in their 5-year war against the government in Khartoum, it was announced today.

The Sudan Liberation Movement led by Abdel-Whid Mohamed Al-Nur and the Sudan National Liberation Movement (SNLM), led by Col. Jabir Mohamed Hassab-Allah, said today they agreed to sign a reunification deal and to join their efforts for the rights of Darfur people.

The move comes in the context of ongoing efforts to reunite Darfur fighters on the ground under the SLM banner. "It is the result from our firm conviction that no solution for Darfur conflict without our unity" said a joint communiqué issued today in Tarni in North Darfur.

Among the most important commanders to rejoin Al-Nur Movement today were Col. Hassab-Allah, Salah Mustafa (Bob), Abdallah Ahmed Abu Tanga, Bushara Al-Tayeb, and Adam Ahmed.

SLA spokesperson Abdel-Rahman Adam Nimer, told Sudan Tribune that Tarni Declaration would be followed soon by other reunifications. "This is just the first communiqué others will follow soon," he said.

South Sudan seeks budget hike after army overspend

15/10/08 (**Reuters**) By Skye Wheeler, JUBA- South Sudan's finance minister on yesterday asked lawmakers to approve a supplementary budget equal to almost two-thirds the original plan largely because of overspending by the armed forces.

Both the semi-autonomous south and the north, which signed a peace deal in 2005, have been building up their armies with a number of possible flashpoint events on the horizon.

Finance Minister Kuol Athian told South Sudan's parliament it needed to cover another 2.08 billion Sudanese pounds (\$980 million) of spending on top of the 3.4 billion Sudanese pounds already included in the 2008 budget.

The minister later told **Reuters** the biggest over-spender was South Sudan's army, which had burned through a budget of nearly 1 billion pounds by June.

South Sudan's national budget has been weighed down by the running costs of the large standing army it has maintained since signing the peace agreement that ended more than two decades of north-south civil war.

Athian told **Reuters** the 61 percent budget increase he wanted could be covered by a surge in the region's oil revenues in 2008. Oil revenues account for 99 percent of government income. A recent fall in global oil prices could have a serious impact on next year's spending plans, Athian added.

"It will affect our budget for next year," he told Reuters. The budget for 2009 would be worked out on the assumption of an oil price of \$75 a barrel, he added. U.S. crude fell on Wednesday to a 13-month low of just over \$75.

Overall, South Sudan's government spent 70 percent of its budget by June, said Athian. Government departments exceeded budgeted spending in a range of others areas, including telecoms and food stores, he added.

South Sudanese parliamentarians are due to vote on the supplementary budget request within the next two weeks.

The seizure by Somali pirates of a shipload of tanks that many believe were destined for South Sudan has highlighted the arms build-up in the region. South Sudan has said the tanks were not for its forces and Kenya says they were meant for its forces, but the U.S. navy, diplomats, maritime officials and the pirates have said they believe they were meant for south Sudan. Sudan's Khartoum-based government summoned Kenyan and Ethiopian ambassadors this week to protest against what it said were illegal arms shipments to the south.

Sudan official report to UNSC in September shows no arrest of Kushayb

15/10/08 (**Sudan Tribune website**) KHARTOUM – A report created by the Sudanese

government last month and forwarded by the AU to the UN Security Council conflicts with official statements on the arrest of a militia leader wanted by the ICC.

This week the Sudanese justice minister Abdel-Basit Sabdarat told the **Associated Press** from Cairo that militia commander Ali Mohamed Ali Abdel-Rahman, also known as Ali Kushayb “is in government custody”. “Kushayb will be tried in Sudan’s domestic courts. He is under investigation. He will be held accountable” Sabdarat said.

UN spokeswoman Michele Montas on Wednesday welcomed the arrest of Kushayb. “If confirmed, this is a welcome step towards the vital need to end impunity and bring to justice those responsible for crimes in Darfur” she told a press briefing.

The Sudanese justice undersecretary Abdel-Daim Zumrawi told Reuters on Tuesday that Kushayb has been detained in Sudan several months ago.

“The prosecutors have collected all the evidence against them. I am not sure whether it will be placed before a court...Kushayb has been under arrest for a long time” Zumrawi said.

However Khartoum’s report to UNSC obtained by Sudan Tribune earlier this month makes no mention of the militia leader being in custody.

The report which was not made public states that on September 2nd the Darfur special prosecutor submitted his first report on his work showing that he has reviewed Kushayb’s case but that it is still in its early stages.

“The newly constituted investigation team perused the investigation diary of the report no. (2868) in which colonel Hamdi Sharafeldin, Ali Kushayb and others are named as accused persons, the committee after determining the unfinished process relating to this case visited Nyala and Ginena” the report says.

“In Ginena, they questioned a number of witnesses in the above case and decided to resume the questioning of other witnesses when available”.

This was the only time Kushayb’s case was mentioned throughout the report.

The judges of the ICC issued arrest warrants last year for Kushayb and Ahmed Haroun, state minister for humanitarian affairs on 51 counts of alleged crimes against humanity and war crimes. But Khartoum has so far refused to hand them over.

Khartoum had long claimed that Kushayb was in custody since November 2006 for investigations into allegations of violations he committed during the peak of the Darfur conflict in 2004.

Sudan’s former Justice Minister Mohamed Ali al-Mardi told a news conference in Khartoum in February 2007 that “Ali Kushayb, along with two other individuals, was sent for trial. He was detained as a suspect, questioned, his statements were evaluated and witness statements recorded, and then the decision was taken to refer him to court”.

But in March 2007 Kushayb’s trial was delayed when the defendants filed an appeal with the Justice ministry after which Abu-Zeid told reporters that Kushayb’s appeal was denied that there is “sufficient evidence to proceed with the case”.

Shortly afterwards the Sudanese justice ministry ordered a ban on publishing reports or details

relating to criminal cases on Darfur conflict and many observers at the time voiced skepticism over Khartoum's seriousness to try perpetrators of crimes in the war ravaged region.

In October 2007 Sudan's former foreign minister Lam Akol told the pro-government daily Al-Rayaam from New York that Kushayb was freed "due to lack of incriminating evidence against him".

However Al-Mardi issued a quick denial to the Al-Rayaam report describing it as "false" without directly commenting on Akol's statements.

The former Justice Minister was asked again by Al-Rayaam last November on the whereabouts of Kushayb and he reiterated that the militia leader was "never released" before saying that he refrained from commenting on the issue "because it is under investigation".

In April the spokesman for the Sudanese embassy in London, Khalid Al-Mubarak was quoted by Voice of America (VOA) as saying that Haroun and Kushayb were not prosecuted "because there is no evidence against them".

Again in June Amin Hassan Omar, a leading figure in the National Congress Party (NCP) and a state minister also confirmed Kushayb's release.

Sudanese media reported that Kushayb will stand trial shortly and the independent Al-Sahafa newspaper reported that security reinforcements were sent to the capital city of West Darfur where the militia leader is said to be held.

But legal sources in El-Geneina, speaking to Reuters on condition of anonymity, said that court officials in the town had heard nothing of a pending trial.

"I have just come back from the court" said one lawyer. "And no one, the lawyers or the court officers, knew anything about a trial. This is just talk".

It remains to be seen what crimes Kushayb will be prosecuted for.

The ICC Statute prevents investigation into crimes that were looked into by local judiciary under the concept of "complementarity".

Sudan must prosecute Haroun and Kushayb for the same accusations brought against them by the ICC in order for the latter to lose jurisdiction over their cases.

Sudan has not ratified the Rome Statute, but the UN Security Council (UNSC) triggered the provisions under the Statute that enables it to refer situations in non-State parties to the world court if it deems that it is a threat to international peace and security.

UN faces a prickly dilemma on justice and peace

16/10/08 (***Guardian***) by Julian Borger -- Is there a trade-off between justice and peace? That is the question that now confronts the UN security council when it considers Sudan in the coming few weeks.

The chief prosecutor at the international criminal court, Luis Moreno-Ocampo, is asking for a warrant for the arrest of Sudan's president, Omar al-Bashir, on charges of genocide for mass killings in Darfur. The ICC is considering the request and should give a ruling in November or December at the latest.

The possibility of political interference in the workings of the court was built into its founding document, the Rome statute, which was agreed ten years ago. Article 16 gives the UN Security Council the right to defer an indictment for 12 months at a time. The African Union and the Arab League are demanding they do just that. They argue that an indictment of Sudan's president would destabilize the country, ruining any chance of peace in Darfur and unraveling the 2005 comprehensive peace agreement (CPA) that ended decades of war in southern Sudan, the scene of Africa's longest civil conflict.

On top of that, the prospect of indictment has added weight to complaints that the ICC is picking on Africa. If the court issues an arrest warrant for Bashir, there could be an African and Arab backlash against it.

That may be nothing compared to the backlash against aid organizations, peacekeepers and civil society groups in Sudan if the warrant is issued. Since Moreno-Ocampo presented his case on July 14, the offices of aid organizations have been ransacked by Sudanese security officials apparently looking for evidence for a conspiracy somehow linking the NGOs with the ICC investigation. There has been a rash of newspaper articles in Khartoum depicting foreign aid agencies as covers for western espionage.

Humanitarian groups warn that if they are thrown out and Khartoum closes down its stop-start cooperation with the hybrid AU-UN peacekeeping force, it could be devastating for the survivors of the Darfur atrocities, the 2.5 million refugees languishing in relief camps along the Sudan-Chad border.

These are the underpinnings of the trade-off argument - that in Sudan's case, in the immediate interests of the hungry and oppressed, and the long-term interests of stability, justice should take a back seat to peace.

The strongest counter to this position comes from an unexpected quarter – from Sudanese human rights and civil society activists who would surely bear the brunt of any government backlash. They insist that there can be no trade-off between justice and peace in Sudan.

"The survivors in the camps say only justice can make a difference. There can be no peace without justice," Salih Osman, a human rights activist from Darfur and a member of Sudan's national parliament, said during a visit to London this week. "The survivors say: 'We have nothing to lose. There is no peace, and there is no deployment of the hybrid force.'

"If the agreement in the south had had an element of justice and accountability, Darfur would never have happened," he added.

Osman's point is that the same security team in Khartoum was behind the counter-insurgency in both the south and in Darfur. They just replicated the strategy.

The second point Sudanese dissidents make is that the Bashir government only responds to pressure. It does the minimum necessary to deflect international scrutiny and as soon as it detects a relaxation, it goes back to business as usual. Bashir responded to Moreno-Ocampo's announcement by going to Darfur for the first time and making a reconciliatory speech admitting there could be no military solution.

Osman Hummida, another human rights activist went further in arguing that an indictment could usher in a more conciliatory government in Khartoum, which would strengthen the

prospects for peace in Darfur and the south.

"In terms of the political agenda, it has impacted positively. It has demoralized the hardliners. The people backing reform are in a better position now," Hummida said.

"There are people in the [ruling National Congress party] NCP with a heavy financial interest. They want to engage with the international community and they may not let one person stand in the way."

Hummida arguably has history on his side. The first sitting head of state to be indicted for war crimes, Slobodan Milosevic, fell from power a year later. Being a fugitive from international justice is a heavy burden to carry in the corridors of power.

It is a critical debate that goes to the heart of just about every "humanitarian intervention" in recent history. It is certainly one that has split the Security Council. China and Russia are ready to back a deferral. Washington has put aside its longstanding misgivings over the ICC and said it will not contemplate voting for one. In between, Britain is laying down vague conditions to even consider voting for Article 16, including "bold and proactive" engagement by Khartoum with the peace process and with the ICC. British officials say it is up to the ICC to decide whether it is getting enough cooperation, but they suggest the Sudanese government would have to take action against the two men already indicted for Darfur war crimes: a militia commander, Ali Kushayb, and the current minister for humanitarian affairs, Ahmed Haroun.

This week, the government appeared to bow to the pressure by arresting Kushayb, but it is so far unclear whether he will face trial. He was arrested before, during a similarly intense period of pressure, and quietly let go soon afterwards.

France has given out mixed signals, suggesting at one point that only the surrender of Haroun and Kushayb to the ICC would be sufficient, and then later softening their position to saying that Haroun should leave office and that both suspects should hire lawyers to deal with the court.

Thus far, Khartoum has not even done enough to satisfy Paris, let alone London or Washington, so an Article 16 vote looks highly unlikely. If the ICC does issue an arrest warrant as expected, we will find out soon enough whether justice can only be done at the expense of peace in Sudan.

Danish UN observers cannot enter Sudan

Six Danish officers who should have traveled to Sudan in August as UN observers, still cannot get entry visas. The Danish armed forces said there have been many problems getting Sudanese visas for Danes since President Omar al-Bashir declared during the latest Mohammed crisis that 'not a single Danish foot will soil Sudan's land.'

The defense Minister, Søren Gade, explained that new visa procedures were introduced by the UN in the spring that allow the Danes to travel as international representatives rather than as Danish employees. However, despite having Danish diplomatic passports and UN travel documentation the six observers are still unable to enter Sudan. The armed forces were unable to give further information on the case.

The Danish People's Party has called on the government to issue a formal protest to the Sudanese, reports Berlingske Tidende newspaper.

Links

Sudan

Darfur: Millennium Development Grotesquery. [Commentary]. By Eric Reeves. *Sudan Tribune*. 15/10/2008. (Noon).

<http://unhq-apps-01.un.org/dpi/nmu.nsf/ac/2008-10-15ASPN-7KFP3M>

Burying the hatchets in Sudan. [Commentary]. By Nesrine Malik. *The Guardian (UK)*. 15/10/2008. (Noon).

<http://unhq-apps-01.un.org/dpi/nmu.nsf/ac/2008-10-15RRGA-7KFQKP>