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Testimony to the Tom Lantos Human Rights Commission regarding Sudan
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Good morning, Chairman McGovern, Chairman Wolf and distinguished Members of the Tom Lantos Human Rights Commission. Thank you for inviting me to this important hearing on Sudan, particularly in view of new conflict and human rights abuses occurring in Southern Kordofan and Blue Nile states as we speak.

I was asked to speak on my recent visit to Southern Kordofan. I will keep my comments brief and ask that our August 30 report on the situation in Southern Kordofan be submitted for the record.

As you are aware, South Sudan seceded from Sudan on July 9, following a January referendum under the terms of the 2005 Comprehensive Peace Agreement. While these events transpired relatively smoothly, new conflicts erupted in key areas north of the border, where the reforms envisioned in the peace agreement never occurred.

Weeks after Sudan militarily overtook the disputed border area of Abyei in late May, in violation of the CPA, fighting between government and SPLA forces broke out in neighboring Southern Kordofan, home to large ethnic Nuba populations with longstanding ties to the SPLM.

The fighting broke out amid growing tensions over disputed state elections, in which Ahmed Haroun -- who is wanted by the International Criminal Court for war crimes and crimes against humanity in Darfur -- claimed a narrow victory for governor. The two parties also disagreed over the terms of troop withdrawals under the security arrangements in the CPA.

According to witnesses we interviewed and other sources, government forces shelled civilian areas, shot people in the streets and carried out house-to-house searches and arrests based on lists of names of known SPLM supporters in the first weeks of fighting. Many people I interviewed saw dead bodies and evidence of looting and burning as they escaped the town.

The witness accounts are consistent with many of the findings in an August 15 report by the Office of the High Commissioner for Human Rights, which documents unlawful killings and attacks on civilians and other serious human rights violations that could amount to war crimes and crimes against humanity.

In late August, I visited Southern Kordofan. Although government restrictions prevented us from visiting Kadugli itself and other government-controlled areas, we visited many towns and

villages deep in the Nuba Mountains, where hundreds of thousands of people have taken refuge from fighting and ongoing indiscriminate bombing by the Sudanese government.

While I was there, I saw government planes circling overhead on a near-daily basis, sometimes multiple times per day. I also saw three bombs falling out of an aircraft, and heard them explode a few kilometers away. We investigated 13 air separate strikes in Kauda, Delami, and Kurchi areas -- a small fraction of the total number of air strikes in Nuba Mountains – in which bomb fragments brutally killed at least 26 people, including women and children, and injured 45 others, maiming many for life.

According to those we interviewed, there were no military targets in areas where bombs fell. None of the incidents we investigated occurred close to front lines or in areas of active combat. The type of munitions used and the manner in which they were delivered – unguided, dropped from high altitudes – are further evidence that the bombings were indiscriminate and therefore unlawful.

The bombing is ongoing, and has a devastating impact on the Nuba population. People forced out of their homes now live in harsh conditions under boulders, in caves, on mountaintops, under trees, and in the bush far from towns where they fear being struck by bombs. They lacked sufficient food, medicine, and shelter from the rains – many are now eating berries and leaves, and their children are suffering from diarrhea and malaria. Many we met were separated from family members living in government controlled areas.

Humanitarian groups estimate that more than 200,000 people have been displaced, either by the outbreak of fighting in early June, by ongoing fighting along several front lines, and by the ongoing bombing campaign. The number may be higher, as heavy rains and lack of fuel for vehicles and security concerns restricted access to many SPLM-North-controlled areas.

Yet the Sudanese government has blocked humanitarian assistance to opposition areas as well as many government-held areas. On August 20, aid groups tried to carry out an assessment but were allowed only to Kadugli town. On August 23, President Al-Bashir publicly stated that no international groups would be allowed in. Indeed, Sudan has done everything possible to ensure there are no “eyes and ears” on the ground. It has prevented journalists, researchers, diplomats and UN staff from visiting the area, and forced the UN peacekeepers to leave.

In recent weeks, this conflict has spread to neighboring Blue Nile state and the government has clamped down on SPLM-North across the country, arresting more than 100 suspected supporters, banning political parties, and restricting media coverage of the conflicts. We have credible reports that the government is bombing civilian areas in Blue Nile also. Tens of thousands of people fled their homes.

Sudan faces many political challenges: growing dissent from marginalized populations in its peripheries; active conflicts in two border states and in Darfur, for eight years running; and it has lost one-third of its territory and faces serious economic challenges. Unfortunately, its leaders have chosen to respond to these challenges through repression and armed conflict rather than by upholding rights, opening political space, pursuing democratic reforms.

The United States has shown leadership. Ambassador Rice condemned the violence early on and requested UN reporting on human rights violations. The state department has also condemned the continued aerial bombing. This continued leadership is critical.

The United Nations Security Council and the Africa Union have yet to even condemn the violations, despite the evidence of indiscriminate bombing and despite the UN High Commissioner for Human Rights warning that war crimes and crimes against humanity may have occurred in Southern Kordofan.

We urge the US to press for:

- a strong condemnation of the ongoing violations in Southern Kordofan and Blue Nile;
- an international monitoring presence, with a requirement for continued human rights monitoring; and
- a full and independent investigation into violations of international human rights and humanitarian law

Finally, the US needs to remain steadfast in making no concessions to Sudan given these ongoing and serious violations.

Thank you.