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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 have been covering Sudan for several years, both with Human Rights Watch and formerly with the United Nations in Darfur. I was asked to speak on my recent visit to Southern Kordofan's Nuba Mountains region, where hundreds of thousands of people have been displaced both by ongoing armed conflict and by relentless government bombing that is terrorizing the civilian population. I will keep my comments brief and ask that my written statement be made part of the record.

As you are aware, Sudan has been through major changes this year, with the January referendum on southern self-determination followed by the formal secession of South Sudan on July 9, 2011. These events, spelled out in the 2005 Comprehensive Peace Agreement (CPA) ending Sudan's long civil war, transpired relatively smoothly.

However, in the period leading up to the South's split, tensions flared between the ruling National Congress Party (NCP) and the Sudan People's Liberation Movement in areas north of the border, in the so-called transitional areas -- Abyei, Southern Kordofan and Blue Nile -- where the CPA's envisioned reforms never occurred. In May Sudan commenced an aggressive military assault on Abyei, the long-disputed border area. Government soldiers and militia effectively took over the town and surrounding villages, looting and destroying homes, offices, and humanitarian supplies, and driving tens of thousands of people southward in a grim repeat of fighting between the government forces and the SPLA in 2008.

With international support, including from the United States, the ruling parties agreed to end hostilities and accepted UN-mandated peacekeepers in the area, although they remain deadlocked over the territory's status.

Weeks later, conflict erupted in Southern Kordofan, home to large ethnic Nuba populations with longstanding ties to southern rebel movement and broad support for the SPLM (now the SPLM-North). Tensions rose in May over disputed state elections, in which incumbent governor Ahmed Haroun -- who is wanted by the International Criminal Court for war crimes and crimes against humanity in Darfur -- claimed a narrow victory. The two parties also disagreed over the terms of troop withdrawals under the security arrangements in the CPA.

On June 5, government forces clashed with SPLA elements in Um Durein and Kadugli and other towns. 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. Many people I interviewed saw dead bodies and evidence of looting and burning as they escaped the town. Their accounts are wholly consistent with a report released by the UN's High Commissioner for Human Rights documenting serious violations in these first few weeks of fighting.

I visited Southern Kordofan in late August and met people who had fled Kadugli and elsewhere, both because of fighting and because of ongoing indiscriminate bombing. 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 bombing by the Sudanese government.

While I was there, I saw government planes overhead on a near-daily basis, sometimes multiple times per day. I saw three bombs falling out of one aircraft and heard them explode a few kilometers away. We could not reach the site of those explosions, but we investigated 13 other air strikes in Kauda, Delami, and Kurchi areas. Those strikes, which represent only a small fraction of the total number of air strikes in Nuba Mountains, killed at least 26 people and injured more than 45 others. Family members described in graphic detail how shrapnel tore the bodies of their loved ones. Men, women and children have lost limbs or are now paralyzed or otherwise maimed for life – in some cases because they could not get medical care to heal their wounds.

According to all the victims and witnesses we interviewed, there were no fighters in the area at the time 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 munitions dropped from high altitudes – are further evidence that the bombings were indiscriminate and therefore unlawful.

The bombing has had, and continues to have, a devastating impact on the Nuba population. Displaced 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. Many are separated from family members. They lacked sufficient food, medicine, and shelter from the rains. Many people we interviewed are eating berries and leaves, and reported their children are suffering from diarrhea and malaria.

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 significantly 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. President Al-Bashir has publicly stated that no international groups would be allowed in. A small number of local groups with almost no aid supplies are left to fill the gap. The government has also prevented journalists, researchers, diplomats and UN staff from visiting the area, and it forced the UN peacekeepers to leave. Sudan has done everything possible to ensure there are no “eyes and ears” on the ground.

In recent weeks, this conflict has spread to neighboring Blue Nile state and the government has sharply cracked down on SPLM-North. Again, we are receiving reports from the ground that government forces have killed civilians, arbitrarily arrested suspected supporters of SPLM-North, and looted and destroyed property, and that the government is bombing civilian areas. Yet again, tens of thousands of people are fleeing their areas.

Sudan faces many political challenges: growing dissent from marginalized populations in its peripheries; active conflicts in two border states and in Darfur; 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.

We have called on the United Nations Security Council and the Africa Union to insist on humanitarian access, international monitoring, and an independent investigation. But these institutions have yet to even condemn the violations, despite the evidence of indiscriminate bombing of civilian areas and the High Commissioner’s warning that war crimes and crimes against humanity may have occurred.

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, it goes without saying that the US needs to remain steadfast in making no concessions to Sudan given these ongoing and serious violations.

Thank you.