

# **ACP-EU JOINT PARLIAMENTARY ASSEMBLY**

## **REPORT on the mission to the Sudan**

**26 June - 2 July 2001**

**Serge Clair and John Corrie, Co-Presidents  
Glenys Kinnock and Mario Mauro, Vice-Presidents  
Richard Cheltenham, Member**

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## *Introduction*

The ACP-EU Joint Parliamentary Assembly sent a delegation on a fact-finding mission to the Sudan from 26 June - 2 July 2001. They were formally invited by the Speaker of the National Assembly, Mr Ahmed Ibrahim Eltahir.

The Delegation was composed of the two JPA Co-Presidents, Mr Serge CLAIR (Mauritius) and Mr John CORRIE (European Parliament), together with Mrs Glenys KINNOCK (European Parliament), Vice-President, Mr Mario MAURO (European Parliament), Vice-President, and Dr Richard CHELTENHAM (Barbados), Member.

The Sudan itself is of course a member of the JPA, a parliamentary body composed of one member from each of the 77 African, Caribbean and Pacific states signatories to the Cotonou Agreement and a corresponding 77 members of the European Parliament. This agreement aims to promote and expedite the economic, cultural and social development of the ACP states, with a view to contributing towards peace and security and to promoting a stable and democratic political environment. The ACP-EU Partnership "shall actively support the promotion of human rights, processes of democratisation, consolidation of the rule of law, and good governance" (Article 9).

Moreover, it is stated in Article 11 that "the Parties shall pursue an active, comprehensive and integrated policy of peace-building and conflict prevention and resolution within the framework of the Partnership".

The situation in the Sudan has preoccupied the Assembly for some years, giving rise to numerous debates therein. The aim of the JPA fact-finding mission was to examine the situation on the ground and hold discussions with a wide range of people, with a view to being able to make recommendations to international and national actors on steps they might take which could lead to peace and the sustainable development of the country centred on the human person, in conformity with the JPA's Cotonou Agreement task "to promote democratic processes through dialogue and consultation" (Article 17).

The programme was worked out with the Sudanese authorities in accordance with the wishes expressed by the Delegation, and the Delegation was able to implement this programme without constraint.

This report from the Delegation seeks to recount what they saw and heard on their visit to the Sudan, and most is therefore in reported speech. Their conclusions have been made on the basis of this information, supplemented by other available evidence and corroborated, wherever possible, by reliable documentation and data. The purpose of the mission and this report relate entirely to the need to contribute to the argument which has to be made for increased engagement in bringing peace and security to the people of Sudan.

The people with whom the Delegation held formal meetings are named in the annex to this report. This annex also indicates which parts of the country the Delegation visited.

## ***EU-Sudan Political Dialogue***

The political dialogue between the EU and the Sudan had addressed, during its first year from November 1999, five particular issues: human rights; democracy, the rule of law and good governance; the peace process; terrorism; and cooperation between the Sudan and neighbouring countries. Most time had been spent discussing human rights. A Joint Declaration at the end of this first phase had decided that the political dialogue would continue with discussion of the first three subjects. The issue of state support for terrorism was now no longer on the agenda, as the EU was satisfied that there was no longer any such support. The Sudan's relationship with its neighbours was considered to have made satisfactory progress.

Significant progress was being made, with monthly meetings, until the end of 2000. However, since then there had been a discernible lessening of enthusiasm and engagement on the Sudanese side, which the EU Member States found most discouraging. The February meeting had been postponed by the GoS. The April meeting had been postponed as the EU was not pleased with the answers it had received to questions on human rights and the rule of law. There had been a meeting on 15 May, chaired by the Minister of Justice, but concrete follow-up steps were still awaited. The meeting scheduled for 29 May was postponed by the Sudanese side, this time owing to the illness of the Minister of Guidance and Endowment who had been to speak on religion and the state. This meeting had not been rescheduled, and no further meeting had been held before the Delegation's visit.

Whilst some key human rights issues had been identified in 2000 - abduction, religious tolerance and the conduct of the security forces - there had been as yet no follow-up legislation. A comprehensive programme to support human rights in the country, which could be backed by the EU working with the Government in all areas, would be a concrete way of moving things forward.

## ***The Human Rights Situation***

The Delegation evoked the question of respect for human rights in all its meetings in the Sudan. The range of particular issues is so wide that it was impossible to gain adequate or specific information on all areas.

The Delegation therefore drew particular attention to the UN Commission on Human Rights resolution 2001/18 of 20 April 2001, based on the reports of its Special Rapporteurs on the situation of human rights in the Sudan. This resolution noted that some progress had been made but expressed its deep concern (referring to all parties in the conflicts) at summary executions, child soldiers, the increasing numbers of internally displaced persons and alleged harassment of them, the abduction of women and children to be subjected to forced labour, armed action against civilian populations and forced evacuations, constraints placed on relief operations and attacks on UN and humanitarian staff, as well as (referring to GoS-controlled areas) restrictions on freedom of religion, expression, association and peaceful assembly, arbitrary arrest and detention without trial of political opponents, journalists and human rights defenders, the detention in precarious conditions, use of torture, and violations of human rights by the security organs, intelligence agencies and the police and the extent of the use of the most cruel forms of corporal punishment in contravention of human rights norms and standards.

The Government of the Sudan has taken some positive steps to improve respect for human rights, referred to under the various sub-sections below. Government spokesmen often made the point that elimination of abuses was very difficult in a war situation.

### **Political opposition**

The trial of six members of the opposition National Democratic Alliance (NDA), arrested in December 2000, had begun in May 2001. EU Heads of Mission were taking it in turns to observe this trial, which was proceeding slowly and ineffectively, with a single judge who apparently had to take his own notes. The GoS considered the NDA, some of whose member organisations were engaged in armed struggle against the Government, to be an illegal organisation with outside funding.

The judicial system was used against political opponents of the Government and there were many claims that the right to a fair trial was not being respected.

There was some degree of political pluralism. The Government had permitted the registration of political parties but the timing of this decision was such that the newly-registered parties were refusing to present credentials. This had resulted in the continuation of one-party control by the National Congress (formerly the National Islamic Front), now in its tenth year of power. Many party leaders remained in exile, objecting to the Registration Act's requirement of commitment to the ruling party's insistence on an Islamic state.

The Umma Party had broken with the NDA and its leaders had decided to return to the country and engage the Government, which they pointed out had evolved from a vicious totalitarian regime, on the political rather than the military front. The party had, however, boycotted the elections in 2000. The Government was, they believed, increasing its intransigence as far as the political dialogue with the EU was concerned. Most university unions were headed by their students, they claimed. They denied receiving any external funding.

They claimed that at the last elections there was only one, a Government party, candidate for 60 of the seats; 20 were contested only within the party and another 20 the choice was between an official party candidate and an independent.

It was alleged that the Speaker of the National Assembly would only allow MPs supporting the Government to speak, though this point was not echoed by any of the MPs the Delegation met.

Hassan el-Tourabi, formerly the Government's Islamic éminence grise, had been imprisoned and was under house arrest when the Delegation visited, though it seemed very unlikely that he would be brought to trial.

There had also been recent cases of human rights activists, notably the lawyers Ghazi Suleiman and Ali Mahmoud, being arrested but never brought to trial.

### **Press freedom**

The EU had felt that there had been some progress in the matter of freedom of the press, especially for English-language papers, but censorship of these, which had been lifted on 2 April 2001, was actually reimposed during the Delegation's visit. This obviously affected their content (and they were forbidden to appear with blank areas which would make it clear that

certain articles had been censored) through formal censorship compounded by an element of self-censorship by their contributors, but also their finances, as printers, distributors and readers were touched.

Alfred Taban, the Chairman of the Khartoum Monitor, an English-language daily, had been detained for six days in April this year. The Delegation were told that other journalists, notably Albinu Okini and Mahjoub Mohammed Salih, had been interrogated by the security forces.

Most Arabic-language newspapers were pro-Government, but Al-Rai al-An, Al-Watan and Al-Wifaq took a more independent line.

### **Allegations of torture**

The Amal Centre in Khartoum has since 1998 provided support, counselling and other treatment for victims of torture, with an average of 32 cases a month. These victims had suffered ill-treatment and torture ranging from verbal abuse and death threats through sleep deprivation, cold water treatment and harmful drugs to flogging and electric shocks. Such treatment had been meted out by the security forces in special detention centres; torture rarely occurred in prisons. It was suggested that such mistreatment arose from the standard training of security personnel.

The Centre had been financed by the International Committee for the Rehabilitation of Torture Victims (IRCT), to which the EU had made a contribution for this. Members of the staff and other collaborators, many of whom are doctors, had been arrested and sometimes tortured themselves. Earlier this year both Naguib Nagm el-Din and Faisal el-Bagir had been imprisoned for some weeks and the Centre shut down and its computer equipment confiscated. The equipment was returned and the Centre reopened the day before the JPA Delegation's visit.

The JPA Delegation raised the allegation that people had been detained in a metal shipping container in Juba and tortured. One participant in the meeting with the authorities said that in the past the Government had collected people and put them in a container "to ask them why they were coming to the South". Another said there had been an incident with a container around 1995-6 as a result of which one person had been punished and dismissed.

Capital punishment was in use but executions were relatively rare - between one and three a year.

### **Christians in the Republic of the Sudan**

The first article of the country's constitution states: *The State of Sudan is an embracing country, wherein races and cultures coalesce, and religions conciliate. Islam is the religion of the majority of the population. Christianity and customary creeds have considerable followers.*

Despite this apparent breadth of approach, Christians in the Sudan face considerable problems. The South has traditionally been regarded as the Christian part of the country, though the Delegation heard their numerical dominance attributed to a British policy before 1956 of creating an artificial divide by encouraging the propagation and development of Christianity in the South.

State policies towards the Christian churches, the Delegation heard from Christian representatives, were not always clear, Christians and/or their churches being regarded as a fifth column, with the State's line appearing to be: 'convert, migrate or be killed'. There had been recent attempts by the Government to take over part of the Christian cemetery in Khartoum and build shops there; some construction had already started. The Christian Club had been converted into a building for the ruling party in 1995. Roads were driven through churchyards; land attached to mosques was not touched. Two newspapers in particular were said to incite violence against Christians, and there had been violent attacks around an Easter service this year where a German evangelist had been invited to preach.

The Sudan applies the Islamic sharia law which, amongst other things, provides punishment of stoning to death for adultery, amputation for theft from a person or flogging for certain offences. This is now not applied in the southern provinces and, the Delegation was told, some non-Muslims in the North were exempted from it. Alcohol was illegal in the North but permitted in the South.

### **Bombing of civilians**

There have been many credible allegations that the GoS forces have bombed civilians in its pursuit of the war in the South, and including the Nuba Mountains, many of which could not possibly be considered to be errors or cases where a civilian building was being used for military purposes. In any case, the Geneva Conventions impose a duty on combatants to make express provision to avoid civilian casualties.

### **The position of women, including abduction of women and children**

The Delegation noted that there had been a step forward in that the Government was now conceding that abduction and forced labour existed and that government action was required. There had been many cases of women being abducted (Unicef pointed out that children too were being abducted); few had returned to their homes and abductors were seldom prosecuted partly, the Delegation was told, because there was often a relationship between the abductors and the victims.

The Commission for the Eradication of the Abduction of Women and Children (CEAWC) had been set up to address this problem but its funding was insufficient; the Ministry of Justice was asking the Ministry of Finance for more money. Although CEAWC should be supported by the international community, with technical assistance, expertise and some funding (the EU is making a contribution, to a total of €800 000), it is a body created by the GoS, which, it would seem, should therefore logically demonstrate its commitment by providing the requisite level of funding.

There was some debate over whether its current 'voluntary' approach was sufficiently effective, but taking people to court would, it was suggested, end the voluntary cooperation that at present existed and the whole process could collapse.

The murahaleen, or armed groups, active in many parts of the country, carried out these abductions, the number of which had increased this year. Some, hired by the Ministry of Defence, also acted as guards for the supply train from the north through Aweil to Wau, looting and abducting in its wake. The whole abduction issue was being discussed in the EU-Sudan political dialogue.

The problem of abductions of Dinka by the Baggara militia, who had been armed already by the previous government as part of their strategy for combating the SPLA, continued. Unicef said they had reunited some 670 children with their families and retrieved a further 270, some of whom were currently in transit facilities.

According to Unicef, traditional practices harmful to women are still widely practiced in the Sudan, and Female Genital Mutilation is not explicitly banned in law. Nine out of ten girls in northern Sudan, they claim, are subjected to FGM. No one seems to have ever been prosecuted for practising it. Ratification of the Convention on the Eradication of all Forms of Discrimination Against Women is still pending. The Delegation heard reports of women being flogged for adultery or for drinking alcohol.

In September 2000 a law had been imposed by the State of Khartoum to ban women from working in public places such as petrol stations, hotels and restaurants. The Sudanese Women's General Union, supported by many other women, had mounted protests against this law and it was subsequently suspended.

Conditions in the Omdurman Womens Prison were poor, with overcrowding (several hundred more prisoners than the 200 for which it was originally designed) and inadequate food. The Delegation noted particularly two groups of prisoners. One was of women sentenced, apparently at least sometimes for indeterminate periods, for 'financial crimes'. Often it seemed that the women concerned were expected to repay debts or make financial reparations, which, being in prison and normally having no families in the area or even in the country, they were clearly unable to do from prison. The other was of women, often from the South, imprisoned for 20 years for dealing in cannabis.

### ***Drought and hardship in Northern and Western Darfur***

Low rainfall last year had led to a crisis in food production. With the situation aggravated by internal tribal conflict, general underdevelopment and neglect by the Government, coinciding with the inflow of numerous Internally Displaced Persons (IDPs) and a continuing drought, the people in this area had been unable to cope with this drought, though they had managed to cope with recurrent droughts in the past. The food situation was now extremely serious, with some 600,000 people affected.

Save the Children (United Kingdom) was implementing an early warning system and had drawn attention as early as November 2000 to the likelihood of a crisis developing, but its warnings had been ignored. The GoS had formally recognised this as a crisis on 25 April, and a Government fact-finding mission had visited the area just prior to the Delegation's visit, but its response still seemed to be inadequate in the light of the gravity of the situation.

The EU had been the first potential donor to respond, and emergency food supplies had begun to arrive; the World Food Programme had now begun to provide significant amounts of aid, and several countries, including the Netherlands and the United Kingdom, were also making separate contributions.

The recent SPLA attack on Raga, in Bahr el-Ghazal to the south, had created new IDPs (some 40,000) and the Government had prioritised this emergency, doubtless more politically 'useful'

than the much more serious one in Northern and Western Darfur. This had meant that lorries were no longer available to transport food supplies in the latter region, as they had been requisitioned by the Government.

The serious shortage of food had meant that village women were often reduced to gathering wild berries and seeds which in some cases had to be soaked for several days to render them non-poisonous and eatable. As desperate need could force them to shorten the period of preparation and the food in any case was neither wholesome nor particularly sustaining, they often fell sick.

Medical facilities were poor and overstretched, and medicines in very short supply. Hospitals were unable to provide patients with any food, and those unable to provide their own had to leave. Treatment in any case was very basic and many succumbed from malnourishment. The hospital in Mellit, for example, during the height of the malaria season in early autumn, received from the Government sufficient malaria treatment for only 30 of its 300 cases a week. There were many babies in very poor health and medical staff reported that they had no milk to give them.

### *The oil issue*

Current oil production was around 200,000 barrels a day. There seemed to be no official figures available on the amount of revenue derived by the GoS from oil. Estimates ran between \$300 million and \$900 million a year. Some of this money at least was said to be divided between the poorest states by the Government. The oil-producing areas felt that, for whatever reason, they did not receive an adequate amount of money for their oil resources, and remained among the poorest states. Action Contre la Faim estimated, for example, that there was a 30 per cent rate of malnutrition (with 4.5 per cent severely affected) in Bentiu and Rubkona, 15 per cent being the level which traditionally was described as a situation of malnutrition (2 per cent for severe). Unity State has a population of some 750,000.

NGOs reported a grave lack of medicines to treat especially those in the IDP camps, whose numbers had grown from 8,000 in 1996 through 30,000 in 1997 to over 60,000 this year. Food was provided by Unicef and the WFP, but the amount was insufficient.

Serious allegations had been made, by Christian Aid, by Amnesty International and by Robert Fowler, a Canadian official, amongst others, that the GoS was pursuing a scorched earth policy to clear inhabitants from the oilfields region with the aim of preventing any attacks on the oil installations. In a meeting with Talisman and Lundin, the two main Western oil companies operating in the area, their representatives claimed that on a recent visit Mr Fowler had admitted that some at least of the allegations made in his report could not be substantiated but that he had put them forward to provoke a response.

The Delegation in fact did not see evidence of a scorched earth policy, but it was hardly to be expected that any destruction would be visible from the road from Heglig to Bentiu or the one from there to Leer taken by the Delegation. Much of the area in any case was always sparsely and sporadically populated. The Delegation saw scattered settlements and herds of animals from the road. Certainly there are militias operating in the area which raid villages and burn them and the surrounding crops. NGOs pointed out that any assessment of depopulation needed to look at a ten-year period.

However, members of the Delegation were told by people they interviewed (through NGO-provided interpreters) in an IDP camp in Bentiu that they had been forced to flee their villages when these were bombed; some mentioned specifically that the bombs had been dropped by an Antonov, others mentioned gunships; many of them had left in July 2000. As the SPLA does not have any aircraft, the conclusion must be that Government planes carried out these attacks. In one attack on a village, more than 200 people were said to have been killed. There were also apparently many attacks in February 2001.

Unity State authorities told the Delegation that there were around 65,000 IDPs in the Bentiu/Rubkona area, augmented by onslaughts by militia led by Peter Gadet (now opposing the GoS) over the past year.

The western oil companies the Delegation met pointed out that they were building an all-weather road from Rubkona to Leer which not only was appreciated by the Government but provided a lifeline for traders, NGOs and the local population. They had also built a well-equipped, and free (the only such in the country), hospital in Heglig and were helping to build schools. There were 17 primary schools in the state and one secondary school, in Bentiu. They also provided free electricity to the surrounding area and delivered fresh water to some parts.

Oil companies were not providing many local jobs. Lundin, Talisman and IPC claimed that they did employ some locals but that it was impossible to find trained technical staff locally. GNPOC, of which Talisman Oil was a part, said they employed 1,000, with a further 7,000 employed by their subcontractors. Lundin employed fewer than 100 persons. One spokesman did say that no Nuer or Dinka were employed and that the Government regarded non-Arabs as a potential threat to security, but it was also stated that the employment of 25 per cent of total staff from the South was a target. The Delegation expressed concern about the companies' failure to employ sufficient numbers of local people.

The western oil company representatives to whom the Delegation spoke said that they did their best to be socially responsible without, however, acting in a paternalistic way which would increase dependency. Other oil companies, Chinese and Malaysian, were also active in the Sudan and, were the western companies to pull out, they might well be replaced by companies much less socially responsible.

A major issue was that of the use of oil revenue. The SPLM/A and many NGOs claimed that these revenues were fuelling the GoS's war effort. The SPLM/A wanted oil exploitation to cease, and were striving militarily to attain that end, as they felt that only then could there be a ceasefire and the start of talks. GoS representatives did not deny that some revenue might be used for this, but rather stressed that money from oil was being distributed to the poorer states.

There seems to be a complete lack of transparency in this area. It would indeed be surprising if a government in the midst of a civil war did not devote a large part of its income, from whatever source, to its war effort. It was suggested to the Delegation by non-Government sources that the Sudanese armed forces remained poorly trained and equipped. However, IMF figures indicate that military expenditure increased 15 per cent between 1999 and 2000, and a similar increase was expected in 2001.

A full picture of government accounts would of course be desirable, but even if it seemed to indicate that oil monies were devoted to economic and social development it would merely

mean that other funds were then being diverted to the military and, in any case, any amelioration of the economic and social situation could be deemed to be strengthening the Government's position vis-à-vis the armed opposition. At the EU-Sudan political dialogue meeting on 15 May, the Minister of Justice promised to provide figures to show how government oil revenues were being used.

### ***The war in the South***

Armed conflict between the North and the South had been going on, with some breaks, since independence in 1956. One estimate given was that 2.9 million people had been killed in the last 18 years, with some 600,000 fleeing abroad. There were over 5.5 million IDPs, 2 million of them in Khartoum. (UN sources say that a figure of around 4 million is commonly used for chronic cases of displaced persons, with over 100,000 of them displaced in the last two years). There are said to be around 5 million people in the South compared with 26 million in the North. Allegations have been made by both sides against the other of atrocities and lesser misconduct. The GoS claimed that the SPLA currently used civilians as human shields, and used civilian institutions like schools for military purposes; their soldiers, moreover, sometimes dressed as civilians.

Militias were active on both sides, and their leaders often changed sides. The GoS said that militias were not recruited by the army. Credible claims have been made, however, that the Government provides them with arms and munitions, the latter sometimes being manufactured locally. The SPLM/A is the main group active in the South, but some territory is controlled by the SSLM/A (Upper Nile/Jonglei area) and some by NDA elements. There is also fighting between GoS and SPLA forces, and others, in the Nuba Mountains, which are actually in the North.

The Government claimed that southerners were very well represented in Parliament, the Council of Ministers and the Presidency. They maintained that more than 50 per cent of national resources were spent in the South. This included war spending, of course; it was difficult to spend much on development during a war.

The GoS had confirmed its earlier acceptance of the principle of a federal system between North and South when it signed the Khartoum Peace Agreement (KPA) in 1997 with certain "rebel factions", not including the SPLM/A and some of the militias. They had looked at many federal models and thought that the Nigerian system might be closest to their needs. They were willing to negotiate any distribution of powers and to discuss sharing of national resources.

The Coordination Council of Southern Sudan was a body located in Juba, established as an integral part of KPA. It had been incorporated into the Constitution of the Republic of the Sudan. Its tasks were to engage in socio-economic development, confidence-building measures and peace-building and political mobilisation, including mobilising the population for a referendum, as provided for in the KPA after a period of four years. Such a referendum would be only for southerners, who could vote wherever they were.

The CCSS, appointed by the GoS, considered that it needed both national and international assistance to achieve its ends, and after 45 years of war a massive input of funds was required. Some funds were coming in, and they were getting a lot of medicines on a three-monthly basis. A fund was being created from the oil revenues, the Delegation was told. However, there was

also a complaint that in fact little funding was forthcoming from the Government and a plea for at least some small-scale programming.

They claimed that 90 per cent of the population of the south supported the GoS, and that withholding funds from the latter hurt the common people. They did feel that there had recently been some improvement in the security situation, and both public and private sectors were functioning and the rains had been good; essential commodities were "available but expensive" as they had to be transported to Juba by air. Juba's population had been swollen by the arrival of people displaced from provinces under SPLM/A control.

They said that the Khartoum Peace Agreement was a comprehensive one, but vitally lacked the support of various key personalities, notably Dr John Garang. It was claimed that, despite the fact that people were saying that it was dead, the KPA was working and could be used as a basis for negotiations. Militias were fighting on both sides, of course, and often switched from one side to the other.

The provincial authorities in Juba felt that they did not know the SPLM/A agenda; some of them were fighting to liberate the South, others to liberate the whole of the Sudan. The SPLM/A authorities, the Delegation heard later in the area they controlled, saw two main problems in the South, one of race and culture, with persistent attempts since 1955 to arabise the southern population, and one of religion. The South had one third of the land and one third of the population, and they did not want to be second-class citizens.

The SPLA had attacked the town of Raga in Western Bahr El Ghazal in June 2001 on the very day its leaders were due to meet GoS representatives in Nairobi under IGAD auspices to discuss peace. Many people had fled before that attack and the GoS had wanted to take the Delegation to Eddaïen to meet these IDPs, a visit which unfortunately was impossible to carry out owing to adverse weather conditions. The SPLM leadership accused the GoS of bombing civilians in Raga and of refusing food to IDPs. They said it was their own land they were reclaiming, as Raga was in the South as delineated by the 1956 map drawn up under the British establishing the boundary.

Rumbek, the Delegation was told, had been bombed the previous year by GoS planes, despite the fact that there was no military presence there. In fact they did not bomb SPLA garrisons as these were equipped with anti-aircraft guns. However, the subsequent statement, made by the SPLM leadership the Delegation met in Yei, that Yei was in fact the most bombed area (it was inaccessible to attack by infantry) because it was the SPLM/A Headquarters, did not seem to back up the contention that garrison towns were not bombed.

The SPLM leadership pointed out that the GoS was also conducting a war against some the population in the North, in the Nuba Mountains, for example, even when they were Muslims.

Despite the fact that almost every Sudanese the Delegation met on either side said that the first priority was peace, it was far from clear that the leadership on either side actually wanted even an immediate ceasefire. However, the GoS had formally declared that it was ready for a comprehensive ceasefire; the SPLM/A was refusing this. Both sides seemed to be seeking, and this was far from surprising, to control a greater amount of territory before any ceasefire, the GoS doubtless considering that oil revenues could turn the situation to their military advantage and the SPLM/A determined to prevent their doing so and if possible to put a stop to the flow of oil. It seemed likely that on both sides there were elements who saw their own benefit in

continuing a war which bolstered their own position and in a sense ensured their livelihood. Certainly there was no desire for peace at any cost.

War fatigue, however, was evident. The Delegation was told that in the North many mothers hid their children to avoid their being recruited, and that the SPLA was also having difficulty recruiting. However, it was also claimed that the continuing war increased fundamentalism. It also seemed that some elements in the military had adopted a harder line since the recent intensification of the war, whilst already feeling that their position was under threat with the advance of fundamentalism.

### **The Peace Process(es)**

IGAD (the regionally-based Inter-Governmental Authority on Development) was pursuing a peace process based on a Declaration of Principles (DOP) drafted in 1994 and signed in 1997 which dealt with the issue of religion ("Sudan is a multi-racial, multi-religious and multi-cultural society. Full recognition and accommodation of these diversities must be affirmed"), but many in the SPLM/A felt that the IGAD process had currently reached a stalemate. The DOP supported self-determination for the South, as, at least in theory, did all the parties involved. The IGAD process confirmed the engagement of governments in the region, such as those of Uganda, Kenya and Ethiopia, to solving the problem. It was suggested that some IGAD partners talked peace but actually pursued their own economic goals. There was no IGAD link with civil society.

The IGAD Partners Forum had established a working group, chaired by the UN, on 'Planning for Peace', to look at what would be required from the international community when a peace agreement was signed as a result of the IGAD-led peace process. There was a particular focus on what the population expected from peace, with the examination of questions related to demobilisation, IDPs, landmines, land tenure, food security and water management.

In addition to the IGAD process, there was the Libyan-Egyptian initiative. Arab states, including Egypt, Saudi Arabia and the United Arab Emirates had been supporting the GoS financially although not supplying any logistical military aid. The Libyan-Egyptian plan has been accepted by the GoS and by the SPLM/A and the NDA, the latter two, however, having expressed serious reservations. These relate to the fact that it does not provide for self-determination for the South or for the separation of state and religion.

It was suggested that the two main parties to the conflict were not ready for peace, feeling that they had more to gain from continuing the war. A political statement was not enough for any peace to be just and sustainable. The culture of violence had to be addressed. There was an absence of good governance, in all warring factions. There had to be engagement on the part of the EU on the political, humanitarian and human rights fronts.

There had been attempts to develop a people-to-people peace process, with for example meetings between Nuer and Dinka (both groups, particularly the latter, which had members on either side), and these were gradually being expanded. It was felt that mid-level leaders should also be encouraged to play a role in the peace process. Traditional institutions should be brought in. It was necessary to bridge the big divide between the leaders and the led.

## **Landmines**

These were a major problem; those who had laid them had died or left the area, so the authorities did not know their location. It was, however, also claimed that the GoS forces mapped their minefields whilst the SPLA laid mines at random. Both sides still used them.

The preliminary conclusions of a study on landmines were presented in a meeting for the Delegation in Juba also open to the public, many of whom participated in the discussion. Mines presented serious humanitarian and economic problems for the Sudan in the context of an emerging peace - "for the farmer, the war will continue". It was important to depoliticise the subject, by looking at it from the point of view of the victim.

There was no organised collection of information about mines, and a need for sectorial impact assessments, for example on rural health, on refugees, on pastoralists. Mine action had to be an integral part of the peace-planning process. The GoS had signed, though not yet ratified, the Ottawa Convention banning Anti-Personnel Landmines, and the SPLM/A had made a parallel commitment, but it took time for this process to spread to the field. Educational programmes were important, but they had to be specifically based on the local situation. The EU had funded two consultancy studies on the landmines issue in the framework of IGAD 'Planning for Peace' working group, and was considering further involvement.

## ***The Lord's Resistance Army***

The LRA, led by Joseph Kony, is notorious for abducting children from northern Uganda and making both sexes fight as soldiers as well as giving the girls as 'wives' for his men. Up until the end of last year, the LRA enjoyed a varying measure of support from the Government of the Sudan, which supplied it with food and arms, encouraging it to fight against the SPLA.

Thousands of children have been abducted by the LRA; many have been killed and some have escaped, but it seems that several thousand remain in captivity. Their fate has preoccupied Members of the European Parliament and those of the Joint Parliamentary Assembly as well, and one of the factors determining the decision of the latter to send a delegation to the Sudan was a desire to try to contribute towards the liberation of these children.

The LRA has been the cause of considerable contention between the Sudan and Uganda - Kony is himself a Ugandan and his army was drawn from disaffected Ugandan Acholi. The Sudan's support for the LRA has found a counterpart in Uganda's support for the SPLA. The Carter Center has played a role in brokering peace between the two countries, and in the Nairobi Agreement in 1999 and the Winnipeg Agreement the following year there was provision, amongst other measures designed to improve relations, for the release of the abducted children.

However, it was clear that Joseph Kony was not now under the control of the GoS. The latter's decision to stop supplying food to the LRA, in an attempt to force Kony to capitulate, had had the dangerous effect rather of driving him further into the bush, into the nomansland near the Ugandan border, and making him reliant for supplies on raiding villages in the Sudan, killing and abducting their inhabitants. Lack of food and medical supplies also obviously further damaged the well-being of the children who form the bulk of his forces.

A weakness of the Nairobi Agreement was that neither the LRA nor the SPLM/A were parties to it, and were not even kept informed during its negotiation. The corollary of the GoS's cutting

support for the LRA should be the ending of the Government of Uganda's support for the SPLM/A. President Museveni, however, is a personal friend of the SPLM/A leader, Dr John Garang and had said that he felt obliged to continue at least moral support for them for fear of the creeping islamisation of Africa. Lorries with military equipment continued to ply the roads between Uganda and the SPLM/A-controlled area of the Sudan, and SPLA fighters used northern Uganda for rest and recreation.

There had nevertheless been some progress in implementing the Nairobi Agreement. Prisoners of war had been exchanged and contacts between the two sides continued. Uganda had passed an Amnesty Law, which could entice LRA fighters to leave. The JPA Delegation learned that four of Kony's senior commanders had entered discussions with the GoU, apparently in defiance of their leader.

No abducted children had been released by Kony, though a number had managed to escape. It seemed that the cutting off of food had to some extent made escape easier, as the LRA's child soldiers raided Sudanese villages, and even more desirable to avoid starvation, but had also in many ways placed the children in a more dangerous position. The GoS had started to provide military support for children who escape, and centres had been established in Juba to receive these escapees and provide them with support and some counselling before they were sent on to Khartoum and thence back to Uganda. The GoS said that some 300 children had been sent back to Uganda so far.

There is a military dimension to the Nairobi Agreement, with the creation of a Joint Security Committee which may plan joint military action against Kony. Whilst appreciating the exasperation of both governments directly concerned with Kony's persistence in killing, looting and abducting children (and adults), the JPA Delegation believe that both should refrain from any attacks on the LRA camps as this would endanger the abducted children.

One way forward could be taken by President Museveni himself. Kony has avoided all potential interlocutors recently (and indeed previously to a large extent) but has stated that he would talk to President Museveni himself. The latter has refused so far, and indeed Kony has shown that he is far from being trustworthy, but if the Head of State concerned could bring himself to accept such a meeting, it could conceivably provide a way out of the current impasse. It would at least show that Uganda was willing to try anything to avoid the further killing of these children.

The interested parties, the GoS told the Delegation, had formed a single front against the LRA and had signed a joint letter to the LRA, with the result that the LRA now regarded them as its enemy and attacked their forces. The Foreign Minister thought that by 30 September this year, when an established deadline expired, the LRA would no longer be in the southern Sudan. The GoS had decided that the only forum should be the Carter Center. Other peace initiatives were being pursued by the Carter Center with the two Governments and by religious and traditional leaders and local government and rebels in Gulu, northern Uganda. The EU should consider what action it might take to help these initiatives.

The situation at the time of the JPA Delegation's visit was grim. The LRA forces, supposedly numbering around 7,000 in all (different sources gave different figures, 4,000, for example), had fallen back to camps near the Ugandan border between GoS and SPLA-controlled areas. They were attacking villages and plundering and also on one recent occasion abducting the villagers; the women had subsequently returned, the men not. Many villagers had consequently

abandoned their fields, stocks had run down and acquiring food had become a very serious problem. There was supposedly fighting between the LRA and Museveni's forces in the SPLM/A-controlled sector. The SPLM leadership told the Delegation that they had no relations at all with the LRA, which was fighting them and destroying their equipment, killing many people and displacing others.

The authorities in Juba stressed that their major concern was to ensure that children or others who escaped could get safely to Juba, and there had been a case where the LRA had attacked a convoy transporting escaped children and three people, two military and one civilian, had been killed. The Toto Chan Centre for Child Trauma in Juba, a reception centre for LRA abductees, had taken in some 150 people since February and expected other escapees to arrive at a rate of around 50 a month. They gave some treatment and counselling over a period of 48-72 hours (in theory, though apparently sometimes longer) before the escapees were sent on the Khartoum for subsequent repatriation to Uganda.

The Delegation was told by a Unicef representative that estimates of the number of children held by the LRA (indeed forming part of the LRA) differed widely, one figure being around 2,000. However, whilst some escaped, others were newly abducted from northern Uganda, where raids continued.

The NGO representatives the Delegation met in Nairobi said it was vital to bring the LRA, the SPLA and the UPDF (Ugandan People's Defence Forces) together to talk. Both Uganda and the Sudan were jeopardising the position of the children and they should open a real dialogue; and Uganda's amnesty deal should really be implemented. There had, however, been improvements on both sides. It was unacceptable that the GoS was refusing to provide the LRA with food, when 85 per cent of that army were in fact abducted children. They alleged that the SPLA killed LRA escapees.

These representatives pointed that the LRA still had agents operating in London, apparently without official hindrance. Recent British legislation should be enforced to put a stop to this.

The Carter Center's efforts should be pursued, possibly supplemented by new approaches which could include persuading Museveni to meet Kony, and finding traditional leaders from the Acholi to talk to the LRA commanders who recently crossed the front line. There could be added value in more initiatives as long as they were fully coordinated with the Carter Center.

### ***SPLA child soldiers***

Two years ago the SPLA had proceeded to demobilise some of the children from its ranks. Some of these had been unable to return to their families, and a centre had been established where they could live; they received some education and instruction, particularly in agricultural techniques, and produced some of their own food. Their school had recently started to admit also local children. There were currently 75 local boys and six local girls along with the 440 former child soldiers.

In 2000 a demobilisation programme for child soldiers was established under the auspices of Unicef. In the first year child soldiers in one of the provinces under SPLM/A control had been demobilised, and the programme was continuing in its second year for another province. Children lived initially in reception centres/camps, one of which the Delegation visited in

Rumbek, where they had helped to build their own tukuls or cabins where they were accommodated.

Basic education was provided, including classes in Dinka, Arabic and English. Unicef had provided blankets and mosquito nets, but some of the children, believing that they were about to leave for their families (a departure which had subsequently been delayed) had sold these items to buy articles, such as new shoes, to take home with them; as a result, they were unprotected and cold at night.

The Delegation was told that such children had joined the army in the first place often because they had asked to do so, having no families to look after them or because they otherwise required the food and shelter the army provided. Some had apparently been recruited by the local authorities; the question put by the Delegation as to whether these local authorities or chiefs had some sort of quota for recruitment to fulfil, remained without an answer. It was also unclear what steps, if any, were being taken to ensure that new children did not join the army in the areas where the demobilisation had taken place.

The SPLM leadership in Yei affirmed that 'Dr John' had made it clear that there should be no recruitment of under-18s. Most child soldiers had not been 'recruited' but had found their own way to the barracks. There was no way they could be recruited in future without the knowledge of the authorities.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) informed the Delegation that the Government had been notified of the proposed return of 270 abducted children currently in the north, and the 3,000 plus demobilised child soldiers currently in Rumbek.

### ***Child soldiers in the North***

The GoS told the Delegation that their soldiers had to be at least 18 years old, though some younger boys might join the musical department which had a special school.

The Delegation noted the presence of child soldiers in a militia camp they visited on the road between Bentiu and Leer. An NGO representative informed them that once a Dinka boy had been through an initiation ceremony, during which he received the traditional 'railway line' scarification, he considered himself a man - and therefore fit to fight. However, as such ceremonies only took place every seven years, they covered a group of boys aged anywhere between 12 and 18 years old. Some children as young as 12, therefore, were considered men.

### ***Humanitarian and Development Needs***

The Cotonou Agreement (Article 72) states: "Humanitarian and emergency assistance shall be accorded to the population in ACP states faced with serious economic and social difficulties of an exceptional nature resulting from natural disasters, man-made crises such as wars and other conflicts or extraordinary circumstances having comparable effects...In particular, there shall be no discrimination between victims on grounds of race, ethnic origin, religion, gender, age, nationality or political affiliation and free access to and protection of victims shall be guaranteed as well as the security of humanitarian personnel and equipment".

The humanitarian situation had been worsening with a combination of conflict and natural disasters. Operation Lifeline Sudan, consisting of the UN with donor countries, NGOs, the GoS and the SPLM, has been ferrying supplies into the South since 1989, but by the GoS is reluctant to agree to OLS extending its aid operations north of the 1956 'border' to the Southern Blue Nile and the Nuba Mountains.

ECHO financing for the Sudan has amounted to some €160 million since 1994, an average of around €23 million a year. Slightly over half is currently spent in the non-GoS controlled South. Following the suspension of EU humanitarian assistance to SPLM areas in February 2000, ECHO financing in the South has been mainly focussed on non-SPLM controlled areas. ECHO helps finance the security umbrella for the OLS Consortium and the coordination of emergency response interventions.

The Government of the Sudan had accepted, as the EU had suspended its development aid, that it would not seek to control any programming or finance provided through the Humanitarian Plus programme, and that such aid should be channelled through NGOs.

The SPLM/A, however, had so far refused to accept such a limitation, on which the European Commission was insisting, and was maintaining that any humanitarian aid should be channelled through it. The reason advanced was that, not being an recognised government, it needed the recognition that control over such aid would provide. The EU could not accept a system different from that established with the GoS, and currently, therefore, the Humanitarian Plus programme was not currently being implemented in the SPLM/A areas. SPLM/A representatives, however, indicated to the Delegation that they might accept money being channelled through a yet-to-be-established consortium of NGOs.

Problems had previously been caused, on the SPLM/A side, by its decision, taken in 1999, that all NGOs operating in the areas under its control sign a memorandum of understanding agreeing to pay certain 'fees for services', including work permits, registration fees, taxes on vehicles and radios and 10 per cent income tax, as well as travel permits for which they already paid. The EU had opposed this measure and certain NGOs had subsequently pulled out of the area.

Problems had also been caused, on the GoS side, by their insisting that non-nationals entering the SPLM/A-controlled areas be in possession of a GoS-issued visa. This was not opposed by the EU, however. Access by humanitarian NGOs to conflict areas in the Nuba Mountains and the Blue Nile region was difficult or impossible. There were also serious problems in getting authorisation to use proper communications equipment.

Commissioner Nielsen had suspended aid in February 2000 as the SPLM/A were not respecting basic humanitarian principles. ECHO had withdrawn, though some small co-funded projects, under other budget lines, continued.

The Delegation met representatives of Sudanese NGOs, active in education, health and agriculture, which currently received EU funding under the umbrella of western NGOs like Oxfam and SCF. (ECHO also only worked with European NGOs.) The Humanitarian Plus programme, explained below, should enable them to access such funds directly.

## **AIDS awareness**

Little evidence was on offer as to the extent of the HIV/AIDS problem, though a figure of some 300,000 HIV positive people has been put forward. There were some references to an increased problem of tuberculosis, which, as a frequent complication of AIDS and direct cause of death, may be an indicator of a growing problem. Widespread conflict, involving a large number of armed groups, organised to a greater or lesser extent, and involving non-combatants in large numbers in very many parts of the country, makes it inevitable that infection is spreading.

ACORD in Juba had been organising AIDS awareness sessions, with workshops in neighbourhood centres, attended by men and women, and by some parliamentarians. These had helped to break down the silence and taboo facing the disease and its victims. The level of awareness on how to prevent transmission was variable among the various states, according to Unicef, and there was a high level of discrimination against HIV/AIDS victims.

## **Agriculture**

The Sudan had great potential for agricultural development, which, amongst other things, was a possible reason why the Chinese were showing increasing interest in the country. Widespread conflict, however, had largely ruined the country's agriculture, as indeed it has ruined its industrial and social infrastructure.

In Unity State, where villages and crops were often destroyed, sometimes by militia raids, German Agro-Action had, amongst other things, introduced the pumpkin as a crop. They were almost entirely edible, and could be dried and kept; they were difficult to carry away in raids; and, being largely filled with water, they could survive burning and provide even thereafter seeds to sell or sow. As the area was subject to natural as well as man-made disasters, growing of rice as well as sorghum was encouraged: the former survived during floods, the latter during droughts.

When IDPs had come to Juba, they had been given unused land by the town authorities. They turned it into productive land, which the locals started eyeing enviously. But, instead of the IDPs duly going back home, leaving their land for these locals, they stayed and even more arrived. This was one cause of friction.

## **Education**

Enrolment rates in primary schools had increased from 53 per cent in 1990 to 61 per cent in 1995, but had fallen by 2000 to 48 per cent, of whom half did not complete primary school.

Omdurman Afhad University for Women had received substantial funding from the EU and Member States up to 1989, and some €3 million had been approved for laboratories, but in 1990 everything was frozen.

The SPLM requested humanitarian assistance to rehabilitate school buildings.

## **Environment**

There was a pressing need to protect the Nile basin, especially in the North, from creeping desertification and drought. Now a strip of some 7.8 km was being lost annually, whereas a few

years ago the figure was 6 km. Serious water shortages had occurred in many parts of the country and a recent study on the availability of potable water as compared with minimum needs undertaken by the Federal Ministry of Finance and National Economy indicated a shortfall of 40 per cent in urban areas and 60 per cent in rural areas.

### **Humanitarian Plus**

The European Commission is implementing a new EU-funded programme aimed at improving the living conditions of the distressed civilian population of the Sudan. The programme focuses on re-establishing self-reliance in the sectors of food security, basic health and water and sanitation. It has been called 'Humanitarian Plus' in recognition that emphasis should be given to medium-term operations with a longer-term perspective which strengthen the delivery of basic services at local community level and stimulate the ability of the population to help itself. The overall budget for this programme is €15 million, financed in the form of a grant from the balance of uncommitted funds from the Sixth EDF for the Sudan.

Currently the EU is providing the CEAWC with some funding, to a total of €800,000. It is also supporting workshops on human rights in the universities and helping to fund the Amal Centre.

The GoS should be pressed to allow human rights groups to register as NGOs and permit them to operate without restrictions.

The JPA Delegation learnt that certain NGO operations had been seriously hampered this year because expected funds from the EU had not been delivered. They felt that their requests to Brussels for renewed funds had been ignored, and there had been a grave setback to their programmes. For example, some had been unable to provide seeds for sowing in the growing season, and the advent of the dry season had left them with no stocks. Planned moves from providing relief to rehabilitation were blocked and their reputations damaged.

This would seem to be symptomatic of poor organisation and planning in the Commission in Brussels as well as of understaffing. The JPA Delegation consider it vital for the Commission to significantly improve its procedures to avoid long-term damage to its credibility and, in this case, increased distress in the Sudan.

### ***The European Union's position and role***

A campaign against the GoS has built up in recent years, principally in the US but also elsewhere, for its persecution of the Christians who live there. This has been strengthened since the last US presidential election with the reinforced position of the Christian fundamentalist right. The Government claimed that, while they had been asking for a ceasefire for the past year, the other side escalated their war effort, encouraged by US support and money and by other groups in the West.

There is some feeling in the Government, however, expressed by the Foreign Minister, that the Bush administration may be somewhat more favourably inclined towards them than was the Clinton one. It would be useful for the EU and the US to coordinate their positions.

Engagement with the GoS remains of vital importance (and there is a pressing need for it to be complemented by a dialogue with the SPLM/A). There is a need for more progress in the

political dialogue, and it could be useful for the EU to identify clear benchmarks, with more focus on specific guidelines detailing the various conditions, and steps to be taken, whose achievement would lead to the re-establishment of normal relations and the reprise of development assistance.

The EU had held one troika low-level meeting in May 2001. It is vital that this link be developed.

### **The EU/Commission Delegation**

The JPA Delegation noted that the EU/Commission Delegation was significantly understaffed, with only one official, an administrative assistant, being employed there with the Head of Delegation and some temporary and local staff. The complications of the political situation in the Sudan, together with its humanitarian and economic needs and its vast size, justify a significant increase.

The JPA Delegation are calling for an increased effort to be made to develop an EU dialogue with the SPLM/A, and it would appear to be desirable for this also to be coordinated by the EU in Khartoum. The enormous logistical difficulties of this might make it initially impossible - any travel to the SPLM/A-controlled area must be via Nairobi - but it would also justify an appreciable increase in resources.

## **CONCLUSIONS**

### ***Peace***

1. Virtually all the Sudanese to whom the Delegation spoke said their greatest wish was for peace. Concrete ideas as to how to move forward were, however, notably lacking. The lack of peace was used to explain some human rights violations and lack of spending on economic and social development. The need for a just and sustainable peace underlies the EU-Sudan political dialogue, progress in which will permit the progressive strengthening of relations. The Delegation considers that a visit by a high-level EU troika in the very near future could help revive the political dialogue and the peace process.
2. The Delegation are convinced that top priority should be given to the pursuit of the IGAD process. IGAD (the regionally based Inter-Governmental Authority on Development) can be seen as being essentially neutral, covering the interests of all parties in the conflict and involving all states and other parties concerned.
3. The EU should throw its full diplomatic weight behind this process and try to strengthen the political will of all participants. However, peacebuilding requires the involvement of community level leaders and institutions as well as national leaders, and IGAD participants should devise means to achieve this.
4. The IGAD process must not continue to be jeopardised by the lack of sufficient funding and the EU and its Member States should move rapidly to ensure that financial resources available are adequately increased subject to the establishment of better procedures to ensure money is used effectively to advance the peace process. Additional parallel actions funded by the EU and coordinated by the IGAD secretariat should be pursued and

developed. The Planning Framework completed by the IPF Working Group 'Planning for Peace' should be prolonged with a successor arrangement and be used to feed the peace process.

5. Other peace initiatives are to be welcomed insofar as they can reinforce the IGAD process but should not be used as an excuse for not putting full efforts into the latter.
6. The Delegation would urge all parties to the conflict to engage in serious negotiations with the aim of achieving a complete ceasefire in the very near future, a ceasefire which should be monitored by the United Nations or the OAU. This would be the best possible way to significantly advance the IGAD process to lead to a just and sustainable peace.
7. The EU should develop stronger links with the SPLM/A, ideally involving also other groups engaged in conflict in the South, and try to engage in a process parallel with the political dialogue being conducted with the Government of Sudan. Encouragement and reward in the context of these processes should be offered in return for commitment to the IGAD process.
8. All parties to the conflicts must respect the Geneva Convention's prohibition on attacks against civilians. They should avoid locating military objects in civilian centres and refrain from any attacks, even on presumed military targets, where there is significant danger to civilians in the area. Military installations should not be located in civilian areas. There is major concern about indiscriminate bombing of civilian areas and of relief operations by GoS forces and this should immediately cease even where airstrikes would supposedly be against military targets.

#### ***Human rights, democratisation and civil society***

9. The Delegation considers that definite progress has been made in this area in recent years. However, political freedom is still too limited and fair elections have yet to be held. Freedom of expression is curtailed and the protection of the person, from discrimination, torture or unjust imprisonment, is completely inadequate, both for groups and individuals. Civilians are killed by Government bombing and others killed or captured and enslaved in militia raids. There is unacceptable discrimination, whether official or unofficial, against Christians.
10. The Government of Sudan must improve its record in all these fields. Widespread conflict may complicate this process but cannot be considered an acceptable reason for non-respect of human rights.
11. The EU must continue to identify specific areas within this field within the political dialogue and insist forcefully with the GOS that there be improvements.
12. As a corollary to this process, the EU should, with the GoS, develop a programme to contribute to the protection of human rights in the Sudan. This would involve expanding support, through NGOs, for projects such as the Amal Centre, and the establishment of programmes for human rights training in the security forces, as well as help for the judiciary.

13. Given the fact that Christians in the Sudan do feel discriminated against, it would be desirable for there to be a formal recognition, perhaps in an amendment to the Constitution, of the separation between religion and the state. The non-application of sharia law to non-Muslims in all parts of the country must be effectively applied.
14. The Delegation were dismayed that restrictions on press freedom were actually increased during their visit, and call for all censorship to be ended.
15. The SPLM/A record on human rights is also very far from being acceptable. Their very limited resources and the fact that they are not a recognised government do not in any way absolve them from the need to make considerable improvements. The EU programme in the field of human rights should also cover the areas not under GoS control. The EU should support the child soldiers demobilisation programme initiated by the SPLM/A.
16. The EU should, as mentioned above, establish a channel of dialogue with the SPLM/A and also develop a programme to provide aid in the human rights field.

### *The oil issue*

17. There has certainly been military activity in the oilfields area, carried out both by the GoS and militias supporting it and by the SPLM/A and militias supporting it. This military activity has affected and sometimes deliberately targeted civilians. Civilians have been killed and driven from their homes by aerial bombing, which can only have been carried out by Government forces.
18. Oil production has increased the stakes in the civil war, with both sides anxious to control the oilfields area, which is located south of the North-South demarcation line established by the British before independence.
19. Barring successful military disruption of oil production by the SPLA or its supporters, revenues from it received by the Government are likely to grow. This revenue, whether or not it is directly used to expand the GoS's military capabilities, strengthens the Government position vis-à-vis the SPLM/A and could reduce the Government's inclination to seek peace, therefore prolonging the war.
20. Little of this revenue seems to be being spent on economic and social investment to improve the lot of the average person in the oilfields area, or indeed anywhere else in the Sudan. The GoS would improve its own position, and increase the chances of a durable peace in the whole country, were it to ensure that oil revenues were used to alleviate hardship and strengthen the economy.
21. It would be desirable for the Government to publish a clear statement of all of its revenues and expenditures which would show the purposes to which oil money was being put.
22. The Western oil companies are contributing to the financing of the social and economic development of the area in which they are operating. They are nevertheless relying on the Government to ensure the security of their operations although the Delegation received no information indicating that they were conducting any excessive/abnormal security operations themselves.

23. The Western oil companies claim that, were they to pull out, it is likely that they would be replaced by less socially responsible companies. This seems credible, although the Delegation were unable to assess the practices of non-Western oil companies currently operating in the area.
24. The oil companies should increase their employment of people from the oilfields region and expand their involvement in providing basic education, as well as developing in-house training programmes.
25. Consideration should be given to establishing a fund to receive all oil revenues. Control over such a fund should be shared between the GoS and representatives of the international community. Payments from the fund would be made to reimburse legitimate Government expenditure on developing oil production, when agreed by the Board of Control. The remaining money would be used to supplement donor and other contributions to humanitarian and development in all parts of the country, where this could be agreed. Otherwise it would be retained to be used once peace was established.

#### ***Humanitarian aid - relief and development***

26. There must be a considerable expansion of the relief provided to Northern and Western Darfur by the international community; initial EU efforts must be developed and strengthened. Rapid attention must be paid to the need for both food and medical supplies. The GoS should attach a high priority to dealing with drought and hardship in these areas.
27. The early warning system established by SCF-UK must be continued, as must that of CARE in Kordofan, and EU funds must be available to permit this. Other parts of the country where the basic needs of the population are under threat must not be neglected, and the GoS and the EU should together investigate the possibilities of establishing further early warning systems, to cover the whole of the Northern Sudan Climatic Transition Zone. It is of course vital to ensure that early warnings of impending crisis are acted upon immediately.
28. The GoS should establish means of providing humanitarian aid in the Nuba Mountains and the southern Blue Nile regions. If they do not want this to be carried out by OLS they should quickly develop other supply sources and lines.
29. Now that the GoS has agreed that it will not seek to control funds provided under the EU's Humanitarian Plus programme, this programme should be quickly advanced, with planned projects coming rapidly into full operation. If this goes well, the EU should be ready to supplement the Humanitarian Plus programme with other projects. The overall approach must be to maintain the necessary humanitarian assistance whilst moving towards sustainable development.
30. The EU should seek a clear commitment from the SPLM/A not to seek formal control over any humanitarian and development funds, which would allow for a speedy resumption of humanitarian assistance. This could be implemented by NGOs, churches and UN agencies. Conditions for the implementation of the Humanitarian Plus programme in the South should be the same as in the North.

31. The EU should examine ways of supporting civil society in both north and south, and also to significantly improve basic education.

### ***The Lord's Resistance Army***

32. Whilst cessation of GoS military support for the LRA is to be welcomed, the cutoff of food and medical supplies adversely affects the abducted children who make up a large proportion of LRA forces. Likewise, attacks on LRA positions could kill or wound these children. All parties should therefore refrain from direct attacks, and consideration should be given as to how essential non-military supplies might reach the children (who are actually hostages of the LRA), perhaps by allowing access by the Red Cross or Unicef.
33. Channels for the reception and repatriation of those abducted children who escape or are captured have been established both by the GoS and the SPLM. These should be expanded and improved, as should liaison with the Ugandan authorities. The EU should make funds available to meet any identified need.
34. Efforts to bring about an acceptable resolution of the conflict carried out by the Carter Center should be fully supported by all parties, both within and outside the Sudan. The Delegation noted reports of Joseph Kony's insistence that he meet President Museveni and would appeal to the latter, whilst fully aware of the difficulties he faces, to give careful consideration to this.
35. Whilst any additional possibilities of ending the struggle with the LRA and releasing the abducted children (as well as helping to remove the grievances of the Acholi) should be investigated, any new action should be agreed by and carefully coordinated with the Carter Center.
36. All EU Member States should ensure that all legal means are used to counter the provision of any active support for the criminal activities of the LRA from their territories.
37. The EU should consider appointing a special representative to assist the peace efforts being made and underline the political importance it attaches to them. Such a person would monitor the situation of children affected by armed conflict in this region and ensure that EU declarations and European Parliament resolutions were followed up with the requisite action.

### ***Follow-up***

38. The ACP-EU Joint Parliamentary Assembly, with its task of promoting democratic processes through dialogue and consultation, should press for action to be taken along the lines suggested in these conclusions and provide a forum for exploring further ideas for peace and development in the Sudan.

## **ANNEX : People met by the Delegation in formal meetings**

The delegation held formal meetings:

### *In Khartoum with*

H.E. General Omer Hassan Ahmed el-Bashir, President of the Republic  
H.E. Ali Osman Mohamed Taha, First Vice-President of the Republic

Mr Ahmed Ibrahim Eltahir, Speaker of the National Assembly  
Mr Angelo Beda, Deputy Speaker  
Chairwoman of the Peace Committee  
Chairwoman of the Community Development Committee  
Mr William Othman, Chairman of the Human Rights Committee  
and other Members

Dr Mustafa Osman Ismail, Minister of Foreign Affairs  
Major General Bakri Hassan Salih, Minister of Defence  
Head of the Legal Department, Ministry of Defence  
Mr Ali Mohamed Osman Yasin, Minister of Justice  
Mr Mahdi Ibrahim, Minister of Information  
Dr Ghazi Salal el-Din, Presidential Peace Adviser

Mr Galal Hassan Atabani, then Ambassador to the EU  
Mr Rahamtallah Mohamed Osman, Ministry of Foreign Affairs  
Mr Ali Youssif, then Ambassador-designate to the EU

EU Heads of Mission from Germany, Greece, France, Italy, the Netherlands, the United Kingdom and the European Commission

Mr Omar Nour el-Dayem, Vice-President, Umma Party  
Ms Sara el-Fadil Mahmoud, Foreign Affairs Adviser to the President of the Umma Party  
Mr Salah Ibrahim Ahmed, Member of the Executive Office, Umma Party  
Mr Adam Madibo, President of the Political Bureau, Umma Party  
Mr Abel Alier, Former Vice-President  
Dr Hussein Abu Saleh, Secretary General of the registered Party of the Unity of the Nile Valley  
A representative of the registered DUP Party

The Director, Omdurman Prison for Women  
Dr Awatif Mustafa, Acting President, Omdurman Ahfad University for Women  
Professor Osman Badri, Dean of the University  
Ms Amira Bedri, Mr Ahmed Mageed, Mr Salam Salih, Mr Ali Shibeka and other faculty members

Dr Ben Hoffman, Director Conflict Resolution Programme at the Carter Center  
Mr Thomas Ekvall, Head of UNICEF Sudan  
Ms Karin de Jonge, OXFAM  
Mr Michel Belisle, CARE

Ms Lunya el-Tayeb Faris, ACORD  
Ms Jaqueline Bridel, GOAL  
Mr Pascal Lefort, MSF (France)

Mr Ahmed Abdel Rahman, President, National Council for Friendship with Foreign Peoples  
Rev. Enoch Tombe Stephen, General Secretary, Sudan Council of Churches  
Archbishop Joseph Marona, Episcopalian Church  
Alfred Taban, Editor of the Khartoum Monitor  
Dr Hassan Turabi, President, Popular National Congress  
Dr Nagib Nagm el-Din, Director of the Amal Centre for Treatment and Rehabilitation  
Mr Faisal el-Bagir, Amal Centre  
Mr Gaafar Mohed Salih, Amal Centre  
Dr Mohammed el-Gadir Hild, Amal Centre

*In El-Fasher and Mellit (drought-affected area) with*

Mr Ahmed el-Mukhtar Abu Ana, Governor of Northern Darfur  
The Director-General of the Veterinary Department  
Mr Youssouf Mohammed el-Bakr, Save the Children (UK)  
The Oxfam representative

*In Bentiu and Rubkona (oil-producing area) with*

Mr John Dar Majok, Governor of Unity State  
Ms Sue Garroud, German Agro-Action (Deutsche Welthungerhilfe)  
Kai, Médecins sans Frontières  
Sophie and Thibaut, Action contre la faim  
Representatives of Sudanese NGOs, including M'Bir, Dawa, SCC and SRC  
Mr Ken Barker, Operations Manager, Lundin Sudan Limited  
Mr John Glendinning, HSE Officer, Lundin Sudan Limited  
Mr Mark Dingley, Security Officer, Lundin Sudan Limited  
Mr Roger Myers, General Manager, Greater Nile Petroleum Operating Company Ltd, Pipeline Division, and Talisman Oil Company

*In Juba with*

The Governor, Eastern Equatoria State  
The Governor, Western Equatoria State  
The Governor, Bahr el-Jebel State  
Mr Stewart Soroba, Commissioner of Yei  
Mr Jim Long, Director, Toto Chan Centre  
Ms Esther Akumu, Social Worker, Toto Chan Centre  
Chief Charles Okumu, Acholi Chief  
Mr El-Fadil el-Nair, Head of External Security  
Mr Stan Yatta, Commissioner, Humanitarian Aid Centre(?)  
Mr Assim Kabashi, Commissioner of Refugees  
Colonel Usama Ahmed, Military Intelligence  
Mr Alamu Abdel Karim, Internal Security

Ms Judith Nida Bruno, Resident Project Officer, Unicef  
General Galwak Deng, President, Southern Sudan Coordination Council  
Dr Thomas, Minister for Peace, SSCC  
Mr Rae McGrath, Landmine Action  
Ms Norma Fodul, Programme Coordinator, ACORD

*In Lokichokio, Kenya*

Mr Sikander Khan, Representative of OCHA/Unicef

*In Rumbek and Yei (area under control of SPLM/A) with*

Mr Salwa Kiir, Deputy Leader, Sudan People's Liberation Movement  
Commander Paul Malan, Sudan People's Liberation Army  
The Governor of Equatoria  
Mr Deng Alor, SPLM  
Mr Elijah Malok Aleng, Sudan Relief and Rehabilitation Agency  
Mr Martin Okerruk, Director General, SPLM  
Mr Atem Kuir Jok, Deputy Coordinator, SPLM United Soldier Demobilisation Task Force  
Bishop Cesare Mazzolari  
Mr Abin-Ajok, Supraid  
Mr Keith McKenzie, Senior Programme Officer, Unicef  
Mr Ed Walker, Project Coordinator, TEAR Fund

*In Nairobi with*

Mr Paul Murphy, EU consultant for Rehabilitation and recovery of war-affected areas in Southern Sudan  
Mr John Ashworth, Sudan Focal Point - Africa  
Ms Angelina Acheng Atyam, Concerned Parents Association  
Dr Filippo Ciantia, AVSI (International Service Volunteers' Association)  
Mr Richard Young, Save the Children - Denmark

They also had numerous informal meetings and contacts.

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The Delegation are indebted to the Commission Delegate in the Sudan, Mr Xavier Marchal, for his vital help and advice.

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The JPA Delegation were accompanied by two staff members, Mr Sékou Condé (ACP) and Mr Michael Wood (EP).