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Monthly report of the Secretary-General on Darfur

I. Introduction

1. The present report is submitted pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004) of 30 July 2004, paragraph 15 of Council resolution 1564 (2004) of 18 September 2004, paragraph 17 of Council resolution 1574 (2004) of 19 November 2004 and paragraph 12 of Council resolution 1590 (2005) of 24 March 2005.

II. Insecurity in Darfur

2. The ceasefire held throughout much of Darfur during the period under review, the third month in which clashes between the parties have remained at a low level, although there were continued attacks by militia against civilians and, to a lesser extent, against the armed movements. The Sudan Liberation Movement/Army (SLM/A) has maintained an aggressive stance, establishing new checkpoints and attacking vehicles, in particular in South Darfur. Although there are signs that SLM/A has reined in some of its fighters, for example the number of civilian abductions has declined since the month of July, it appears that elements of the movement are still perpetrating acts of violence, extortion and looting.

3. In one notable example, on 25 August the SLM/A attacked nomadic herders near the village of Al Malam in South Darfur. While casualty figures remain unconfirmed at the time of writing, the African Union (AU) has reported that SLM/A soldiers abducted seven persons and made off with as many as 3,100 camels from local herders. This case remains an ongoing source of concern as nomadic herders have gathered in Al Malam, intent on retrieving their stolen animals, while the SLM/A refuses to cooperate with AU intermediaries. I urge SLM/A officials to cooperate with the African Union Mission in the Sudan (AMIS) in order to resolve this situation peacefully.

4. Banditry has become the main threat to civilians and to humanitarian activities in Darfur, with highway robbery, kidnapping, burglary, theft and armed attacks occurring on a regular basis. International forces are not immune to the violence. On 25 August, an AMIS soldier was shot and wounded in South Darfur. The circumstances under which such incidents occur make it difficult to say with confidence how many of these acts may actually be the work of armed movements or militia.



5. There has been no visible effort by the Government to disarm the militia or hold them to account in accordance with past agreements and Security Council resolutions during the reporting period. The SLM/A and the Justice and Equality Movement (JEM) are also failing to abide by the commitments made under past agreements and are doing far too little to control their men under arms.

III. Protection

6. While there has been a gradual improvement in the overall situation in Darfur, much more must be done to protect the civilian population.

7. One major issue is the protection of internally displaced persons. On some occasions, internally displaced persons who have returned to their villages of origin to cultivate their fields have been attacked, resulting in their displacement back to the refugee camps.

8. A second issue of major concern is the continued practice of induced or forced relocations. On 15 and 16 August, Government military and military police forcefully entered the Bella site near Saraf Omra (North Darfur) and destroyed dwellings. In the process, eight people were wounded. Once again, despite the agreements with the International Organization for Migration (IOM) and the United Nations, the Government failed to notify the international humanitarian community of its intentions. I once again urge the Government to step up its efforts to adequately protect the displaced population and to safeguard their right to return to their areas of origin voluntarily, in safety and dignity.

IV. Human rights

9. In a welcome sign of progress in the area of human rights, the Special Criminal Court on the Events in Darfur (Special Criminal Court), which was established by the Government in June 2005, delivered its first conviction for a serious human rights violation on 15 August. A lieutenant and a corporal from the Sudan Armed Forces Military Intelligence Branch were convicted of murder and joint acts without criminal conspiracy involving the death in custody of a 13 year-old boy in Kutum in March 2005. The boy, who had been detained for alleged rebel activities, died from injuries sustained during interrogation. Sentencing for this case is due to take place on 24 September in El-Fasher.

10. To date, only three judgments have been delivered by the Special Criminal Court. In addition to the one mentioned above, the other two convictions have been for armed robbery committed by civilians and military personnel. The Court is currently hearing three other cases involving allegations of rape and armed robbery by members of the military and Popular Defence Forces, intentional wounding by a civilian and murder charges against three military intelligence officers for the death of a man in custody in March 2005. It is important that the Court continue to address serious human rights violations, which date back to 2003 and 2004.

11. In my previous reports I highlighted the importance of ensuring that victims of sexual violence obtain the urgent medical care they need. I urged the Government to finalize the clarification of the mechanism for gathering medical evidence, known as form 8, as a matter of priority. I was gratified to note that the draft clarification

document, which was presented at the 16 August meeting of the Joint Implementation Mechanism Subcommittee on protection and human rights, makes it clear that all registered medical centres can provide immediate treatment to victims of violence without the need to fulfil the requirements of form 8. It also stipulates that persons providing medical treatment will not be exposed to legal action or harassment for providing such treatment. Once finalized, the Government must ensure that this information is disseminated and understood by the police and the relevant authorities at the local level.

12. At the same meeting, the Government announced a plan of action to eliminate violence against women in Darfur. The plan contains concrete measures, including awareness-raising activities on the need to eliminate violence against women, training for police, the establishment of police liaison officers in six community centres and ensuring that police officers wear identification. The plan also includes long-term measures to be taken by the Government of National Unity, such as training of the police in human rights issues, support for legal aid to assist rape victims and the establishment of a joint committee of the Government of National Unity and United Nations agencies to revise criminal procedure laws in order to ensure compliance with international standards. Many of the measures reflect key recommendations contained in the recent report, "Access to justice for victims of sexual violence" (July 2005), prepared by the United Nations Mission in the Sudan (UNMIS) and released by the Office of the United Nations High Commissioner for Human Rights (OHCHR). The test of the plan of action will lie in its timely implementation. The Government must now ensure that the timetable set out in the plan is adhered to.

V. Humanitarian situation

13. The humanitarian community is responding to a vast caseload of affected people in Darfur, now numbering nearly 3.4 million. The total number of internally displaced persons dropped by 70,000, to just over 1.8 million, on 1 August. This decline follows new registrations in camps and the departure of a number of internally displaced persons who are returning to cultivate land in their villages of origin during the rainy season. The number of Sudanese and international aid workers in the region, which has been growing along with the number of people assisted, now stands at 13,500.

14. The security situation in Darfur continues to restrict the delivery of humanitarian aid. Even so, almost 90 per cent of the affected population was reached during the reporting period and the provision of humanitarian assistance in the life-saving sectors, food, water, sanitation, shelter and health, has steadily increased since January 2005.

15. Heavy rains are causing some problems throughout Darfur, destroying humanitarian infrastructure and prompting the relocation of internally displaced persons in some camps, as well as emergency interventions to safeguard minimum sanitary conditions. In addition, rains are making road access to various parts of the region difficult.

16. I am pleased to note the resolution of security problems in Zam Zam camp in North Darfur, where SLM/A was abducting and threatening humanitarian personnel. After a meeting held between the Office for the Coordination of Humanitarian

Affairs and SLM/A on 8 August, SLM/A stated that all actors in the humanitarian field would be free to operate in the camp. SLM/A also returned a car it had taken from the Water and Sanitation Department of the Government in July.

17. The corrupt practices prevalent for many months in some settlements of internally displaced persons, which have had grave consequences for the efficient and equitable provision of humanitarian assistance, remain a problem. Although renewed registrations in the overwhelming majority of such camps and gatherings have been conducted without incident, the situation in and around Geneina (West Darfur) remains unresolved. Although the internally displaced persons and their leaders have not resorted to violence since the riots of July, the registration process remains in a deadlock. In the Kass and Kalma camps in South Darfur, difficulties in the registration process have been compounded by the actions of obstructive local government authorities. I renew my request for greater cooperation from the authorities to facilitate registrations in South and West Darfur.

VI. Darfur peace process

18. Following the signing of the Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur on 5 July 2005, the sixth round of Inter-Sudanese Peace Talks on Darfur resumed in Abuja on 15 September, following a request from SLM/A to postpone the sixth round of talks from the originally scheduled starting date of 24 August. Elements of SLM/A sympathetic to its Secretary-General, Mini Minawi, have called for a further delay in the talks in Abuja in order to convene a conference of the movement's military and political leadership and clarify its structure. While the conference did not take place, it will be important for SLM/A to adopt a unified position for the negotiations.

19. According to a programme for the current round of talks, designed by the mediation team and agreed to by the parties, discussion on the substantive issues of power-sharing, wealth-sharing and security arrangements will be preceded by workshops and seminars on those issues.

20. As part of the preparations for the talks, the AU mediator for the Darfur talks, Salim Ahmed Salim, held consultations with the Government of the Sudan, JEM and SLM/A in the United Republic of Tanzania from 23 to 25 August. Mr. Salim continued his consultations with the Government and UNMIS in Khartoum on 30 August. In his meeting with UNMIS, he stressed the importance of continued cooperation between AU and the United Nations and outlined his plans for the forthcoming round of talks. I welcome his efforts, and UNMIS has assured him of the continued support of the United Nations for AU leadership on this matter.

21. In mid-August, the Special Representative of the Secretary-General resumed his visit to Darfur, which had started at the end of July and had been interrupted following the tragic death of John Garang. The purpose of the visit was two-fold: to continue contacts with SLM/A leaders on the ground concerning the Darfur peace negotiations and to discuss with them the security problems facing humanitarian assistance convoys. Over two days, my Special Representative held meetings with SLM/A commanders and political leaders, including Secretary-General Minawi and others who took part in the previous rounds of peace talks.

22. During an earlier trip to Darfur, my Special Representative met Mr. Minawi, as well as several SLM/A field commanders, and heard first-hand about some of the problems SLM/A was facing. Mr. Minawi requested financial, logistical and technical assistance from the United Nations in organizing the SLM/A conference. While my Special Representative did not rule out the possibility of United Nations assistance for internal talks at a later date, he emphasized the need for the Abuja negotiations to resume on schedule.

23. Despite the death of Mr. Garang, the situation in Darfur remained relatively calm. A multitude of Sudanese expressed their condolences to the leaders of the Sudan People's Liberation Movement/Army (SPLM/A) in the area. Some observers expressed fear that the prospects of peace in Darfur would be adversely affected by the death of Mr. Garang, who had shown resolve in using his personal influence and stature to help in the resolution of the conflict. First Vice-President Salva Kiir has, however, reiterated the continued support of SPLM/A for the Darfur peace talks and has pledged to do his part to advance the process.

VII. United Nations support to the African Union Mission in the Sudan

24. The AU Commission continues to expand AMIS through the deployment of additional personnel. During the reporting period, the AU Mission was comprised of 5,348 personnel, including 644 military observers, 816 civilian police officers, 37 civilian staff and 3,716 protection troops. The Commission has announced a "logistical halt" to the deployment of additional personnel to AMIS, lasting from 19 August until 22 September when expansion of the Mission will continue.

25. As part of its ongoing support for AMIS, the United Nations collaborated with the AU Commission and other partners, including the European Union, the United States of America and the North Atlantic Treaty Organization (NATO), to successfully undertake a map exercise with AMIS personnel in Darfur. The exercise, which was managed from AMIS force headquarters in El Fasher and ran from 18 to 27 August, had four objectives: to strengthen command and control of AMIS headquarters; to improve the ability of the AU force to deploy to maximum effect; to support the integration of the different components of the AU Mission; and to support contingency planning.

26. In addition to its direct involvement in the management of the exercise, the United Nations contributed broad support, including through the provision of accommodation, transport and other general administrative services to the team of 34 who executed the map exercise. A specialized communication and information technology team from UNMIS was also on site in El Fasher to provide support until completion of the exercise at the end of the month.

VIII. Observations

27. The situation in Darfur presents a mixed picture. This has been the case since monthly reporting began over one year ago. During the month of August, the situation remained broadly stable. The low number of clashes, increased criminality

and expanding humanitarian outreach were all consistent with patterns established over the past two months.

28. The expansion of AMIS has brought improvements in security and protection in all areas where it is deployed. It is critical to the safety and security of civilians in Darfur for the expansion of AMIS to be successfully concluded and for AU to be able to render operational all its personnel. This can only occur if AMIS is provided with all resources that it requires to function effectively. A fully resourced and effective AMIS will play a very important role in stabilizing the situation in Darfur as the parties prepare to resume the Abuja peace talks. In this context, I encourage Member States to make every effort to assist the AU Commission in urgently filling its funding gap.

29. The establishment of the Government of National Unity and the normalization of the situation in the rest of the Sudan offers tremendous promise for Darfur. These developments offer the parties an unprecedented opportunity to translate the present relative stability in Darfur into a lasting settlement, anchored in the new national political order.

30. The resumption of the Abuja peace talks is a positive development. The parties and their partners in the international community must make every effort to make the talks a success and to achieve a comprehensive political agreement for Darfur before the end of 2005. The United Nations will continue to provide all possible support and assistance to the African Union in its efforts to bring a definitive end to this brutal conflict.
