

Open Statement on Atrocities in South Kordofan Global Centre for the Responsibility to Protect
20 July 2011 (...) United Nations (UN) member states must uphold their responsibility to protect and take immediate action to protect populations from atrocities being perpetrated daily by Sudanese government security forces, and allied paramilitary forces and militias in South Kordofan. (...)

(...) The Sudanese government has, as in Darfur, tried to hide the horrific consequences of its actions by restricting the access of the UN, media and independent monitors to the region. Yet credible reports indicate that the government is actively perpetrating atrocities against its own people. (...)

(...) The Nuba have borne the brunt of such targeting. They are marginalized and discriminated against by the Sudanese government on the grounds that they are not “Arab”, and that many Nuba supported anti-government movements during the 1983-2005 civil war. (...)

(...) A leaked report by the UN peacekeeping mission in Sudan (UNMIS) argues that crimes perpetrated since the outbreak of fighting may amount to crimes against humanity and war crimes – crimes that states unanimously committed to protect populations from by endorsing the responsibility to protect at the 2005 World Summit.

At the core of this commitment is the responsibility to prevent crimes before they occur. Few situations have had as much early warning of imminent mass atrocities as South Kordofan or such a glaring failure to heed these warnings. Now is the time to take action to ensure that this mistake is not repeated. The risk of future crimes against humanity and war crimes is all too clear. (...)

(...) The UN Security Council, key countries such as China and the Gulf States, as well as the guarantors of the Comprehensive Peace Agreement (CPA) for the South, including the African Union (AU) and the Arab League, have a critical role to play going forward. The failure to fully implement the provisions of the CPA, including the holding of popular consultations in South Kordofan and Blue Nile, helped fuel the current crisis. (...)

(...) The Security Council’s 15 July issuing of “elements to the press”, a minimal expression of the Council’s opinion that does not form part of the official UN record, was a first step but is insufficient absent sustained engagement. The Council’s inability to agree on a Presidential Statement drafted five weeks ago, or to consider a resolution, despite the disturbing findings of the recently leaked UNMIS report, sends a clear message to the Sudanese government that the Council is divided and that there will be no consequences for its heinous actions. (...)

(...) Now is the time for decisive action. Council members should request an emergency briefing by senior UN and AU officials, including former South African President Mbeki, who negotiated the 28 June agreement. Those members supporting a stronger response should use the opportunity to engage with fellow members who oppose taking further steps and find a way for the Council to speak with one voice. That voice should strongly condemn the commission of mass atrocities, demand an immediate halt in aerial bombardments, call on both sides to cease their hostilities, allow for humanitarian access, and establish a human rights fact-finding mission. The AU and Arab League should similarly call for the creation of a fact-finding mission and use their relationship with the Sudanese government to urge the parties to grant such a mission much needed access. They should, as with the UNSC, outline that there will be consequences for the Sudanese government and actors responsible for perpetrating and inciting mass atrocity crimes should they fail to halt their actions. This should include the enactment of further targeted economic sanctions.

The leaked UNMIS report cannot be more clear, “the International Community cannot afford to remain silent in the face of such deliberate attacks by the Government of Sudan against its own people. If the current conduct of the SAF, especially the aerial bombardments, does not stop, it will dissipate the Nuban population in South Kordofan.” The time for warnings has passed. Atrocities are being perpetrated. Failure to act today will be a repeat of previous mistakes and will see more lives unnecessarily lost. (...)

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