



July 29, 2011

To: Mr. Approlinaire Saiznou, Minister Counsellor of the Republic of Benin and July Chair of the AU Peace and Security Council,

And

Mme. Kabushemenye Epiphanie, Permanent Representative of the Republic of Burundi and August Chair of the AU Peace and Security Council.

Your Excellencies,

We, the undersigned African and International Human Rights NGOs, urge members of the AU-Peace and Security Council to order and ensure prompt deployment of an AU fact-finding mission in Southern Kordofan.

Mounting evidence that fighting in Southern Kordofan has resulted in serious human rights and humanitarian law violations highlights the need for the AU General Assembly to ensure that those violations are promptly and independently investigated.

The Chairperson of the African Union Commission, Dr. Jean Ping, has expressed concern at the humanitarian crisis unfolding in Southern Kordofan. In a statement made public on June 20, he deplored the fact that "hundreds of thousands of civilians have been displaced from their homes and face hunger and diseases, due to fighting, aerial bombardment and the interruption of essential supplies."

In the same statement, Dr. Ping noted that there were "reports of human rights abuses which need investigation." He also reminded the Government of Sudan and the SPLM/SPLA of their respective obligations under international humanitarian law and called upon them to facilitate humanitarian access to the affected population.

However, the parties have not respected the ceasefire, and violence and human rights abuses continue. Reports from the ground indicate that a substantial number of civilians have been arrested and others

wounded or killed by ground forces or by aerial bombardments. Sudanese soldiers and allied militia forces have looted and destroyed homes and churches. United Nations personnel have also received reports of the existence of a mass grave and of the use of chemical weapons by the Sudanese Armed Forces.

A leaked report by the UN peacekeeping mission in Sudan (UNMIS) noted that crimes perpetrated in Southern Kordofan, if proven, may amount to crimes against humanity and war crimes. The report recommended an independent and comprehensive investigation into the violence for purposes of indentifying and holding accountable those most responsible for violations of human rights and humanitarian laws.

Meanwhile, access to humanitarian aid has been totally blocked, and most of the scattered groups of IDPs have not received assistance. Recently, Sudanese security officials dressed as aid workers reportedly coerced IDPs to leave the protective perimeter around the UNMIS camp in Kadugli.

The seriousness of the reported violations and alleged war crimes warrants urgent action from AU- Peace and Security Council. An independent investigation into the alleged human rights and humanitarian violations should be a key component of any forthcoming AU action in the region.

On June 28, the parties agreed to a framework agreement in Southern Kordofan and Blue Nile states, designating the AU's High level implementation Panel as a Third Party empowered to request any other body to assist in implementation of the mandate. The AU-Peace and Security Council, through this panel, should immediately request an independent investigation.

Background: On June 5, 2011, fighting broke out between Sudan Armed Forces (SAF) and elements of the Sudan People's Liberation Army (SPLA) near Kadugli, the capital of the oil-rich state of Southern Kordofan. The fighting followed weeks of growing tension between the ruling National Congress Party (NCP) and the southern Sudan People's Liberation Movement (SPLM) over security arrangements in Southern Kordofan and the re-election of ICC indictee Ahmed Haroun as governor of the state. The fighting quickly spread to Kadugli, Tolodi, Dilling, and other towns and villages.

Yours Sincerely,

African Center for Justice and Peace Studies (ACJPS)
African Peace Forum (APF)
ASADHO
Darfur Reconciliation and Development Organization (DRDO)
East African School of Human Rights (EASHR)
Human Rights First (HRF)
Human Rights Watch (HRW)
International Refugee Rights Initiative (IRRI)
Kenya Human Rights Commission (KHRC)
Stop Genocide Now

Cc:

H.E Mr. Cherif Mahamat Zene, Permanent Representative of the Republic of Chad
H.E President of the Republic of Cote D'Ivoire

H.E Mr. Ismail Goulal Boudine, Permanent Representative of the Republic of Djibouti

H.E Dr. Nsue Mangue Rueben Maye, Permanent Representative of the Republic of Equatorial Guinea

H.E Dr. Monica Juma, Permanent representative of the Republic of Kenya

H.E Mr. Ali Abdella Awidan, Permanent Representative of the People's Bureau of the Great Socialist People's Libyan Arab Jamahiriya

H.E Mr. Amadou N'Diaye, Permanent Representative of the Republic of Mali

H.E Mr. Babah Ould Sidid Abdallah, Permanent Representative of the Islamic Republic of Mauritania

H.E Mr. Wilfred Inotira Emvula, Permanent Representative of the Republic of Namibia

H.E Ms. Nkoyo Toyo, Permanent Representative of the Federal Republic of Nigeria

H.E Prof. Joseph Nsegimana Pepani, Permanent Representative of the Republic of Rwanda

H.E Mr. Lungile Christian Pepani, Permanent Representative of the Republic of South Africa

H.E Andrew Hama Mtetwa, Permanent Representative of the Republic of Zimbabwe