



**International Fellowship of Reconciliation
Mouvement International de la Réconciliation**

Case postale 161

1211 Genève 16

STATEMENT : Guest Representative Father Hubert BARBIER*, 16 February 1993

[The passages in square brackets were omitted due to the time limitation.]

U.N. COMMISSION ON HUMAN RIGHTS, Geneva, 49th session (1 Feb. - 12 March)
Rights of persons belonging to national or ethnic, religious and linguistic minorities (item 20).

Mr Chairman, I am most grateful to the International Fellowship of Reconciliation for allowing me the possibility of describing to you *the actual tragedy in the Sudan*.

I am Fr. Hubert Barbier of the Society of Missionaries of Africa (White Fathers). I have worked for 32 years in Africa, 9 of which were in the Sudan. I now live in Paris where I continue to follow the painful events taking place in that country.

My statement to your Commission today comes very soon after the **visit of Pope John Paul II to Khartoum**. Several times during his brief visit to the Sudanese capital on 10 February, the Holy Father frequently emphasized :

- the equality of all citizens, one with another;
- the need to achieve a lasting peace based on justice and respect for all human rights, which is the sole condition for peace to endure. Every state has the absolute duty to respect and defend the differences that exist among its citizens.

I would like to evoke here the tragic situation in the Sudan, a situation that is of deep concern to the Fellowship, which has already referred to it at the last session of the Sub-Commission. To describe this catastrophe, let me first of all quote the words of **Rony Brauman, chairman of the International Council of Médecins Sans Frontières, who wrote in the preface to the book, *Populations In Danger*, published last November: "It is indisputably the Sudan that has earned the sinister privilege of winning the horror prize. In this conflict, which is racial even before being religious, a veritable process of extermination is under way that is not affected by any of the few and timid international reactions."**

His words rightly reflect the various components of the Sudanese calamity:

1. Atrocities on a large scale;
2. A deliberate - one could say, planned - policy of "cleansing", and religious and ethnic extermination;
3. Occasional international reactions.

Mr Chairman, let me recall some facts:

Between Sudanese Independence Day, on 1 January 1956, and 1972, a first fratricidal war between the non-Muslim South and the Muslim North caused more than 700 000 deaths.

After a first Peace Agreement in which the Conference of African Churches played an important role, the war between North and South recommenced in 1983, following the first discriminatory measures taken by the North, particularly by the enactment of the Islamic Penal Code, the *Sharia*, in September 1983. This second civil war has already caused nearly

600 000 deaths, mostly among the southern Sudanese population.

In June 1984, the rejection of a Constitution based on the *Sharia* by two-thirds of the National Assembly - and, subsequently, the Revolution of April 1985 - brought about a pause in the civil war. Negotiations continued in order to put an end to it, on the basis of a "freezing" of the *Sharia*. However, on 30 June 1989, just prior to the first official meeting due to take place on 4 July, a military coup d'état overthrew the democratically elected government.

El-Bechir that took power following this coup d'état very soon proved to be inspired by an ideology of Islamic fundamentalism, which ruined any hope of ending the conflict. [With its succession of massacres, repression, displaced people and famine, it was henceforth considerably reinforced. The Khartoum Government appealed to Iran, another fundamentalist country, and received large quantities of arms and ammunition which last year allowed the North to regain control of a large part of the land conquered by the insurrectionary southern force (the SPLA).]

Within the framework of its traditional *jihad*, the ruling junta dispatched heavily armed militias to the Nuba Mountains, a region previously untouched by the war.

The Nubas, who are of African origin, were massacred in their thousands; many women were raped and taken into slavery together with their children. The land thus "liberated" by ethnic-religious cleansing was immediately occupied by Islamized Arab tribes from the North. Today, throughout the South, in spite of protests by numerous states and the international community, the repression has intensified.

However there is no lack of documents, duly accepted and signed by the Sudan, that denounce such acts :

- 1) The Permanent Constitution of the Sudan, enacted on 8 May 1973 states in article 14 : *"The Sudanese Society is established on the principles of freedom, equality and justice."* And article 16b states *"Christianity is... professed by a large number of its citizens... and the State shall endeavour to express its values."*
- 2) The Universal Declaration of Human Rights was accepted by the Sudan on its entry into the United Nations. On 21 March 1977, it ratified the International Convention on the Elimination of all Forms of Racial Discrimination; and on 18 March 1986, the International Covenants on Human Rights, which reiterate the *"religious freedom of all human beings."*
- 3) Moreover, the Universal Islamic Declaration of Human Rights recognizes (the original Arabic text makes use of the word *"sharia"* for "law"): apart from the right to life, liberty, equality and justice; the right to a fair trial, to freedom of movement and residence; that any discrimination is forbidden. This Declaration was officially proclaimed on 19 September 1981 in Paris (UNESCO) and in principle should not be infringed by any Islamic Government.
- 4) On 3 September 1982, the Sudan signed the African Charter of Human and Peoples' Rights, and ratified it on 18 February 1986. How it is possible then, that the following articles of that Charter are not being enforced :
 - Article 7 : right to a fair hearing and a fair trial in proper courts;
 - Article 8 : freedom of worship;
 - Article 9 : freedom of expression;
 - Article 11 : right of assembly;

Article 17 : equal rights to education ?]

Countless evidence confirms the total contempt of the Sudanese Government for fundamental human rights as defined by the Universal Declaration and as recognized by the International Covenants, ratified by the Sudan, which I have quoted in my text [above], but which I will not read out for lack of time.

Resolutions were adopted by the Congress of the United States, by the European Community, by the European Parliament and, last December, by the General Assembly of the United Nations (A/RES/47/142, item 97c, of 18 December 1992), condemning the Sudan for its repeated infringements of human rights. However, the Sudanese Government continues to confirm its total adherence to these principles and its absolute respect for these freedoms, as it did in a recent document addressed to the United Nations, dated 16 December 1992, concerning the Convention on the Rights of the Child (CRC/C/3/Add.3).

According to this Sudanese Government Report, examined here [three weeks ago] on 26 and 27 January by the United Nations Committee on the Rights of the Child : freedom of expression, access to information, freedom of thought, of conscience and belief, the protection of women and children, would seem to be exemplary in the Sudan ! One is somewhat taken aback by the position adopted by its representative who stated that the recent resolution adopted by the General Assembly was unjust and that double standards were being applied in their case. He even went so far as to ask other countries to apply justice and equity. (UN Press Release of 27 January 1993, HR/3297, page 4). What justice! What equity, when we know the facts! : "official" censorship, newspapers closed down, the impossibility for a Muslim to change his religion (under the penalty of death), Koranic punishments, the rape of thousands of women, slave trade affecting thousands of children. It is - we must repeat it - a "veritable ethnic-religious cleansing!"

[The truth is that all the relevant articles of the African Charter, as well as numerous other laws are being flouted with the intention of exterminating the members of the non-Muslim minorities, or bringing them to convert to Islam. Should they become Muslim, then they would find a job, education, food, etc. Is it not tragic to discover that a person belonging to a non-Muslim minority is not able to appeal to anyone for help, or justice and equity.... and that all authority is concentrated in the hands of Muslim fundamentalists who forbid and repress all protests?]

This situation is a direct consequence of the application of Islamic law, the *Sharia*, in a country which is only two-thirds Muslim. [The éminence grise of the regime is Dr Hassan el Tourabi who studied at London University and at the Sorbonne where he obtained a law doctorate. Dr Tourabi plans - so it has been reported recently - to reside in Geneva, where he will be in a better position to carry out his duties worldwide as leader of the Islamic Front.] Pressure exerted by the Sudanese Government on non-Muslims, be they Catholics, Protestants or Animists is intolerable. Barely three weeks ago, only Muslim NGOs had access to the camps around Khartoum where hundreds of thousands of displaced persons have been dumped [On 26 January an agreement was reached between the United Nations and the Sudanese Government which provided for the return of some humanitarian NGOs to the Sudan and defined their official status.]

Food aid is also subject to one's conversion to Islam. The *Sharia* considers the non-Muslim as an inferior being, a tolerated member of society, in Arabic: *dhimmi* ** for whom Islamic law provides a special status. This, in itself, is a direct infringement of the dignity of non-Muslims, in defiance of the preamble to the International Covenant on Civil and Political Rights, which declares that State Parties accept the principle of the "recognition of the inherent dignity and of their equal and inalienable rights of all

members of the human family..."

Pressures are put on Churches, religious personnel and the faithful. In the education field, the Islamic Council for Higher Studies decided that a candidate must obtain a good average in Islamic instruction in order to be admitted to the University. Examinations regarding Islam, and the presentation of a legalized certificate showing that one belongs to the Muslim religion, are obligatory in order to be nominated for any government post. In certain prisons, non-Muslim detainees are offered release, and even money, if they convert to Islam.

[Attached is a copy of a long letter, dated 16 June 1991, from His Grace the Archbishop of Khartoum, Gabriel Zubeir Wako, quoted by the Apostolic Nuncio in Khartoum on 6 October 1991. The conclusion is clear : "*We Christians can see all this as the beginning of a great persecution. The Government has begun to imprison Priests for no other reason except that they are Priests and doing religious work.*" This conclusion was reiterated by the Bishops of the seven East African countries in their letter of 25 August 1992 to the U. N. Secretary-General.

Mr Chairman, the whole world is expecting the traditional winter offensive against the insurgent southern positions around the city of Juba. This offensive, carried out thanks to weapons paid for by Iran and supplied mainly by China, is likely to be on an exceptional scale. Abdel Rahman Sadd, the former Sudanese general, today a member of the opposition, said in Cairo last month that Iran had delivered extra military material to Sudan [between 60 and 90 tanks, plus Irakian military planes kept in Iran - denied later by Iran]. During a period of famine, the Sudanese Government "offered" oil seeds to Ethiopia in exchange for tanks and lorries.(AFP, *Daily African Bulletin*, n°.13879 of 21 January 1993).

However, this next *jihad* has not yet begun. Probably the announcement of the visit of the Pope had something to do with it. On the other hand, it would seem that the military junta has provisionally toned down its repression because of various international condemnations of which it has recently been the object; and of fear aroused from the military intervention [by the United States] in neighbouring Somalia.

Mr. Chairman, the International Movement for Reconciliation: appeals for an immediate ceasefire and the opening of a Peace Conference under the auspices of the United Nations; followed by free elections, which should be organized under United Nations control in both the North and the South; at the same time, help and food aid should reach its destination, leading to the reconstruction of the South, now completely destroyed. [The Peace Conference should attempt to analyse the political structures of the country. A federal structure for the Sudan has been proposed; alternatively, a decentralised government, taking into consideration the differences between the North and the South - historical, cultural and economical differences - and not forgetting the deep resentments of the past: the North traditionally sheltered the slave traders, while the South was for a long period of time the slave reservoir.]

Allow me, Mr. Chairman, to quote the words of the Archbishop of Khartoum, Monseigneur Gabriel Zubeir Wako : "*Christians have no problems with Muslims, provided Muslims recognize that Christians in the Sudan are citizens like themselves, and therefore have the freedom and the right to practise their faith*". [His long letter of 16 June 1991 is available here on request.]

In conclusion, it is clear that NGOs have a role to play in the reconciliation efforts in the Sudan, efforts which have already been undertaken by the former President of the United States, Jimmy Carter, by the Churches and by many humanitarian groups.

The Human Rights Commission should follow the same path as the General Assembly,

by restating the need to establish respect for human rights in the Sudan and the right of all communities to a dignified and free life. The application of double standards in human rights questions can only lead to the negation of the International Covenants.

We were edified by the recent document distributed here by the Sudanese delegation [one of the 53 Member States of the Commission] entitled, *Sudan : New Perspectives*, particularly by the reading of paragraph VII concerning Human Rights, which declares that there are no more political detainees in the Sudan and that any detention is subject to confirmation by the court. Consequently, we think that the Sudanese Government might willingly welcome on its territory a Special Rapporteur, or other emissaries, who could draw the attention of the Sudanese authorities to any serious infringement of human rights, which might be brought to their attention, and thus help the Sudanese Government in its search for greater justice.

Let us unite our efforts in order to reestablish peace and order and real justice everywhere in the Sudan, so that soon the words of the psalmist may become reality : *"Behold, how good and how pleasant it is for brethren to dwell together in unity (Psalm 133,1-2)*

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10th March 1993: Situation of Human Rights in Sudan

UNITED NATIONS - Economic and Social Council - Human Rights
Commission

Forty ninth session - E/CN.4/1993/L.11/Add.

The Resolution was put forward by:

Australia, Austria, Belgium, Denmark*, Finland, France, Germany,
Greece*, Ireland*, Italy*, Luxembourg*, Nederland, Norway*, Portugal,
Spain*, Sweden*, United Nations of America and United Kingdom of
Great-Britain and Northern Ireland*

13. Requests the Special Rapporteur to report his findings and recommendations to the General Assembly at its forty-eighth session and to the Commission on Human Rights at its fiftieth session;

14. Decides to consider the situation of human rights in the Sudan at its fiftieth session under the same agenda item.

Adopted by a roll-call vote of 35 to 9,

with 8 abstentions. and 1 absentee.

nota: * State that is not a member of the Human Rights Commission (53 members)

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United Nations
General Assembly 18th November 1993

Forty Eighth session
Agenda item 114 c)

**QUESTIONS CONCERNING HUMAN RIGHTS: SITUATIONS RELATED TO
HUMAN RIGHTS AND REPORTS OF RAPORTEURS AND SPECIAL
REPRESENTATIVES**

Situation of Human Rights in the Sudan

Note of the General Secretary

The Secretary-General is pleased to transmit to members of the General Assembly the interim report concerning the situation of human rights in the Sudan, established **by M. Gaspar Biro, Special Rapporteur of the Commission on Human Rights**, pursuant to **resolution 1993/60 of the Commission, 10 March 1993**, decision 1993/272 of the Economic and Social Council of 28 July 1993.

NB. decision adopted on 28 July 1993: Mr Gaspar Biro was appointed Special Rapporteur.

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