

April 14, 2003: Sudan: Action needed at United Nations Human Rights Commission

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WASHINGTON - The United States Commission on International Religious Freedom (USCIRF) has sent a letter to Secretary of State Colin Powell urging the United States to oppose any efforts at the United Nations Human Rights Commission to abandon ongoing scrutiny of continuing serious violations of human rights in Sudan and oppose any procedural process that would give Libya - the current chair of the Commission on Human Rights - control over the appointment of a Special Representative on Sudan. "The United States must deliver a strong statement on Sudan so that there will be no doubt as to our position regarding ongoing scrutiny of continuing violations," said USCIRF Chair Felice Gaer. The text of the letter follows: Dear Secretary Powell: As deliberations continue in Geneva at the UN Commission on Human Rights, the U.S. Commission on International Religious Freedom (USCIRF) respectfully requests that you raise critical issues pertaining to Sudan. The USCIRF believes that the United States should oppose efforts at the UN Commission on Human Rights to revoke the mandate of the Special Rapporteur and oppose proposals that would upgrade consideration of Sudan from that of a country examined under agenda Item 9 ("question of the violation of human rights and fundamental freedoms in any part of the world") to one considered under agenda Item 19 ("advisory services and technical cooperation in the field of human rights"). Such a change is generally understood as a form of graduation, suggesting that a government has improved its human rights performance. This is certainly not the case with Sudan: The Sudan Peace Act found that actions committed by the Government of Sudan (GOS) constitute genocide as defined by the Convention on the Prevention and Punishment of the Crime of Genocide (78 U.N.T.S. 277). The Civilian Protection Monitoring Team (CPMT) clearly states in its February 2003 report that the GOS has continued to attack, kill and maim civilians despite signing a cease-fire accord with the Sudan People's Liberation Movement (SPLM). The GOS has, according to reports, without justification, grounded operations of the CPMT since March 7. The U.S. State Department's annual report on human rights describes extensive continued gross human rights abuses committed by the GOS. As the peace talks between the GOS and the Sudan People's Liberation Movement (SPLM) reach a critical stage, it is important that the international community retain the post of a Special Rapporteur on Sudan so that human rights violations will be clearly identified and condemned by not only the United States, but by the international community. The Special Rapporteur on Sudan is perceived by many to provide a non-biased, independent perspective on human rights violations in Sudan. The USCIRF urges the Administration to support the extension of the mandate of the Special Rapporteur on Sudan, and not to suggest ways to remove it from such scrutiny. A change from Item 9 to Item 19 would permit the appointment of a new person to carry out the monitoring. This would offer the opportunity for the chair of the UN Commission on Human Rights to appoint and select a new Special Representative on Sudan. Given the poor human rights record of Libya - the current chair of the UN Commission on Human Rights - the United States should oppose any procedural process to move consideration of Sudan so that Libya cannot control the appointment of a Special Representative on Sudan. Furthermore, the USCIRF recommends that the United States deliver a strong statement on Sudan at the UN Commission on Human Rights condemning the serious human rights violations in that country so that there will be no doubt as to our position regarding ongoing scrutiny of continuing violations. Thank you for considering the Commission's requests. Sincerely, Felice D. Gaer Chair

Felice D. Gaer, Chair

- Dean Michael K. Young, Vice Chair Firuz Kazemzadeh Richard D. Land Bishop William Francis Murphy Leila Nadya Sadat Nina Shea The Hon. Charles R. Stith The Hon. Shirin Tahir-Kheli Joseph R. Crapa, Executive Director