



March 18, 2009

H.E. Jean Ping  
Chairperson  
African Union Commission

Your Excellency:

Human Rights First is a leading independent human rights research and advocacy organization. For thirty years we have been working to promote and protect human rights around the world.

I write in advance of the high-level meeting the African Union (“AU”) and the League of Arab States (“Arab League”) will reportedly soon hold with the UN Security Council regarding the situation in Darfur. Human Rights First is deeply concerned that rather than using this opportunity to address the Sudanese government’s recent expulsion of thirteen international aid organizations and dissolution of three national organizations, the AU and the Arab League reportedly plan to press the Security Council for a twelve month deferral of the case against Sudanese president General Omar al-Bashir before the International Criminal Court (ICC).<sup>1</sup> We urge the AU and the Arab League prioritize compelling Khartoum to rescind its decision to halt the operations of the affected organizations, while not compromising the work of the ICC in Sudan.

The decision to halt the operations of the sixteen organizations is potentially the most serious government assault on civilians in Darfur in years. The United Nations Office for the Coordination of Humanitarian Affairs estimates that the expulsion of the aid groups will mean that 1.5 million beneficiaries will no longer have access to health and nutritional services. Water supply, sanitation and hygiene services provided by the aid agencies to more than a million people will soon be interrupted. General food distribution will also end to 1.1 million people, and the treatment of at least 4,000 children for severe and moderate malnutrition over the next three months could be interrupted. Furthermore,

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<sup>1</sup> According to the United Nations Office for the Coordination of Humanitarian Affairs, the thirteen international NGOs that were expelled are: Action Contre La Faim (ACF), Solidarités, Save the Children UK and Save the Children US; Médecins Sans Frontières Holland (MSF-H) and Médecins Sans Frontières France (MSF-F); CARE International; Oxfam GB; Mercy Corps; International Rescue Committee (IRC); Norwegian Refugee Council (NRC); Cooperative Housing Foundation (CHF); and PADCO. The national agencies whose activities have been dissolved are: SUDO; AMAL Centre for Rehabilitation of Victims of Violence, and the Khartoum Centre for Human Rights Development and Environment.

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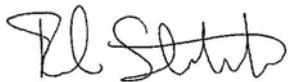
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nineteen camps located in Darfur will immediately stop receiving non-food relief items such as cooking equipment and emergency shelter.<sup>2</sup>

By halting these life-saving humanitarian operations, the Government of Sudan is linking the fate of more than a million Darfuris to the decision by the ICC to issue an arrest warrant for General al-Bashir. We urge the AU to keep the two issues separate. Indeed, Khartoum's decision to expel aid workers from Sudan—and therefore renege on its responsibility to protect its civilians—rests ultimately with General al-Bashir. By continuing to press for a deferral of General al-Bashir's case before the ICC in these circumstances, the AU and the Arab League are running the risk of tacitly approving his latest action to put over a million vulnerable Sudanese at serious risk. Indeed, the decision to expel the aid organizations reinforces the need for justice and accountability for crimes committed in Darfur at the highest levels of the Sudanese government.

In its communiqué of March 5, 2009, the AU Peace and Security Council reaffirmed “the AU's conviction that the process initiated by the ICC and the Pre-Trial Chamber have the potential to seriously undermine the ongoing efforts to address the many pressing peace and security challenges facing the Sudan.” The Arab League has expressed similar concerns. But the immediate prospects for peace have been fundamentally undermined by Khartoum's decision to expel the aid organizations in Sudan. Peace will not be possible while the Government of Sudan is engineering a potential humanitarian emergency that would result in widespread human rights abuses. Therefore, Human Rights First urges the AU to work with the Arab League and the Security Council to ensure that the Government of Sudan immediately rescinds the expulsion orders for the aid organizations and allows them to continue to save lives in Sudan. This step can, and should, be taken without compromising the work of the ICC in Sudan.

Respectfully,



Tad Stahnke  
Director of Policy and Programs  
Human Rights First

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<sup>2</sup> Sudan: Situation Report #1, 8 March 2009, published by the United Nations Office for the Coordination of Humanitarian Affairs.