



Addressing the economic, social and cultural root causes of torture

**OMCT ACTION FILE: SDN 301107.ESCR
SUDAN: ONGOING VIOLENCE AGAINST COMMUNITIES RESISTING DAM
CONSTRUCTION IN THE NORTHERN NILE VALLEY**

The construction of the Merowe and Kajbar Dams in Northern Sudan must be suspended to prevent further killings and violence

The construction of two large-scale hydropower dams at Merowe/Hamadab and Kajbar in the Northern Nile Valley in *Sudan* has led to repeated violent clashes between local communities and security forces and resulted in a number of civilian deaths.

The International Secretariat of the World Organisation Against Torture (OMCT), on the basis of information received from the Sudan Organisation Against Torture (SOAT), a member of the SOS-Torture Network, condemns these events and expresses its concern that violent episodes will continue or, indeed, intensify, so long as government policy concerning these infrastructure projects disregards their impact on the economic, social and cultural rights of the communities affected.

In the light of events highlighted by SOAT, OMCT also expresses grave concerns at the efforts of the Sudanese authorities to suppress community protest and at their ongoing intimidation and harassment of community members opposed to the projects. The fact that fundamental issues of concern for communities have not been adequately addressed creates a real risk of radicalisation of some community members and of their taking up arms.

At the heart of the disputes between local groups and government authorities lie community concerns around the right to an adequate standard of living, to adequate housing and to fair compensation for the houses and fertile agricultural lands they must leave to make way for the reservoirs. Local communities are further concerned about the lack of transparency in the planning process. Construction of the dams is coordinated by the Dam Implementation Unit (DIU) which, it is reported, often takes key decisions unilaterally, neither consulting nor informing the communities affected. Offices of the DIU have been repeatedly targeted for violence by local communities.

To prevent further violence and killings, OMCT calls upon the *Government of Sudan* to suspend the Merowe and Kajbar hydro-electric projects until their impact upon the human rights of the communities affected have been independently assessed. It also calls upon the Government to fully respect the human rights of protesters and ensure that force is not employed to suppress legitimate protest, and to cease forthwith the harassment and intimidation of community activist and others opposed to the projects.

Further, OMCT calls upon *States* involved in the projects to ensure that the work of their national companies does not negatively impact the human rights of the people affected by the dam developments.

The Merowe Dam

The Merowe Dam,¹ at Hamadab on the fourth cataract of the Nile in Northern Sudan, some 350km north of Khartoum, is currently the largest hydropower dam under development in Africa, at a reported initial cost of US\$1.2 billion.² The extensive foreign investment in this project reflects the improved creditworthiness of Sudan as a result of the country's oil exports. The project receives funding from the China Import Export Bank, the Arab Fund for Economic and Social Development, the Saudi Fund for Development, the Oman Fund for Development, the Abu Dhabi Fund for Development and the Kuwait Fund for Arab Economic Development. The main contractors involved in the project are: China International Water and Electric Corporation and China National Water Resources and Hydropower Engineering Corporation (for construction and hydromechanical works); Lahmeyer International, Germany (planning, project management and civil engineering); Alstom, France (generators and turbines); and Harbin Power Engineering Company and Jilin Province Transmission and Substation Project Company, China (transmission system extension). In Sudan, projects such as this are overseen by the powerful Dam Implementation Unit (DIU) a body directly accountable to the President, and one notorious for its lack of transparency. The DIU's brief extends to ensuring security in and around dam construction sites, and as such it enjoys the same powers in these areas as the national security and police forces.

The contracts for the Merowe Dam were signed in 2002 and 2003, and work began in early 2004. It is scheduled for completion in 2009, when it is estimated that the reservoir will cover an area of 476 square km.³ Construction of the dam requires the displacement of some 55 to 60,000 people who occupy small villages on the fertile banks and islands of the Nile. Traditionally, these small-scale farmers have derived their livelihood from growing millet, wheat and vegetables and cultivating date palms on the river banks, and have relied on the flooding of the Nile for irrigation and nutrients. Of the population affected by the dam, the Manasir make up some 68 per cent, the Amri account for 25 per cent, and the Hamadab represent about 7 per cent.

The Government of Sudan has identified resettlement sites for the affected communities and provided financial compensation. Relocation of the Hamadab community to the El Multaqah resettlement site – a desert location - was started as early as 2003, however opposition to the project grew when the first phase of resettlement began to reveal shortcomings. These included the level of compensation offered by the Government for loss of assets (and loss of date palms in particular), the provision of infrastructure in the new settlements, the poor fertility of the land in the resettlement area (the DIU has helped to clear sand, but the quality of the land remains poor) and the serious implications of this for the livelihoods of the displaced communities. A promised irrigation system, for which the Government had undertaken to provide a free supply of water for two years, was not operational.⁴

¹ Merowe is a city about 40km downstream from the construction site.

² Bosshard, Peter and Nicholas Hildyard, "A critical Juncture for Peace, Democracy and the Environment: Sudan and the Merowe/Hamadab Dam Project. Report from a Visit to Sudan and a Fact-Finding Mission to the Merowe Dam Project 22 February-1 March 2005", International Rivers Network/The Corner House, May 2005.

³ Bosshard, Peter and Nicholas Hildyard, "A critical Juncture for Peace, Democracy and the Environment: Sudan and the Merowe/Hamadab Dam Project. Report from a Visit to Sudan and a Fact-Finding Mission to the Merowe Dam Project 22 February-1 March 2005", International Rivers Network/The Corner House, May 2005.

⁴ For further details see, Bosshard, Peter and Nicholas Hildyard, "A critical Juncture for Peace, Democracy and the Environment: Sudan and the Merowe/Hamadab Dam Project. Report from a Visit to Sudan and a

All these factors have seriously compromised the capacity of the Hamadab community to derive a livelihood from agricultural activity. Indeed, according to a survey conducted in early 2005 by the International Rivers Network (IRN), the poverty rate in villages increased subsequent to relocation because farmers were no longer able to produce sufficient produce to sell due to the quality of the land. Cultivation of vegetables is particularly difficult, with the result that diet has also been affected.

The Amri community faces a similar situation. By January 2007, just over half the Amri had been moved to Wadi El Muqadam in the Bayouda Desert, and they, like the Hamadab, have complained about the poor soil and the ineffectiveness of the irrigation system. Furthermore, there was reportedly no housing allocated to some 800 displaced families, with the result that they had to find shelter elsewhere. Indeed, the UN Special Rapporteur on adequate housing indicates that thousands of people in the Merowe area were relocated in 2006, and that some remain homeless.⁵

The Manasir community is due for relocation at the end of 2007. This community rejected the relocation site proposed by the Government and has initiated a self-help project. In June 2007, community members began construction of two villages in an area chosen by them on the shore of the Merowe reservoir.

These relocation experiences have generated serious concerns among the affected communities, concerns that the Government has consistently failed to address. The democratically selected committees representing the Hamadab, Amri and Manasir communities have been sidelined by the DIU, resulting in a still greater sense of frustration. This – together with lack of information and consultation - has heightened tensions and provoked public demonstrations and even the threat to take up arms against the Government. The Government, in turn, has resorted to violent oppression of community protest and arbitrary arrest of community leaders.

Episodes of violence associated with the Merowe Dam development include:

- 29 November 2005: security forces attempted to arrest protesters and search houses on Sherri Island on the Nile, in the Manasir area. This led to scuffles, and the DIU offices in the area were set on fire. Large demonstrations against the dam authorities then took place on the island.⁶
- April 2006: members of the Amri community were involved in violent clashes with security forces when the DIU attempted to carry out a long-delayed survey of relocation requirements. Three civilians were killed and 12 wounded on 22 April when the army moved into the Amri area and opened fire on a community protest against the survey. Subsequently the Government set up a committee to investigate

Fact-Finding Mission to the Merowe Dam Project 22 February-1 March 2005”, International Rivers Network/The Corner House, May 2005.

⁵ “UN Expert Urges Sudan to Respect Human Rights of Communities Affected by Hydro-Electric Dam Projects”, United Nations Press Release from Miloon Kothari, UN Special Rapporteur on Adequate Housing, Geneva 27 August 2007.

⁶ reported by International Rivers Network and the Cornerhouse, “Urgent Call for a Negotiated Agreement To End the Violence in the Merowe/Hamadab Dam-Affected Areas”, 30 November 2005, www.irn.org/programs/merowe/index.php?id=051130appeal.html

the incident, but to date OMCT and SOAT are unaware of any information having been made available regarding its outcome.

- 7 August 2006: the authorities closed the gates of the Merowe Dam without warning and more than 100 Amri families from the island of Kouk and the village of Shakoura were forced to abandon their homes because of the rising waters. The affected families were temporarily left without food or shelter.⁷
- March 2007: during a rally in the town of Abu Hamad, some members of the Manasir community reportedly announced that they would take up arms against the Government. One week later armed police moved into the Manasir area to arrest those who had called for armed resistance. Members of the community reportedly surrounded some 20 armed vehicles and police and held them hostage for over 24 hours until a provisional settlement with the authorities in Khartoum was reached.
- 29 March 2007: six Khartoum-based representatives of the Manasir community were arrested in the capital and detained by National Security in Kober Prison for almost two months without charge.
- 6 May 2007: students belonging to the Manasir community organised a demonstration in Khartoum to protest against the detention of the six community representatives. This demonstration was reportedly dispersed by police using teargas and rubber bullets.

The Kajbar Dam

The Kajbar Dam, another element in the Government of Sudan's strategy to develop the country's hydroelectric capacity, is budgeted to cost US\$200 million. The project, located on the third cataract of the Nile, some 650km north of Khartoum and 250 km west of the Merowe Dam at Hamadab, is co-funded by the Chinese and Sudanese governments, with China providing 75 per cent of financing. A further two dams are being planned between Kajbar and the Egyptian border (at Dal, on the second cataract of the Nile, and Shirake on the fifth).⁸

The planning stage of the Kajbar Dam has been completed and construction is due to begin.⁹ At least 10,000 persons belonging to the Mahas, a Nubian community living in more than 30 villages on the fertile land that flanks the Nile, are expected to be displaced as a consequence of this development. The Mahas are strongly opposed to the project and resist the idea of relocation. They, like other Nubians, also express concern that the project threatens important Nubian archaeological sites, in particular the ruins around the city of Kerma, the first Nubian capital. Opposition to the project is coordinated by the Popular Committee Against the Building of the Kajbar Dam, a group of democratically elected community representatives.¹⁰

⁷ "UN Expert Urges Sudan to Respect Human Rights of Communities Affected by Hydro-Electric Dam Projects", United Nations Press Release from Miloon Kothari, UN Special Rapporteur on Adequate Housing, Geneva 27 August 2007.

⁸ Reliable sources indicate that the DIU started geotechnical studies on the site at Dal on completion of those at Kajbar.

⁹ Difficulty in identifying the precise stage of the project exemplifies the lack of transparency on the part of the DIU.

¹⁰ This Committee was established in the mid-1990s with representatives from 27 counties around Kajbar. It was re-activated in November 2006 after the DIU started preparatory works at Kajbar. In the last six months, two more Popular Committees Against the Kajbar Dam were established in the Dongla and Karma areas. On

In preparation for the start of construction, the Kajbar area has been increasingly militarised, and an army camp has been established close to Sebu - one of the villages that would be submerged by the dam - in order to protect Chinese workers and machinery from violence.

As in the case of the Merowe Dam, there have already been a number of serious incidents associated with the project:

- 24 April 2007: a large demonstration against the Kajbar Dam was broken up by police who fired tear gas and live ammunition and used batons against protesters.
- 13 June 2007: security forces in Farraig Village opened fire on a 5,000-strong demonstration against the dam, killing four and seriously injuring 13 others. The National Intelligence Service subsequently carried out the arbitrary arrest of nearly three dozen Nubian leaders and at least five journalists, two lawyers and a university lecturer who attempted to travel to the area to cover the violence.
- Following the events of 13 June, more government troops were deployed in the area. Subsequently women have reported sexual harassment (both verbal and physical), and men have reported other forms of harassment, including having their water pumps thrown into the Nile.¹¹
- 20 July, 2007: Mr Osman Ibrahim, spokesperson of the Popular Committee against the Kajbar Dam was arrested in the early morning at his home in Farraig village. No warrant was presented for his arrest.¹² SOAT sources indicate that he was transported some 600km to the Dabak Prison in north Khartoum, where he was detained until 19 August.
- 27-29 August 2007: nine members of the Committee against the Building of the Kajbar Dam were arrested. Eight of these activists were released on 13 September 2007. On the same dates in August, a number of other members of the Committee – including Mr Osman Ibrahim - were arrested and shortly after released in a strategy described by SOAT as “continuing intimidation exercised by the security apparatus through a number of ‘brief’ arrests and detentions targeting members of the Committee.”¹³
- 17 November 2007: two independent journalists who denounced the abusive arrests of their colleagues following the shootings of 13 June in Farraig were detained in Obdurman Prison by a Khartoum court for 11 days.¹⁴

26 November 2007 a meeting was held to establish a fourth Popular Committee in the Halfa and Sekoot areas after heavy equipment began to arrive at the site of the proposed dam at Dal. A further decision was taken to found a higher Popular Committee Against Building Dams in Nubian Lands on the basis of these four committees.

¹¹ These incidents were reported by Rescue Nubia, “Kajbar Facts Sheet”, www.rescuenumibia.org/beware.html

¹² Sudan Organisation Against Torture, “New arrest following Kajbar dam incident”, Human Rights Alert: 23 July 2007.

¹³ Sudan Organisation Against Torture, “Sudan arrests Kajbar dam activists”, Human Rights Alert: 4 September 2007

¹⁴ See Urgent Appeal SDN 002/1107/OBS147 issued on 28 November 2007 by the Observatory for the Protection of Human Rights Defenders on the basis of information provided by SOAT.

As with Merowe, those who oppose the dam claim that communities were neither consulted on nor adequately informed about the construction of the dam. It is reported that when members of the Popular Committee Against the Kajbar Dam travelled to Khartoum in May 2007 to lobby and gather information on the project, it was not received by the DIU. OMCT is concerned that this disregard on the part of the Sudanese authorities for the views and opinions of those communities affected by the development may lead to growing support for groups that advocate armed resistance and to a degeneration of the security situation in this part of the country, with serious implications for the civilian population.

Economic, social and cultural rights and violence

The UN Special Rapporteur on adequate housing, Mr. Miloon Kothari, has expressed deep concern at the situation of the communities affected by the projects in the Merowe/Hamadab and Kajbar areas.¹⁵ In a statement issued on 27 August 2007, he indicated that large-scale forced evictions may be imminent in the Merowe/Hamadab area as water levels rise. Those affected have claimed that they received no warning that the level of the reservoir would be raised and that Government authorities have provided no assistance since their houses were destroyed.

OMCT and SOAT wish to lend their support to the position of the UN Special Rapporteur on adequate housing who has emphasised that these projects “cannot, according to international human rights instruments, under any circumstances, be planned and implemented without effective involvement of the affected populations and at the expense of the human rights of more than 60,000 people, including women, children and the elderly.”¹⁶ The Special Rapporteur underlined that, given the opposition of the communities affected, moving forward with these projects in the present circumstances would lead to “large-scale forced evictions and further violence”.¹⁷

¹⁵ See “UN Expert Urges Sudan to Respect Human Rights of Communities Affected by Hydro-Electric Dam Projects”, United Nations Press Release from Miloon Kothari, UN Special Rapporteur on Adequate Housing, Geneva 27 August 2007.

¹⁶ “UN Expert Urges Sudan to Respect Human Rights of Communities Affected by Hydro-Electric Dam Projects”, United Nations Press Release from Miloon Kothari, UN Special Rapporteur on Adequate Housing, Geneva 27 August 2007.

¹⁷ “UN Expert Urges Sudan to Respect Human Rights of Communities Affected by Hydro-Electric Dam Projects”, United Nations Press Release from Miloon Kothari, UN Special Rapporteur on Adequate Housing, Geneva 27 August 2007.

Requested Action

i) Please support the UN Special Rapporteur on adequate housing by writing to the Sudanese Government (address list A) asking it:

- to take all necessary measures to ensure the safety and adequate housing of persons living in the area affected by the Merowe Dam.
- to facilitate access for human rights monitors to conduct an independent eviction-impact assessment mission, and to suspend the hydro-electric dam projects in Merowe/Hamadab and Kajbar until the results of these impact assessments are known.

Also ask the Sudanese Government:

- to fully respect the human rights of protesters and ensure that force is not employed to suppress legitimate protest.
- to cease the harassment and intimidation of community activist and others opposed to the dam projects.
- to defuse tensions in the affected areas by initiating meaningful mediation procedures and reducing the military presence.
- to ensure adequate and real representation of and participation by local communities in the projects should these proceed and, in particular, to furnish all necessary information on these projects and provide appropriate fora in which community views can be expressed and taken into account.
- to address the concerns expressed by members of the affected communities with regard to compensation and relocation, and ensure that the projects present no threat to the enjoyment of community members' economic, social and cultural rights, including the right enshrined in article 11 of the International Covenant on Economic, Social and Cultural Rights to an adequate standard of living, including adequate food, clothing and housing, and to the improvement of living conditions.
- to give due consideration to the impact of the Kajbar Dam on the possibility of the Mahas community, and Nubians in general, to enjoy and have access to their cultural heritage.

ii) Please write to the Governments of China, Germany, France (address list B) and other States concerned asking them:

- to ensure that the work of their national companies does not - directly or indirectly – negatively impact the human rights of the people affected by the dam developments.

iii) Please write to the companies involved in dam developments in Sudan(address list C) asking them:

- to ensure that their activities do not - directly or indirectly - negatively impact the human rights of the people affected by these developments.

Addresses

List A: Government of Sudan

His Excellency Lieutenant General Omar Hassan Ahmad al-Bashir,
President of the Republic of Sudan,
Office of the President,
People's Palace,
PO Box 281,
Khartoum, Sudan,
Fax: +249 183 782541

His Excellency Salva Kiir Mayardit,
First Vice-President,
People's Palace,
PO Box 281,
Khartoum, Sudan,
Fax: + 249 11 779977 / 771025

His Excellency Ali Osman Mohamed Taha,
Vice-President,
People's Palace,
PO Box 281,
Khartoum, Sudan,
Fax: + 249 183 77 10 25

Mr Muhammad Ali al-Maradhi
Minister of Justice and Attorney General,
Ministry of Justice,
PO Box 302,
Khartoum, Sudan
Fax: +249 183 780796

Mr Deng Alor,
Minister of Foreign Affairs,
Ministry of Foreign Affairs/External Relations,
PO Box 873,
Khartoum, Sudan,
Fax: + 249 183 77 93 83

Mr Al-Zubair Bashir Taha,
Minister of Internal Affairs,
Ministry of Interior,
PO Box 873,
Khartoum, Sudan,
Fax: +249 183 779383

The Permanent Mission of the Republic of Sudan to the United Nations in Geneva,
Avenue Blanc 47,
1202 Geneva, Switzerland,
Tel: +41 22 731 26 63,
Fax: +41 22 731 26 56,
Email: mission.sudan@bluewin.ch / mission.sudan@ties.itu.int

The Embassy of Sudan in Brussels,
Avenue F.D. Roosevelt 124,
1050 Brussels, Belgium.
Tel.:0032 (2) 647 51 59 / 0032 (2) 647 94 94,
Fax: 0032 (2) 648 34 99,
Email: sudanbx@yahoo.com

Please also write to the Embassy of Sudan in your country.

Copies to:

Dr Yasir Sid Ahmed,
Head of the Advisory Council for Human Rights,
PO Box 302,
Khartoum, Sudan,
Fax: +249 183 770 883

Dr Abdel Muneim Osman Mohamed Taha,
Advisory Council for Human Rights, Rapporteur,
PO Box 302,
Khartoum, Sudan,
Fax: +249 183 77 08 83

List B: Governments of China, Germany and France

The Ambassador,
Permanent Mission of the People's Republic of China to the United Nations Office at
Geneva,
Chemin de Surville 11,
1213 Petit-Lancy 2
Switzerland,
Tel.: +41 22 879 56 78
Fax: +41 22 793 70 14
Email: chinamission_gva@mfa.gov.cn

The Ambassador,
Permanent Mission of Germany to the United Nations Office at Geneva,
Chemin du Petit-Saconnex 28 c,
1209 Geneva,
Tel.: +41 22 730 11 11
Fax: +41 22 734 30 43
Email: mission.germany@ties.itu.int

The Ambassador,
Permanent Mission of France to the United Nations Office at Geneva,
Villa "Les Ormeaux", Route de Pregny 36,
1292 Chambésy
Tel.: +41 22 758 91 11
Fax: +41 22 758 91 37
Email: mission.france@ties.itu.int

Please also write to the appropriate embassy in your country.

List C: Companies involved in dam developments

China National Water Resources and Hydropower Engineering Corporation (Sinohydro
Corporation),
22.West Road Che Gongzhuang,
Hai Dian District,
Beijing 100044
China,
Email: infocenter@sinohydro.com

Head Office,
China International Water & Electric Corporation,
Tel.: +62 381 188 5472/5474
Email: headoffice@cwe.com.cn

Mr. Fu Youping,
General Manager,
Harbin Power Engineering Co.,Ltd.,
Xunsheng, Harbin,
Heilongjiang, 150046
China
Tel.: +86 451 82683453
Fax: +86 451 82682279

President's Office,
Lahmeyer International GmbH,
Friedberger Str.173,
61118 Bad Vilbel,
Germany,
Tel.: +49 6101 55-0
Fax: +49 6101 55-2222
Email: info@lahmeyer.de

President's Office,
Alstom
3, Avenue André Malraux,
92309 Levallois-Perret Cedex,
France,
Tel: + 33 (0)1 41 49 20 00
Fax: +33 (0) 1 41 49 24 85

Information on action taken and follow-up

OMCT would appreciate receiving information on any action taken in relation to the matters dealt with in this Action File so that it might be shared with OMCT's network and others interested in this issue. Please quote the code of this appeal on the cover page in contacting us.

Geneva, 30 November, 2007

World Organisation Against Torture

P.O. Box 21 - 1211 Geneva 8

Switzerland

Tel.: 0041/22 809 49 39 / Fax: 0041/22 809 49 29

E-mail: omct@omct.org / Web: www.omct.org