

December 7, 2015

H.E. Mr. Ban Ki-Moon  
Secretary General of the United Nations  
New York, NY 10017

President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

RE: Unhindered Assistance from Multiple Locations for the Two Areas and throughout Sudan

Your Excellency and Mr. President,

In light of the impasse at the 10th round of peace talks in Addis Ababa between the government of Sudan and the SPLM-N, we believe it is critical to recognize that it is a violation of international law to block humanitarian aid to innocent civilians living in conflict zones. Therefore, no party to the conflict should prevent the international community from providing humanitarian aid to the people affected by conflict in the Nuba Mountains/South Kordofan and the Blue Nile states, commonly referred to as the Two Areas, of Sudan, or any other area within Sudan. According to multiple UN General Assembly Resolutions, UNOCHA, and the ICRC, **humanitarian actions are founded on four guiding principles: humanity, neutrality, impartiality and independence.** These principles provide the foundation to establishing and maintaining access to affected people in a complex emergency such as armed conflict. If humanitarian assistance relief actions do not follow these principles then the entire operation puts the victims of conflict at risk and humanitarian assistance can become a weapon in furtherance of armed conflict.

Since June 2011, the Government of Sudan has persisted in an aerial campaign to bomb the people and villages of the Two Areas, with attacks consistently having no military objective. Recent reports indicate the government is preparing for renewed fighting in the Two Areas with the delivery of new military equipment and reinforcements and the announcement by the Defense Minister to Parliament that the Two Areas “will be liberated through a massive military operation.” Aerial bombardment has terrorized the civilian population, killed, maimed and injured thousands, displaced over a million people, and intentionally destroyed crops, the primary food source for the civilian population. At the same time, the Government of Sudan has effectively refused to allow humanitarian assistance into the Two Areas, often putting forward conditions that make providing humanitarian assistance impossible.

Article 7 of the Rome Statute, the founding legal statute of the International Criminal Court (ICC), sets forth crimes against humanity as including inhumane acts of intentionally causing great suffering, or serious injury to body or to mental or physical health. Further, other international criminal tribunals have rendered convictions based on similar principles. In its judgment in *Kristic*, the International Criminal Tribunal of the Former Yugoslavia (ICTY) found that the blocking of aid convoys was part of the “creation of a humanitarian crisis,” which, combined with crimes of terror and forcible transfers, incurred individual responsibility for inhumane acts and persecution as crimes against humanity. The International Committee of the

Red Cross has also interpreted the Geneva Conventions and their protocols to prohibit states from unwarranted refusal of humanitarian access and assistance in conflict zones.

Specific to Sudan, UN Security Council Resolution 2046 strongly urges the parties to comply with international humanitarian law and the guiding principles of emergency humanitarian assistance for safe, unhindered and immediate access of the United Nations and other humanitarian personnel to deliver equipment and supplies and to assist conflict-affected civilian populations. The African Union Peace and Security Council has repeatedly urged the parties to respect human rights and International Humanitarian Law and to allow humanitarian assistance to reach those in need.

During the peace talks in Addis Ababa, the government of Sudan indicated that it would allow cross line humanitarian assistance to be provided from government-controlled areas, meaning that the government would be involved or would be perceived to be involved in the delivery of humanitarian assistance to the same people it is violently targeting, a clear violation of the principles of humanity, neutrality, impartiality and independence the people of the Two Areas have a right to enjoy. **For obvious reasons, the people of the Two Areas do not trust the government of Sudan, and many parts of the population may well refuse to accept assistance that emanates from government-controlled areas. This will make assistance coming solely from government controlled areas ineffective and will undermine the very result that the international community is hoping to create.**

We urge the United States, the United Nations, and other interested parties to stop the ongoing crimes against humanity in the Two Areas and throughout Sudan by upholding international humanitarian law that ensures the unhindered delivery of assistance from multiple locations by the international community so that the people of Sudan can receive the life giving assistance that they so sorely need.

Sincerely,

Blue Nile Association for Peace and Development USA  
Commission for Protection of Civilians and Human Rights - Blue Nile, Sudan  
Funj Youth Development Association ( FYDA) - Blue Nile, Sudan  
Sudan's Peace and Development Centre - Blue Nile, Sudan

National Human Rights Monitors Organization - South Kordofan/ Nuba Mountains, Sudan  
Nuba Christian Family Mission  
Nuba Mountains Advocacy Group USA  
Nuba Mountains Center for Strategic Planning and Dialogue - London  
Nuba Mountains Civil Society Organization Alliance - Sudan  
Nuba Mountains Civil Society Organization Union - USA and UK  
Nuba Mountains International Association - Australia  
Nuba Mountains International Association - Canada  
Nuba Mountains International Association - Egypt  
Nuba Mountains International Association - USA  
Nuba Mountains People's Foundation - UK  
Nuba Mountains People's Media Abroad  
Nuba Mountains Solidarity Abroad (NMSA) - UK and Ireland

Nuba Mountains Union of Associations and Organizations - Africa  
Nuba Mountains International Association - Lebanon  
Nuba Now - UK  
Nuba Vision Coalition, Inc.

Civil Society Initiative - Signatory to Sudan Call Alliance  
Sudanese Solidarity Committee - Khartoum

ACAVIE (Asociación) - Spain  
Arab Organizations Coalition for Sudan ( ACS) - Cairo, Egypt  
Association du RIF pour développement - France  
Collectif Urgence Darfour – Paris, France  
Darfur Association in Uganda  
Darfur Relief and Documentation Centre - Geneva  
Darfur Solidarity Group - South Africa  
Darfur Union in the UK and N. Ireland  
East and Horn of Africa Human Rights Defenders Project - Uganda  
Human Rights Organization and Development (HUDO) - Uganda  
International Refugee Rights Initiative - Uganda  
Jerusalem Center for Genocide Prevention  
PAX for Peace – The Netherlands  
People4Sudan - Geneva  
Society for Threatened Peoples - Germany  
Sudan Democracy First Group (SDFG) - Uganda  
Waging Peace - London

Act for Sudan  
Humanity United  
United to End Genocide  
African Freedom Coalition  
African Soul, American Heart  
American Friends of the Episcopal Church of South Sudan and Sudan (AFRECS)  
Beja Organization for Human Rights and Development  
Brooklyn Coalition for Darfur & Marginalized Sudan  
Carl Wilkens Fellowship  
Catalyst Schools Projects  
Christian Solidarity International - USA  
Colorado Coalition for Genocide Awareness and Action  
Colorado Episcopal Foundation  
Darfur Action Group of South Carolina  
Darfur and Beyond  
Darfur Interfaith Network  
Darfur Peoples' Association of New York  
Darfur Women Action Group

Dear Sudan Love Marin  
Genocide No More - Save Darfur  
Genocide Watch  
Georgia Coalition to Prevent Genocide  
Human Rights & Advocacy Network for Democracy (HAND)  
Idaho Darfur Coalition  
International Justice Project  
Investors Against Genocide  
Jews Against Genocide  
Joining Our Voices  
Long Island Darfur Action Group  
Massachusetts Coalition to Save Darfur  
Mercy Beyond Borders  
Never Again Coalition  
New York Coalition for Sudan  
Northwest Bronx for Change  
Nubia Project  
Operation Broken Silence  
Our Humanity in the Balance  
Pittsburgh Darfur Emergency Coalition  
Project Expedite Justice  
San Francisco Bay Area Darfur Coalition  
Society for Threatened Peoples  
Stop Genocide Now  
Sudan Advocacy Action Forum  
Sudan Human Rights Network  
Sudan Unlimited  
Sudanese Marginalized Forum-USA  
The African Services Coalition of South Carolina  
The Elsa-Gopa Trust  
The Institute on Religion and Democracy  
Unite for Darfur Org.  
United Sudanese and South Sudanese Communities Association  
Use Your Voice to Stop Genocide RI  
Voices for Sudan

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External Relations Secretary  
Darfur Bar Association, Sudan

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Albaqir A Mukhtar (PhD), Director  
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Former U.S. Special Envoy to Sudan  
George H.W. Bush School of Government and Public Service  
Texas A&M University

Baroness (Caroline) Cox  
House of Lords and CEO, HART

Dr. Amin Mekki Medani  
Human Rights Lawyer  
Former Special Representative for the United Nations for Gaza, Bosnia and Lebanon

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Founding President, Genocide Watch  
Research Professor in Genocide Studies and Prevention, George Mason University

Dr. Pascale Hatcher, Associate Professor  
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Ritsumeikan University, Japan

Dr. Samuel Totten, Professor Emeritus  
University of Arkansas, Fayetteville

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Institute for the Study of Genocide

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Worcester State University  
Co-Editor, Genocide Studies International

John Weiss, Associate Professor of History  
Cornell University  
Caceres-Neuffer Genocide Action Group

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Boston College and Brown University

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Member of the All Party British Parliamentary Group on Sudan  
Professor of Citizenship, Liverpool John Moores University

Mukesh Kapila CBE  
Former Head of the UN in Sudan  
Professor of Global Health and Humanitarian Affairs  
University of Manchester

The Reverend Ronald D. Culmer  
St. Clare's Episcopal Church

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