

**AMNESTY INTERNATIONAL
PUBLIC STATEMENT**

INDEX: AFR 54/8680/2018

**SUDAN: DOWN-SIZED UN MISSION FOR AN OVER-SIZED
HUMAN RIGHTS CRISIS**

Background

The African Union – United Nations hybrid mission in Darfur (UNAMID) has been in operation since 31 July 2007. Its mandate includes protection of civilians; mediation between the government of Sudan and armed movements and support for mediation of inter-communal conflict including measures to address root causes of the conflict in Darfur.

UNAMID's mandate is now due for renewal on 30 June 2018. A special report of the Chairperson of the African Union Commission and the Secretary General of the UN in 2017 has outlined a plan for the restructuring and downsizing of UNAMID in two six-month phases.

Based on untrue claims that the war in Darfur has ended, Sudanese authorities have been calling for the exit of UNAMID. This pressure already led to a significant reduction of the mission capacity in 2017. However, on 11 June 2018, the African Union's Peace and Security Council issued a communique supporting the extension of the mandate of UNAMID for another 12 months also added.

“Ensuring a gradual drawdown that would allow the Mission's exit to be guided by the political and security situation on the ground so as not to create a security vacuum and expose civilian populations.”

Following the unilateral ceasefire that was declared by the government of Sudan and some of the armed groups in 2016, the scale of the armed conflict between *Sudanese Armed Forces (SAF)* and opposition armed groups subsided in 2017. However, since March 2018, renewed fighting in Jebel Marra area between the *Sudan Liberation Army-Abdul Wahid (SLA-AW)* and the Sudanese Army and the *Rapid Support Forces (RSF)* has led to the further displacement of hundreds of thousands who face dire humanitarian and human rights crises inside Jebel Marra. Only a small number of the displaced, about 5000 people, managed to reach the IDP camps in South Darfur. The UN conducted needs assessment for 1,200 IDPs from East Jebel Marra in March 2018.

On 21 May, the Sudanese State Minister of Defence told the Parliament private session that there was an outbreak of fighting in Jebel Marra in Darfur with *Sudan Liberation Movement - Abdel Wahid (SLM-AW)*. A member of parliament later stated that the minister told them that 67 people have been killed or wounded as a result of the fighting, including 51 civilians.

Clashes between the government forces and the armed group are still taking place at the time of this report writing in June 2018, during which civilians have been attacked and killed. Several armed and mostly pro-government militia groups continue to operate with total impunity. Even after 15 years, an estimated 2 million ***internally displaced people (IDPs)*** are still reluctant to return to their areas of origin for lack of security and protection. Since January 2018, there were at least five deadly attacks on IDP camps in Darfur where several people were killed and injured.

According to information received by Amnesty International, between July 2017 and May 2018, incidents of unlawful killings, abduction, sexual violence, looting and arbitrary detention persisted in Darfur. For example, Amnesty recorded 244 incidents of unlawful killings in different parts of Darfur, allegedly committed by pro-government militias from August 2017 to April 2018. Approximately 75 percent of the incidents that led to a loss of life took place in North Darfur and Jebel Marra Area. The pro-government militias especially the Rapid Support Force have allegedly committed most of these crimes, such as deliberate killing of civilians, looting of villages and livestock, rapes and torching of homes.

In **2017**, the UN Panel of Experts reported that **789 people were killed** and **925 injured in attacks**, especially by RSF. Most of these attacks were against civilians. Data from the *Armed Conflict Location and Event Data Project (ACLED)* for 2017 shows that **62%** of all violent incidents in Sudan were recorded in Darfur. **518** violent incidents occurred in Darfur, in which at least **1,025** people were killed. This indicates less violence compared to 2016 where **807** violent incidents occurred in Darfur, in which at least **2,000** people were killed.

According to the UN OCHA, there are **1.6 million displaced persons in Darfur in 60 camps**. A lack of basic services and infrastructure in addition to insecurity in some areas continues to prevent the return of displaced people to their areas of origin.

Furthermore, UNAMID down-sizing results in closure of several team sites. Amnesty International received information that at least four of the former UNAMID team sites in North Darfur are currently occupied by the *RSF* or *Sudan's Police Forces*. *RSF* in particular has been implicated in serious crimes in the past. In addition to reports by human rights organisations including Amnesty International, the 2017 final report of the UN Panel of Experts on the Sudan also confirms that the *RSF* committed most of the abuses against civilians in Darfur, including rape, the looting of villages and

livestock, and torching of homes. Given this context, the transfer of or occupation of UNAMID team sites by the *RSF* as opposed to civilian authorities raises serious concerns.

In September 2017, UNAMID issued a statement expressing concern on *“allegations of improper handover of team sites in North Darfur”* and claimed that *“closed team sites have been handed over to the government of Sudan or appropriate private parties as per lease agreements signed by the Mission.”*

Amnesty International received response from UNAMID’s spokesperson stating similar position. Amnesty International believes that any further hand over of UNAMID Team Sites should be done in consultation with local communities, leading to supporting the restoration of civilian authority and contributing to addressing the human rights needs of the people, as opposed to immediate take over by *RSF* and other security forces known to have committed gross violations.

Killings, looting and Displacement in East Jebel Marra

Between March and May 2018, Sudanese government forces carried out land attacks in East-South Jebel Marra area. The attacks took place in the areas where *SLA/AW* maintained a significant presence.

The *SLA/AW* has been reluctant to sign any peace deal with the government of Sudan since the war in Darfur started in 2003. The last large-scale government military operation against *SLA/AW* was in 2016.

In 2016, Amnesty International’s report (*“Scorched Earth, Poisoned Air” Government Forces Ravage Jebel Marra, Darfur*) documented a catalogue of possible crimes under international law and other serious human rights violations committed by Sudanese government forces, including willful killings of civilians and the destruction of civilian property and the possible use of chemical weapons in Jebel Marra.

In 2018, the Sudanese armed forces repeated the same pattern of violations that was documented in 2016, including looting, burning of villages and killing of civilians. These acts amount to war crimes. An estimated 12,000 to 20,000 people were displaced since March 2018 as a result of attacks by government forces into *SLA* controlled area and they are currently living in difficult conditions without access to humanitarian assistance.

IDPs in East Jebel Marra

Using satellite imagery, Amnesty International was able to confirm that at least 18 villages were destroyed or damaged in East Jebel area in the last three months during the military operation. The satellite imagery covering 100 square kilometers of land in East Jebel Marra area shows the scale of destruction. The image below is dotted with small villages and smaller clusters of structures appear to have areas burned. This analysis largely corroborates testimonies by eyewitnesses asserting that at least 13 villages were attacked and burned by SAF since March 2018.

18 villages and clusters of structures – highlighted with orange dots - appear to have areas burned. @2018 DigitalGlobe, Inc.

In May and June 2018, Amnesty International interviewed six eyewitnesses who were present in the villages of Korgo Dumaa, Balley, Feina and Saboon Alfogoor during the attack. All six witnesses stated that government forces attacked their villages, burned and looted their houses and killed civilians. They also stated the rebels were not present inside the village when the attack started.

Radiah, 32-year-old, from Balley, told Amnesty International, *“The government forces and Janjaweed attacked us around 5 am... I cannot remember the exact date, but the attacks happened about 5 am and it was Wednesday at the beginning of March. The attackers were wearing camouflage military uniforms some in green and others were in blue camouflage... they were riding on camels and horses, and pick-up trucks and some were walking. They entered the village; they started to loot our homes and animals and burned the houses. They physically attacked the people and beat them. When they raided my village they took my goats, and looted my house, and I ran away from my village with my seven children, but we scattered and I lost contact with them for four days.”*

The satellite imagery obtained by Amnesty International shows that some structure and houses in Balley were recently burned.

From 14 December 2017, shows Feina Sug market and Balley. On 5 May 2018, structures in Balley appear recently burned. .@2018 DigitalGlobe, Inc.

Salim, 53-year-old, told Amnesty International that, *“I was displaced because of the attack on Feina. We were attacked around 5 am in early March. Those who attacked us were driving vehicles, tanks, and riding horses and camels. They were wearing Sudan army camouflage fatigue, Khaki colour... Nine people were killed as a result of this attack in Feina. I know the names of three of them since I participated in their burial. One of them was a religious teacher named Suliman Ahmed Mohamed, in his eighties; he was burned inside his hut. The second was a student named Ismael Mohamed Ismael, 12 or 13-year-old, the third was Khatrah Amin Rahma, she is my*

aunt and she was 83 or 84 years old. This incident took place in Feina. The other six were killed in other villages around the areas.”

Imagery from 14 December 2017, shows Feina Hilat Kabir in East Jebel Marra. On 5 May 2018, imagery shows many of the structures in the village have been destroyed by fire. @2018 DigitalGlobe,Inc.

Halima, 55-year-old, from Korgo Dumaa village, near the village of Feina, testified how her village was attacked in early March 2018 by pro-government militia. She told Amnesty International, *“we were attacked around 6 am by pro-government militia ... once the attack happened I ran away. I was not injured but my house was looted and burned, I ran away barefoot and sought shelter in nearby hills and stayed for three days there... the attackers were wearing military uniform and riding in military vehicles. The attackers were from Janjaweed. The attack lasted from 6 am till to 12 pm.”*

Internally displaced persons under siege in Darfur

Amnesty International received information of a number of attacks on IDP camps in Darfur since August 2017.

For example, Kalma IDP camp one the largest camp in South Darfur, situated about 15 km east of Nyala the capital of South Darfur state, was attacked in September 2017, five killed and 33 injured, during a protest against the visit of President Omar Al Bashir to South Darfur.

In January 2018, RSF soldiers entered Nertiti camp in Central Darfur and arrested and detained six IDP leaders. In the same month, Hasahisa IDP camp in Zalingi was attacked by RSF and one person was killed and five were injured. On 21 May, five members of the RSF on board a pick-up truck mounted with machine-guns attacked an Khamsa Dagaig IDP camp in Central Darfur's city of Zalingei using live ammunition. A 22-year-old woman was shot in the head and later died at the hospital. Ten IDPs including children, were injured in their head, neck, arms and legs. On 22 May, armed tribal militia attacked Ardayba and Jedda IDP camps in the city of Garsila, in central Darfur State. The same camps were attacked again the following morning and five people were killed and many more wounded.

UNAMID issued statement and expressed its deep concern about attacks on IDP camps in Central Darfur.

Attack on Internally Displaced People in Kalma protesting President Bashir visit

In September 2017, the Sudanese security forces used excessive and lethal force against IDPs in Kalma, a camp located in South Darfur State, who were peacefully protesting against the visit of President Omar al-Bashir. Five protestors were killed and 34 injured. Amnesty International has not obtained any information on measures taken by Sudanese authorities to investigate and hold the perpetrators to account for these killings and abuses.

President Omar al-Bashir visit to Darfur started on 19 September 2017. The official reason of the tour was to launch new health and education projects in Darfur. The news of the President's visit has sparked protests since 19 September in and around Kalma IDP camp for the displaced near the South Darfur capital of Nyala ahead of the planned visit. Representatives of the IDPs rejected President Bashir's announced visit Kamla camp. Kamla camp's residents, mainly from the Fur ethnic group, are perceived as supporting the SLA/AW armed group.

An eyewitness told Amnesty International that: *"Hundreds of SAF and RSF soldiers were deployed last night [on 22 September] near the camp. Around 8:00 AM, SAF and RSF soldiers tried to enter the camp to secure the camp for the visit of the President. The IDPs protesters blocked their way. SAF and RSF used live ammunition to disperse the gathering that resulted in many people killed and injured."*

He also explained that the IDPs were peacefully protesting the visit of the President. The use of live ammunition lasted for 30 minutes. Another source told Amnesty International that four people were killed, 34 wounded and three were arrested. President Omer al-Bashir changed his planned visit and addressed another gathering located 2 kilometres away from Kalma camp. UNAMID issued a statement calling for restraint from both sides.

Amnesty International remains gravely concerned that no investigation has taken place by the government. Also, the eyewitnesses confirmed that they had reported the incidents of death and injuries to UNAMID investigators. The findings of UNAMID investigation into the killings in Kalma camp in September 2017 have never been made public.

Failed voluntary returns of IDPs and refugees

Most UN reports on Darfur, the African Union's Peace and Security Council, and the two peace agreements, the Darfur the Doha Document for Peace in Darfur (DDPD) signed in 2011 and the Darfur Peace Agreement (DPA) signed in 2006, emphasized the need of voluntary return, in safety and dignity, of internally displaced persons. But the voluntary returns of IDPs and refugees in Darfur continued to be hampered by recurring incidents of violence and unresolved issues of land occupation in many areas in Darfur.

On a briefing to the United Nations Security Council, Jeremiah N. Mamabolo, the Joint Special Representative of UNAMID, stated on 14 March 2018, that:

"Despite the relative stability, concerns persist, nonetheless that due to insecurity and land occupation issues, many IDPs are not able to return to their areas of origin."

Many IDPs and refugees faced pushback and violence as they attempted to settle back in their lands of origin. For example, in North Darfur, according to the United Nations *Office for the Coordination of Humanitarian Affairs (OCHA)*, the voluntary repatriation of Sudanese refugees from Chad started in March, and 20,000 refugees are anticipated to return to their places of origin in Darfur in 2018. In April, the UNHCR announced the departure of the first batch of returnees to Sudan from eastern Chad to North Darfur. However, approximately 250 displaced families were forced to settle in an IDP camp in Kabkabiya in North Darfur, as new settlers in their land of origin refused them access to their land.

Similarly, in March, about 400 people, mainly from Zaghawa ethnic group, from El Neem IDP camp in East Darfur, attempted to return to their village of origin, Alareid, about 37 km north of El Daein. Upon arrival, they found their village occupied by new settlers who attacked them, resulting in serious injury of two. The IDPs were forced to return back to El Daien camp where they have been displaced since 2007.

In addition to hampering the safe return of IDPs and refugees in Darfur, analyses explain that this thorny issue of land occupation by new settlers could jeopardize future peace in Darfur. Some IDPs expressed their concerns about land issue directly to United Nations Under-Secretary-General for Peacekeeping Operations, Jean-Pierre Lacroix during his visit to Darfur in April 2018. An IDP woman told the USG DPKO, *"we cannot return to our villages because the armed groups have taken over our land"*

The protection of IDPs including ensuring their voluntary and safe return in dignity after consultation is the primary responsibility of the state. The United Nations Guiding Principles on Internal Displacement has recognized these principles in 1998 as an important international framework for IDP protection. Sudan is also party to the, the Protocol on the Protection and Assistance to Internally Displaced Persons,

adopted by the International Conference on the Great Lakes Region (ICGLR) in 2006. These international and regional instruments emphasize the importance of voluntary and safe return in dignity, as well as the need for participation in the planning and management of their return and to assist the displaced to recover their property and possessions.

Recommendations

Amnesty International calls upon the government of Sudan to uphold its commitments and obligations under international law and immediately open an impartial, transparent and effective investigation into the violations committed both by its armed forces and the pro-government armed militia groups in Darfur.

Amnesty International calls upon the UN Security Council to renew the UNAMID with a strong mandate for the protection of civilians including with a capacity to monitor and publicly report on human rights situation in Darfur

To the Government of Sudan:

- Take immediate measures to give adequate protection to civilians in Darfur against deliberate and indiscriminate attacks;
- Ensure that humanitarian organizations have unrestricted and secure access for humanitarian assistance to the whole Darfur region and to all victims of the conflict, including internally displaced persons;
- Ensure that internally displaced persons who wish to may return voluntarily, in safety and with dignity, to their homes or places of habitual residence.

To the African Union's Peace and Security Council:

- Continue to press the Government of Sudan to undertake the necessary measures to protect civilian population especially IDPs in Darfur and respect its regional obligations on this regard;
- Press the Sudanese Government to allow unrestricted, independent humanitarian access to all areas of Darfur, especially humanitarian assistance to civilians affected by the recent conflict in Jebel Marra;
- Call upon the UNSC, including the three non-permanent African members, to support the renewal of UNAMID's mandate and enhance its operational capacity in protection of civilians and IDPs in Darfur.

To the UN Security Council:

- Call on all parties to the conflict in Darfur to cease attacks against civilians and ensure respect of human rights and international humanitarian law;
- Enhance the operational capability of UNAMID to protect the civilian population in Darfur, especially to all areas in Jebel Marra affected by the resurgence of violence;
- Ensure UNAMID conducts effective investigations and publicly reports on all allegations of crimes under international law and other serious human rights violations committed by any party to the conflict in Darfur;
- Ensure that any further hand over of UNAMID Team Sites should be done in consultation with local communities, leading to supporting the restoration of civilian authority and contributing to addressing the human rights needs of the people, as opposed to immediate take over by RSF and other security forces known to have committed gross violations.

AMNESTY INTERNATIONAL