OFFICE OF UN RESIDENT AND HUMANITARIAN CO-ORDINATOR
FOR THE SUDAN

18 April 2004

(by email)

Mr Bertrand Ramcharan
Acting High Commissioner for Human Rights
OHCHR
United Nations
Geneva

Dear Bertie

Human rights situation in Darfur, Sudan

You requested me to work with your Office in Geneva on 14 – 18 April to compile a report on the human rights situation in Darfur. This report, covering approximately the period of my tenure as UN Resident and Humanitarian Coordinator for the Sudan in 2003-2004, is attached. I am grateful to Homayoun Alizadeh, my Senior Human Rights Adviser and chief of the OHCHR Office in Sudan, and Isabelle Balot, my Special Assistant, for their help in preparing this report. I would also like to thank Daniel Augstburger, Senior Humanitarian Adviser in OCHA Geneva for his inputs and insights, as well as our colleagues in Sudan in the UN Country Team, the OHCHR Office, and the Darfur Crisis Unit in the Office of the Resident and Humanitarian Coordinator, for their hard work over past months – which has provided the material for the report.

I am also grateful to colleagues in OHCHR Geneva – including those who have just returned from the mission to Chad where they were able to review the experiences of the refugees from Darfur - for our helpful discussions. Particular thanks go to Jan Cedergren for his encouragement and support.

Our hope is that the report will stand as a document of record so that the gross violations of human rights and international humanitarian law that have led to so much suffering for the civilian population of Darfur, are not forgotten and additionally, there is accountability by the perpetrators, and justice and redress for the victims. In this context, we have done our best to follow your guidance to us on the type of report that would be most helpful to you in deciding how to best mobilise the UN’s various human rights institutional capacities as well as the mechanisms and procedures of the inter-governmental human right machinery, to protect and promote human rights in Darfur. This is a matter of considerable urgency: as the report indicates –in no uncertain terms – there is a human rights catastrophe in Darfur.

Thank you again for your interest and concern and, with best regards

Yours ever,
Mukesh

Dr Mukesh Kapila
UN Resident and Humanitarian Coordinator for the Sudan (March 2003 – March 2004)
SITUATION OF HUMAN RIGHTS IN THE SUDAN:

VIOLATIONS OF HUMAN RIGHTS IN THE GREATER DARFUR REGION, COVERING THE PERIOD FROM 1 APRIL 2003 TO 31 MARCH 2004

Prepared (April 2004) at the request of the High Commissioner for Human Rights by:

Mukesh Kapila, UN Resident and Humanitarian Coordinator for Sudan
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I. INTRODUCTION

1. Since 2003, the United Nations system in the Sudan has received many reports on violations of human rights in the Greater Darfur region in western Sudan. Gross human rights violations including systematic killings of civilians, mainly the Fur, Zaghawas and Massaleet tribes, and looting and burning of villages are reported from all parts of Darfur. Arbitrary arrests and detentions; displacement of populations; torture; executions; cruel, inhuman and degrading punishment such as amputations; and harassment of the political opposition, students and NGOs occur on a systematic basis. The security apparatus, including the military intelligence service is responsible for an increased number of disappearances, and appears to act with impunity. Restrictions of basic freedoms, including the freedom of opinion and expression, movement and association are additional human rights concerns in Darfur. The security situation in Greater Darfur remains a deep concern. Access to both rebel and Government-held areas remain denied and/or constrained by travel permit restrictions, and by militia activity in all three Darfur states. An estimated 1.3 million are directly affected by the conflict, including one million internally displaced and 110,000 refugees who have fled to Chad.

2. These serious human rights violations are closely linked to the significantly deteriorated security situation, particularly in the south, west and north-western parts of Darfur. Attacks against villages and other civilian targets carried out by armed groups - reportedly made up of Government of the Sudan (GOS)-allied militias such as Janjaweed and the Popular Defence Forces - have escalated in number and scale since 2003. In addition, volunteers coming from Burkina Faso, Cameroon, Central African Republic, Chad, Mauritania, and Niger have reinforced these armed groups. They are participating in attacks on civilians in Darfur. At the same time, the principal armed opposition groups, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), have also intensified their activities since 2003.

3. The increasing insecurity in Darfur, and travel restrictions for international aid workers have severely limited the delivery of humanitarian aid to the affected populations. Thus, the provision of relief aid has remained largely limited to government-controlled urban areas. Recent attacks on commercial trucks transporting food aid to the Darfur region are also hampering the supply of relief to the population in need. Under these conditions, the humanitarian situation is likely to deteriorate further, especially in view of the approaching rainy season.

4. The vast majority of incidents reported to the United Nations are right-to-life violations under human rights and international humanitarian law. Though all parties to the armed
conflict have committed these violations, the vast majority are attributed to the government-allied militias (Janjaweed) supported by the Sudanese Armed Forces. The Sudanese Armed Forces have also undertaken repeated aerial bombardments of civilian targets, killing and wounding many unarmed non-combatants.

5. The ceasefire agreement between the Government of the Sudan and the Sudan Liberation Movement/Army on 3 September 2003, brokered by the Government of Chad, was never realised in practice. It’s proposed protocols on the relief and protection of civilians, including a humanitarian support role for the United Nations, was not accepted by the Government of Sudan.

6. Under the auspices of the President of Chad, the GOS, SLM/A and JEM signed a humanitarian ceasefire agreement on 8 April 2004 that includes the Protocol on Provision of Humanitarian Assistance. Despite previous ceasefire attempts having failed, it is hoped that the new agreement will be more effective. But this is likely to depend on the robustness of monitoring and verification arrangements that would command the confidence of all parties, and thus, implies significant international participation.

II. ACTIONS BY THE UNITED NATIONS

7. The United Nations system in the Sudan has been monitoring the situation in Darfur throughout the reporting period, with UN agencies and their NGO partners providing humanitarian assistance in the region, where access conditions imposed by the GOS, and security have permitted. The Secretary-General’s Special Envoy for Humanitarian Affairs for the Sudan, Ambassador Tom Vraalsen and the UN Resident and Humanitarian Coordinator for the Sudan, Dr Mukesh Kapila have visited Darfur on several occasions and raised the concerns of the international community with the GOS on both civilian protection and unhindered humanitarian access.

8. The Spokesperson of the UN Secretary-General issued a statement on 9 December 2003 indicating alarm at the rapidly deteriorating humanitarian situation in the Darfur region and the reports of widespread abuses against civilians, including killings, rape and the burning and looting of entire villages. He noted that insecurity was also severely hampering humanitarian assistance efforts as many of the civilians affected by the conflict remained beyond the reach of relief workers. The Secretary-General called on all parties to the conflict to take all possible measures to reduce the impact of hostilities on civilians, including by granting humanitarian organizations safe and unimpeded access. He strongly encouraged all parties to agree and respect an all-inclusive ceasefire.

9. On 29 January 2004, the Acting High Commissioner for Human Rights, Mr Bertrand Ramcharan expressed deep concern over the deteriorating human rights and humanitarian situation in Darfur with systematic human rights abuses against unarmed civilians being reported, including against women and children, as well as burning and looting of villages, causing massive internal displacement and an outflow of refugees. He called on the GOS to investigate these atrocities and take immediate measures to stop them and to punish those responsible. The acting High Commissioner invited all parties to agree on the establishment of an independent international commission of inquiry to assess the humanitarian and human rights situation in Darfur. He further called on the GOS to extend an open invitation to the fact-finding and investigative mechanisms of the Commission on Human Rights to visit Sudan.

10. On 16 February 2004, OHCHR submitted to the Committee on the Elimination of Racial Discrimination a comprehensive note on the deteriorating situation including the detailed pattern of discrimination witnessed by UN staff and NGOs, so as to enable the Committee to
launch its Urgent Procedure mechanisms. As a result, the Committee communicated with the 
GoS in March 2004 expressing its concerns and requesting the Government to submit its 
response to the Committee's next session, scheduled for August 2004.

11. Additionally, OHCHR initiated a series of other actions on Darfur. It urged the Security 
Council to facilitate a mission of special protection mechanisms, and encouraged the Special 
Rapporteur on Summary and Extra Judiciary Executions to visit Sudan and, in particular, the 
Darfur region. The assistance of the Troika, comprising the Governments of Norway, United 
Kingdom, and United States was sought, in the context of the Naivasha peace talks (between 
the Government of Sudan and the SPLM/A) to encourage the GoS to ensure the protection of 
civilians and grant humanitarian access in Darfur.

12. The former Special Rapporteur on the situation on human rights in the Sudan, Mr. 
Gerhard Baum had already foreseen the Darfur crisis, mentioning this in his report to the 
various other Special Rapporteurs have sent more than 50 Urgent Appeals to the Government 
of Sudan, drawing its attention to systematic human rights violations especially, and summary 
examinations. Out of the 50 Urgent Appeals more than 44 concern the Fur, Zaghawas and other 
African tribes in the Darfur region. Both of the Special Rapporteurs on Summary Executions 
and on Racial Discrimination have sent letters of concern on the deterioration of the human 
rights situation in Darfur to the Government of Sudan. The Special Rapporteur on 
Extrajudicial, Summary or Arbitrary Executions, Asma Jehangir, has been invited by the 
Government of Sudan to visit the country from 5 - 11 June 2004.

13. On 26 March 2004, eight fact-finding experts¹ of the Commission on Human Rights 
issued a statement expressing their grave concern “at the scale of reported human rights 
abuses and at the humanitarian crisis unfolding in Darfur”, noting the reports on Government-
encouraged actions of the militias “in order to pursue a strategy of forced displacement of the 
non-Arab population of the region” including “the rape of women and girls, abduction of 
children, the burning of dozens of villages, looting, and destruction of livestock by the 
militias”. They went on to “urge all parties in the conflict to respect civilian populations in 
accordance with international humanitarian and international human rights law” affirmed “the 
absolute necessity of identifying the perpetrators and ensuring that they are held accountable 
in conformity with international standards.”

14. Between November 2003 and March 2004, several senior UN officials such as the 
Secretary General’s Special Envoy for Political Affairs for the Horn of Africa, the High 
Commissioner for Refugees, and the Under Secretary General for Political Affairs have 
discussed the gravity of the Darfur situation with the Government of Sudan, during missions 
to Khartoum.

15. The UN Resident and Humanitarian Coordinator for the Sudan, Dr Mukesh Kapila, had 
numerous meetings in Khartoum between October 2003 and March 2004 with representatives 
of the Government of Sudan, in which he repeatedly expressed concerns over the 
deteriorating human rights and humanitarian situation in Darfur, and sought the 
Government’s co-operation in providing civilian protection and access for humanitarian 
assistance operations. These demarches were followed up in written communications 
including, in particular, letters dated 4 March, 8 March, 24 March (thrice), and 30 March

¹ The experts are: the Special Rapporteur on Torture, Theo van Boven; the Special Rapporteur on 
violence against women, Yakin Ertürk; the Special Rapporteur on racism, Doudou Diène; the Special 
Rapporteur on the right to health, Paul Hunt; the Special Rapporteur on extrajudicial, summary or 
arbitrary executions, Asma Jahangir; the Special Rapporteur on the sale of children, child prostitution, 
and child pornography, Juan Miguel Petit; the Special Rapporteur on the right to food, Jean Ziegler; 
and the Representative of the Secretary-General on internally displaced persons, Francis Deng.
2004 from the Resident and Humanitarian Coordinator to the Government on specific incidents of armed violence against civilians and the ill-treatment of internally displaced people by agents of the State.

16. On 31 March 2004, the Secretary-General Mr Kofi Annan welcomed the opening of fresh cease-fire talks in N'djamena and said: "I am very disturbed by events in Darfur where the continuing conflict is having a devastating impact on the lives and well-being of the people. Civilian casualties and serious human rights violations are routinely reported. This is unacceptable and must stop...Humanitarian organizations and staff must also receive safe and unimpeded access to all those in need".

17. On 2 April 2004, the United Nations Emergency Relief Co-ordinator, Mr Jan Egeland briefed the Security Council that "a sequence of deliberate actions has been observed that seem aimed at achieving a specific objective: the forcible and long-term displacement of the targeted communities, which may also be termed 'ethnic cleansing'". The subsequent Presidential Statement from the Security Council expressed the "deep concern" of Council members on Darfur and called on the parties "to fully cooperate in order to address the grave situation prevailing in this region, to ensure the protection of civilians, and to facilitate humanitarian access to the affected population" while also concluding a humanitarian ceasefire and reaching a political settlement to the dispute.

18. Speaking on 7 April 2004 on the occasion of the International Day of Reflection on the 1994 Rwanda Genocide, the UN Secretary General, Mr Kofi Annan, said that reports on the Darfur situation leave him "with a deep sense of foreboding" and urged the international community not to stand idle but to take swift and appropriate action if full access to the Darfur region and the victims continued to be denied.

III. BACKGROUND TO THE CONFLICT

19. The Greater Darfur region of the western Sudan is located in the Sahelian belt covering Sub-Saharan. Previously an independent kingdom known as the Fur Sultanate, it was annexed to Sudan in 1917. Greater Darfur stretches over a vast land area of about 160,000 sq. miles (256,000 sq. km), and borders Chad, Central African Republic and Libya. It is administratively divided into the States of North, West, and South Darfur.

20. With a population of about 6 million, Greater Darfur has two main groups. The northern nomadic and semi-nomadic groups, such as the Abala, Zeilat, Mahariya, Beni Hussein, Rizeigat, Mal'aliya and Mahamid, are mainly of Arab descent, but also include the African ethnic group the Zaghawa. Settled farmers, known as 'Zurga' or 'black', include the ethnic communities of Fur, Marsalis and Tama, Tunjur, Bergid and Berti, who live and farm in the central zone.

21. There is a long history of conflict in Darfur. Over many decades, this has resulted from competition over scarce resources in an environmentally challenged, chronically impoverished, and long neglected territory. Broadly, pastoralists have been migrating to the south in search of water and grazing land. They came into conflict with settled farmers. The consequent disputes were usually resolved through customary negotiations or inter-tribal conferences. However, in recent years increasing desertification, especially the drought in 2000, challenged traditional coping mechanisms. These tensions began to take on an increasingly political dimension with African ethnic groups perceiving themselves as marginalized by the remote Arab dominated central government in Khartoum. Lack of infrastructure and basic services, low human development, and dissatisfaction with their lack
of participation in governance, all contributed to a sense of strong grievance among local populations.

22. Political turbulence in neighbouring countries also influenced developments inside Darfur. The conflict became more and more militarised. For example, the proliferation of small arms across this part of Sub-Saharan Africa has led to increased insecurity affecting all groups. The more impoverished nomadic groups sought to gain resources by attacking the better off sedentary farming communities. This conflict became perceived as being ethnically-based because the attackers were mostly of Arab origin, while the victims were of African descent. Repeated appeals to the central Government to restore rule of law and security remained unsuccessful.

23. The threatened African communities began to organise themselves for self-protection. In this context, the SLM/A, emerged as an armed opposition group to the Government. They have reportedly received ideological and practical support form the SPLM/A. The Government's attempt to militarily crush the new armed opposition group failed and generated further alienation among the civil population because of the systematic targeting of villages inhabited by Fur, Zaghawas and Massaleet tribes. They increasingly began to interpret the GOS attacks on their communities as racially and ethnically motivated.

24. The conflict took on broader appeal with the inclusion of another armed political group called the Justice and Equality Movement (JEM) headed by a former State Minister in Darfur who used to be a member of Hassan El Turabi's Popular National Congress (PNC). The JEM advocates the application of the Sharia law while the SLM/A is a more secular movement.

25. In order to increase its capacity to fight the rebel groups in Darfur, the GOS called for the support of a proxy force constituted by ethnic Arab fighters, the Janjaweed. Though the intention of the central Government of Sudan may initially not have been to target civilians or to wage an ethnically-based war of attrition, reverses suffered by Government forces generated their own momentum, and it became a military logic of the GOS that to defeat the rebel groups they had to remove their entire support base. At the same time, Janjaweed seized the opportunity to settle old scores and get access to resources. The process gave a free hand on the ground to the proxy forces of the Janjaweed militias, but with considerable direction and practical war-making support from the GOS security and military structure.

26. The Darfur conflict could have wider ramifications for instability in the region, as well as for disrupting the Naivasha peace process or the future implementation of an agreement reached there. The Darfur situation could also inspire insurgencies in other parts of Sudan. The Beja Congress from eastern Sudan has already forged an alliance with the SLA, and other groups could also decide to adopt violent means to progress their cause, inspired by a similar sense of grievance.

IV. PERSONS KILLED, TORTURED, AND SUBJECT TO OTHER INHUMAN TREATMENT OR PUNISHMENT

27. From 1 April 2003 to 31 March 2004, the UN received many reports of incidents, including killing of civilians, abductions, armed robbery, attacks, ambushes, hijackings, burning of villages, lootings, and shootings that occurred in the Greater Darfur region. The killing of at least 1,919 unarmed civilians was recorded during that period. The figures indicated in this report do not reflect the full dimension of the conflict. Thus, the reported

2 Concerns have been expressed within the Government of Sudan by several of its own ministers, senior administrators, and policy makers at the military tactics being employed in Darfur by the Government forces.
killings represent "the tip of the iceberg", rather than the actual number of persons killed. In addition, a total of 47 policemen were killed during the reporting period. Of the 1,919 recorded killings, 1,542 were attributed to the GOS troops and government-allied militias (Janjaweed), 219 to members of the armed opposition groups, including the SLM/A and JEM, and 158 to unknown perpetrators (See Annex I).

28. Between 5 and 7 March 2004, Janjaweed militia forces captured 168 civilians belonging to Fur tribe and reportedly executed them summarily at the security office in Delaij, 30 Km east of Garsillu town, Wadi Salih province, west Darfur. All civilians were from Zaray, Fairgo, Taigar, Kaskido, and Um Jamaina villages in south of Garsillu, west Darfur. OHCHR has received a list of 118 names of the victims.

29. Reports of ill-treatment of persons in detention centres throughout the Darfur region continued to be received during the reporting period. In some cases, detainees have reportedly been beaten during interrogations in order to obtain confessions.

30. The UN has also received the information on arbitrary arrest, incommunicado detention for unknown reason, ill treatment and torture throughout Darfur, addressed by the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on Violence against Women; the Special Rapporteur on the Right to Freedom of Opinion and Expression; the Chairperson-Rapporteur of the Working Group on Arbitrary Detention; the Special Representative of the Secretary-General on Human Rights Defenders, and the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions. (See Annex II).

V. THE SPECIAL SITUATION OF VIOLENCE AGAINST WOMEN AND CHILDREN

31. The UN system in the Sudan has received many reports on violations against women, including, killing, raping and abducting carried out by members of the Sudanese Armed Forces, security and military intelligence and government-allied militias. Ground attacks were often accompanied by brutal acts of violence, including shootings and beatings, and rape of women and girls. Thus it appears that rape has been a practice in the conduct of the war in Darfur, in several areas. Given the type of trauma involved and the social stigma attached to rape in the Sudanese and Chadian cultures, many women are reluctant to be identified as survivors of rape and of sexual attacks. Many do not recognize the need for medical care following an assault, and even if they do, confidential health care is rarely available. Thus reported rape cases are likely to under-estimate the total numbers of women affected in this way. Women have also been abducted by the militias either before or after a rape.

32. Some of the reports received by the UN on violence against women are as follows:

- On 14 June 2003, Janjaweed militias attacked Nerte, 147 Km north-west from Nyala, south Darfur during which 7 civilians were killed, including a young 12-year old girl. A number of women were raped in the presence of their husbands.

- Between 22 and 25 February 2004, Janjaweed militias attacked 22 villages around Tawila town, about 60 Km north-west of El Fashir, north Darfur during which many civilians were killed. Reportedly, 94 female students were raped and 37 female students were abducted by the militias.
• On 28 February 2004, Janjaweed militia forces attacked villages in the area of Tawila and killed 68 civilians. About 30 villages were looted and burned. All houses, the market and the health centre in Tawila had been completely looted. Reportedly, over 100 women were raped, six of them in front of their fathers. About 150 women and 200 children were abducted.

• On 16 March 2004, GoS troops and Janjaweed militia attacked, Korma, 68 Km north-west of El Fashir, north Darfur, during which 48 civilians were killed. Reportedly, 22 women and young girls were raped. In some cases, rapes were carried out in presence of family members of the victims. An unspecified number of men and boys were abducted and forced to herd looted livestock. As a result of the attacks, thousands of villagers left their homes towards Kabkabia.

• On 19 March 2004, Janjaweed militia forces launched one of their deadliest attacks in Korma north Darfur. Janjaweed governmental militia, provided with trucks, killed 48 civilians. Reportedly, 22 women were raped and scores of wounded were evacuated by humanitarian aid workers when access was granted a few days later.

33. There have been other reports received of the abduction of young girls and boys, involving hundreds, and ranging in age from infants to adolescents. Many families have been separated by the conflict and are unsure whether children and other family members are lost, dead, or kidnapped by the attackers.

34. Some of the reports on child casualties that the UN has received, are as follows:

• Between 25 and 30 November 2003, GOS military planes carried out aerial bombardments in the Sania Haya, Tima, Gooz Moun, Swani, and Saliea areas, north Darfur, during which a total of 28 civilians, including five children were reportedly killed.

• On 22 November 2003, aerial bombardment was reported in Baashoum, north Darfur during which two children were reportedly killed.

• On 26 December 2003, Janjaweed militias attacked Fur villages in Zalingei areas. A son of an UN national staff was killed by the militias.

• In early February 2004, Janjaweed militia forces kidnapped a significant number of young girls and boys from Damanic, a small village in North Darfur just kilometres from the Chadian border town of Tine.

• On 24 February, two GoS helicopter gunship attacked villages of Umquozin, north Darfur (border to Kordofan State) during which 4 children were killed. Reportedly, the Wali came with a high ranking military official on 27 February to that village to apologise for the Army and to offer compensation to the families of the victims.

• On 26 February 2004, 27 young girls from Kutum, Bindisi and Morny, areas (north Darfur) were reportedly kidnapped by security and military forces and were brought to Khartoum by plane. With the exception of one girl, all girls were brought to private households of kidnappers. The whereabouts of the girls is unknown at this stage.
• On 28 February 2004, Janjaweed militia forces attacked villages in the area of Tawila and killed 68 civilians. Reportedly, 200 children had been abducted form that area.

• On 8 March 2004, GoS military planes bombed villages near Kidinir, east of Meran mountains during which 8 children were killed.

VI. SOME EYEWITNESS ACCOUNTS

35. In February 2004, an international high-level delegation comprised of the UK Ambassador, the Dutch Chargé d’Affaires (in his capacity as EU representative), accompanied by UN staff, visited Geneina and El Fashir (West and North Darfur). The mission forcefully voiced its concerns about hindered access, violations of human rights, and absence of IDP protection. On its way from El Geneina to El Fasher, the mission witnessed from the plane some ten villages set ablaze. In Kutum hospital, they visited patients with recent gunshot injuries. They claimed that they had been attacked by the Janjaweed militias while tending their livestock.

36. In February 2004, UN staff reported on their visits to Darfur as follows:

“We witnessed systematic burning of villages. We saw at least seven of these, some just set on fire, others fully in flames, and the rest in recent ashes. We flew close to one village and saw its huts in flame, while a group of people or animals seemed to be huddled in the centre of the village. In some villages the huts looked like rings since the roofs had been burned off, while in others even the walls had been completely destroyed. Two of those that were still burning were located outside Geneina town. We also observed several army helicopters sitting on the ground in Geneina airport. It must be assumed that the villages we saw burning during our one-hour flight were only a small sample of the total number of villages burned in Darfur that day. In our many flights above Darfur, we had thus far never seen any burning villages. In El Fasher Airport, we saw several army planes and one helicopter taking off, indicating that military activities were ongoing. SLA was reportedly active in the Kutum area”...... “We proceeded to Kutum, where a large number of civilians were suffering from recent gunshot wounds. Also, Kutum hosts in excess of 100,000 IDPs, whose numbers continue to rise - more than 7,000 IDPs reportedly arrived in one day alone. IDPs in the area reported on repeated Janjaweed attacks, including burning of villages. Further, the number of rapes (as compared to previous visits) seemed to be on the increase, especially in West Darfur. There was no evident security protection. IDPs in Ardamata camp near Geneina reported that Janjaweed had raped their women (as these were fetching water nearby) and had attacked the camp on several occasions, killing many IDPs and looting cattle. We have witnessed Janjaweed riders in Geneina town, with no evidence of efforts to control them.”

VII. THE HUMANITARIAN SITUATION (INCLUDING IDPS)

37. The United Nations estimates that, at mid-April 2004, there are at least 1.3 million people directly affected by the conflict in the Darfur region including 1.1 million internally
displaced persons (IDPs)\(^2\) and 110,000 refugees estimated to have fled to Chad. The indirect consequences of the conflict go much wider affecting most of the 6 million population of the Darfur region in terms of the burden on the host population\(^4\), impaired food security and negative consequences for the local economy. Overall, the humanitarian crisis in Darfur is considered by the UN to be among the worst in the world today.

38. Most of the IDPs are located in over-crowded IDP concentration areas, near urban centres. Over recent weeks, the UN and partner agencies have reached about 350,000 people with some food aid, 300,000 with some healthcare, and 116,000 with shelter and other help. Considering the constraints imposed on humanitarian agencies, this has been a commendable effort but only covers a very small proportion of immediate and expanding anticipated needs. It is estimated that over 60% of food aid needs are unmet, as well as over 70% of healthcare needs, and 90% of shelter and water requirements. Malnutrition rates and child mortality rates indicate a rising trend in the most vulnerable population groups. The approaching rainy season will generate further risk to public health, and serious logistic challenges for aid delivery.

39. International assistance efforts are insufficient due to the prevailing insecurity as well as obstruction by the Government of Sudan, which severely limits access by UN agencies, International Committee of the Red Cross, and NGOs. Despite repeated representations to them, the Government has refused to modify its time-consuming bureaucratic procedures covering travel permits for humanitarian workers, and clearance of essential equipment and supplies. Some of these obstacles have direct implications for the safety of humanitarian operations. For example, though several incidents have been reported of injuries from mines and unexploded ordinance, the GOS has refused consent to deploy a mines action expert from the UN Mines Action Service, to advise and train humanitarian workers on risk reduction.

40. The protection of IDPs remains a major pre-occupation: looting, rapes, and abductions have been a significant feature including in IDP camps where the vulnerable incumbents – mostly women and children – have been subjected to systematic attacks by the Jenjaweed, aided and abetted by Government armed forces. Several other incidents have occurred where the residents of IDP camps have been forcibly dispersed or relocated by Government authorities, or denied essential humanitarian relief. For example, on 14-16 January 2004, the State Government of South Darfur began to relocate the 8,000 IDPs in Intifada to a new camp near Belial village, about 14 km East of Nyala. The IDPs were unwilling to move mainly due to security fears at the new site. To avoid being moved, most fled Intifada, while only 165 IDPs agreed to board trucks provided by the authorities, as a result of pressure and intimidation. Humanitarian agencies observing the move reported that the State Government obstructed the delivery of humanitarian supplies to the original camp residents, promising instead that such supplies would be provided at the new location. Some 24 armed police with a vehicle with a mounted machine gun arrived at the camp to encourage people to relocate. They reportedly threatened already traumatized IDPs that their shelters would be burned if they did not agree to move. During March, some 3000 IDPs (mostly women and children) from Darfur who had arrived in Khartoum and settled in Mayo camp were forcibly dispersed by GOS police and security agencies.

41. Continued GoS pressures on many IDPs and refugees to return home is of serious concern in the absence of adequate attention to protection, restoration of law and order and security, and the complete destruction of their original homes, communities and means of livelihood.

VIII. COMMENTS

\(^2\) Increased from 250,000 in September 2003

\(^4\) UN assessment missions report up to 20 displaced families being sheltered by one host family
42. Based on the observations outlined above, there would appear to have been gross violations of the most basic elements of international humanitarian law and human rights, in Darfur, over the reporting period. The vast majority of incidents reported to the UN were right-to-life violations. Targeted militia attacks and a scorched-earth government offensive have caused massive displacement, killings, looting and mass rape, all in contravention of Common Article 3 of the 1949 Geneva Conventions. Serious human rights concerns were also raised in relation to reports of arbitrary arrest, incommunicado detention for unknown reason, ill treatment and torture throughout Darfur. The cases listed in the annex refer to acts perpetrated in violation of articles 9, 10 and 19 of the UDHR and articles 9, 14 and 19 of the ICCPR.

43. Many of these violations were witnessed and reported on by UN humanitarian workers, as well as the staff of other international humanitarian agencies, and concerned Sudanese nationals. Their testimonies, in summary, include accounts of violations such as the collective punishment of black communities suspected of supporting the rebel groups; the abduction and detention of civilians against payment of ransom; targeting of males during operations against villages; lack of freedom of movement and association, threat of illegal arrest by Janjaweed and government forces for those violating their orders; repeated pattern of rapes, gang rapes against schoolgirls, and the abduction of raped women; the systematic destruction of irrigation systems—essential to the survival of whole communities in this arid region; the forced payment of various “fees” to go back to one’s own house and land; the looting of goods in towns, and cattle in the villages. The abduction and detention of civilians against payment of ransom has also been recorded.

44. Specifically, the pattern witnessed consistently in all parts of the Darfur region has been to forcibly remove non-Arab tribes (Mainly Fur, Zaghawas, Messalites and Birgit) from their villages. The sequencing of events appears to have been as follows:

- Initially came the total disengagement of the Government administration and suspension of all its services. Supplies and salaries were no longer available, leaving the above communities in a vacuum where law and order became precarious. No such measures were taken in any neighbouring Arab villages where, on the contrary, protection was reinforced. For example, this pattern was well-illustrated at the border between South and West Darfur, where a cluster of Fur villages around Artala were left without administrative support and an Arab village, Kubum, located only 4 Km away, was fully serviced with schools, health and administration.

- The marginalised villages were then alleged by the Government authorities to have passed under SLA control, though civilians argued that either there were no SLA there, or the potential presence of SLA was actually used as a pretext to launch preemptive attacks against non-Arab villages and seize their land. It is, however, credible that the SLA was more likely to get its supplies (including by looting) in villages where they are sure that they will not find any GOS presence.

- Based on the assumption that SLA was present in a particular village, attacks were launched, either jointly by the Sudanese air force and GOS proxy forces (Janjaweed), or by Janjaweed alone. On many occasions, residents recognized the

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5 to date, the fate of most detainees is unknown.
6 Up to 4,000 Sudanese Dinars per month per household has been demanded from the unfortunate victims.
7 Birka Seyra village council kept a record of the sums extorted since July, which amounted to 1.8 million Sudanese Dinars; (200 SD is the average daily income of an IDP when he can find work)
nomads they used to deal with in the past during the "traditional" clashes linked to the transhumance of the herds. In spite of attempts made to negotiate, the nomads made it clear that GOS had now given them a mandate to make these areas "zurga free"\(^8\) and that they represented GOS in the area. The resulting eviction process was then attended by the systematic violence described in detail in this report. If people did not move immediately, further deadly attacks would be launched, and civilians left with no option but to move away to the nearest "safe haven", which would usually also be attacked within the next few days.

- In the initial stage of this wandering life, the evicted people would try to stay as close as possible to their village of origin. This allowed them, at high risk and usually at night, to go back to retrieve what was left of their belongings, should the village not have been completely scorched already. Even when a village had been emptied of its inhabitants, the Janjaweed returned to totally destroy what was left from their earlier raid, specifically targeting irrigations systems and houses so as to prevent the original inhabitants to return, or to deny the SLA any use of them as hideout. It must be understood that in an arid environment, the destruction of irrigation systems conveys the clear sinister message to the native population that there will be no return for them.

- Attacks against villages were selective, based on ethnic background. For example, on the way between Kebkabija and Birka Seyra (North Darfur), the landscape is characterized by a patchwork of untouched villages neighbouring scorched villages. Every single burned village was reported as formerly inhabited by Zaghasas and Fur. The other villages (inhabited by non Arab tribes reported as Tama, Gimir and Tungur) remaining untouched had made protection arrangements with the Janjaweed. These arrangements included payments of large sums of money.

- Once displaced, the evicted population continued to live under constant threat of further displacement, since they had sought refuge amongst kinfolk Fur/Zaghawas communities, who would then become the next target of Janjaweed aggression.

45. The Sudanese authorities have neither condemned the numerous cases of grave human rights abuses committed in Darfur, nor conducted transparent and impartial investigations into them. The absent or biased judiciary system has meant that there has been no redress for victims, contributing to the culture of impunity which is now widespread. The violations of international humanitarian law and human rights in Darfur appear to have been characterized by a deliberate policy executed through clear command-and-control arrangements within the Government of Sudan by which they sanctioned and supported the forcible removal from their normal area of habitation, of a group of people identified by their ethnic identity. Illustrative examples of Government policy are follows:

- The Omdas (tribal leaders) and the Sultan of the Messalites have shown the UN the numerous representations made by them at the local level to Commissioners and Walis, and at Khartoum level, including to the President of the Republic. These representations included cases of extra-judiciary executions, rapes, thefts and looting. These representations were well documented but led to no results.

- Prior to the attacks against Tawila, the UN witnessed and reported in its daily sitrep a large movement of Janjaweed militias coming from different directions and congregating in a makeshift camp located on the western slope of Jebel Si. Without means of communication and internal structure, more than 500 Janjaweed, fully

\(^8\) black-free (often used in derogatory terms)
equipped, could not operate in this environment. Tawila was attacked over several
days, less than a week after SLA was reportedly located in the market of the town.
Though fully informed while the attack was still ongoing, the Wali in El Fasher,
located 60 Km away from Tawila by car, took 48 hours to send a delegation.

- In South Darfur, a Government Minister from Khartoum spent several days rallying
Arab tribal leader, asking them to mobilize their forces to launch a counter attack in
Buram following two consecutive offensives by the SLA. Buram is an important
Arab town. No mobilization has ever been mentioned in order to protect non-Arab
towns.

- One of the deadliest attacks, which were launched recently, was reported in Korna
(North Darfur) on 19 March. There is consistent reporting that during the second
day of the attack, on 20 March, a military helicopter landed in Korna to re-supply
the Janjaweed and evacuated the wounded Janjaweed. For the record, the UN in
Khartoum, based on the advice of the field, informed the State Minister of
Humanitarian Affairs of the potential attack on Korna on 4 March, 16 days prior to
the attack, requesting the authorities to take appropriate measures to protect the
civilian population. The request was ignored.

- The lack of freedom of movement for Fur and Zaghawas; the UN was informed on
25 February that members of the village council of Birka Seyra tried to go to
Kebkabiyin in order to meet with the commissioner and bring up the issues of lack
of law and order. They were prevented to move and were under the threat of illegal
arrest at Janjaweed checkpoint.

- The Ministry of Humanitarian Affairs of the GOS continued to obstruct the delivery
of humanitarian assistance in Darfur throughout the reporting period, through
administrative and procedural measures concerned with travel permits and
clearances of essential humanitarian supplies and equipment. Repeated
representations to the Government had little effect.

IX. RECOMMENDATIONS

46. The following recommendations are made:

1. The UN Commission on Human Rights may wish to call upon the Government of
Sudan and the other conflicting parties to honour their obligations under
international humanitarian law and human rights.

2. Further development of the Humanitarian Ceasefire Agreement of 8 April 2004
between the Government of Sudan, and the SLM and JEM should be encouraged to
include an adequate international mechanism for the monitoring of the human
rights situation in Darfur.

3. The UN Commission on Human Rights and the OHCHR may wish to establish an
International Commission of Enquiry into the human rights situation in Darfur
including inter alia, on the state of compliance with international humanitarian law
and human rights.

4. The OHCHR's mandate for its programme in the Sudan should be expanded to
include protection issues in Darfur.
5. The UN Commission on Human Rights may wish to consider addressing the culture of impunity in Darfur, through calling for a due process that will bring the perpetrators of human rights abuses, war crimes, and crimes against humanity to justice in accord with international legal standards and norms, as well as provide for the victims to receive fair restitution and compensation.

*Khartoum and Geneva, 18 April 2004*
ANNEX I

VIOLATIONS OF HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW

Violations by forces of the Government of Sudan and Government-allied militias

On 18 April 2003, GoS planes bombed villages of Sabana, Artala during which 47 civilians were killed.

On 18 April 2003, GoS planes bombed Singita during which 25 civilians were killed.

On 14 June 2003, Janjaweed militias attacked Nertete, 147 Km north-west from Nyala, south Darfur and killed 7 civilians, including a young girl (Aysha Abaker, 12-year old). Reportedly, an unknown number of women were raped in presence of their husbands. About 400 cows belonging to Jelul tribe were taken away by Janjaweed militias.

Between 14 and 17 July 2003, Arab militias attacked Gukor village, 50 Km south-west of El Geneina, west Darfur during which 30 civilians were killed. They looted cattle of Massalect tribe.

On 23 July 2003, Janjaweed militias attacked Fur tribe in Barda village, 35 Km south-east of Kebkabiya, and killed reportedly 79 civilians.

Between 28 and 30 July 2003, Janjaweed militias attacked Shoba, 20 Km south-east of Kebkabiya, and killed 42 civilians and burned the village. Residents of the village fled to Kebkabiya.

On 1 August 2003, Janjaweed militias attacked El Malam, 90 Km north of Nyala, south Darfur, and killed 30 civilians.

On 9 August 2003, Janjaweed militia forces attacked Seraf village, between Zalingi and Kebkabiya during which 11 civilians were killed.

On 27 August 2003, GoS planes bombed Habila, 100 Km south of El Genina, west Darfur, during which an unknown number of civilians were killed and 18 persons were injured.

On 31 August 2003, Janjaweed militia forces attacked Kedimir village, 145 Km north of Nyala, south Darfur, and killed 45 civilians. The entire village was burned by the militias.

On 11 September 2003, Janjaweed militia forces attacked villages north of Jebel Si during which 23 civilians were killed.

On 18 September, Arab militias attacked Ta’aisha, 45 Km north-east of Nyala, south Darfur, and killed seven civilians belonging to Tainur tribe living in the western part of the village. The eastern part of the village, which is occupied by Massaria tribe, was not affected by the attack.

Between 27 and 30 September 2003, GoS helicopter gunship attacked Sharia, 46 Km north-east of Nyala, south Darfur, El Malam, 110 Km north of Nyala, and Kass, 87 Km north of Nyala, during which 41 people were reportedly killed.
On 1 October 2003, Janjaweed militias attacked part of Ma’alia village and killed 12 villagers. About 460 cattle were looted.

On 19 October 2003, Janjaweed militia forces attacked Keninir and killed 9 civilians and injured 15 persons.

Between 16 and 17 October 2003, Janjaweed militias attacked 11 villages in Zalingi area, south Darfur and reportedly killed at least 100 civilians. All villages were looted and burned.

On 20 October 2003, Arab militias shot and killed a civilian in Adwa, 65 km north of Nyala, south Darfur.

In October 2003, Janjaweed militias attacked villages of Bowa, near Kutum and killed 3 civilians. The names of the victims are known to OHCHR.

On 4 November 2003, Janjaweed militia attacked and killed four villagers in Bindisi, west Darfur. The incident occurred when the militia tried to steal a horse and the villagers retaliated by killing seven camels from the group.

On 6 November 2003, Janjaweed militia groups attacked and burned up to 32 villages around Zalingie, west Darfur. Reportedly, 80 people were killed and about 7,000 families left their homes.

On 18 November 2003, Janjaweed militia attacked a village in Dimo, 38 km south of Nyala, south Darfur, and reportedly killed six civilians. A total of 40 cattle were stolen.

On 22 November 2003, Janjaweed militia attacked a commercial bus in El Gardud, 75 km north of Nyala, south Darfur, and reportedly killed five persons.

Between 25 and 30 November 2003, GOS military planes carried out aerial bombardments in the Sania Haya, Tima, Gooz Moun, Swani, and Salea areas, north Darfur, during which a total of 28 civilians, including five children were reportedly killed.

On 22 November 2003, aerial bombardment was reported in Baashoum, north Darfur during which two children were reportedly killed.

On 2 December 2003, GoS planes bombed Sania Haya, 40 Km north-west of Millet and Tima, 70 Km north-east of Kutum during which 20 civilians were reportedly killed.

On 6 December 2003, Janjaweed militias attacked Tiegy, 10 Km west of Mershing during which 21 civilians were killed.

On 1 December 2003, Janjaweed militia forces attacked villages in Umbaro Abgamun, north Darfur during which 108 villagers were killed.

On 14 December 2003, Janjaweed militia forces attacked a truck in Kawra (along Korma and Kebkabiya road) and killed 5 persons.

On 16 December 2003, Janjaweed militias attacked, looted and burned shops in Kebkabiya, 160 Km west of El Fashir, North Darfur, belonging to Fur and Zaghawa tribes. One civilian was killed by the militias.
On 19 December 2003, Janjaweed militias continued to loot and burn shops in Kebkebiya belonging to Fur and Zaghawa tribes. Five civilians were killed during the attacks.

On 25 December 2003, Janjaweed militias attacked Al Harra village, near Kebkebiya, north Darfur and killed 38 civilians.

On 26 December 2003, Janjaweed militias attacked Fur villages in Zalingei areas. A son of an UN national staff was killed by the militias.

On 27 December 2003, Janjaweed militia forces attacked Domaia village, 15 Km northeast of Doma, and killed 11 civilians and injured 13 other people.

On 28 December 2003, a soldier shot and killed a civilian in a checkpoint south of Kutum, 105, Km north-west of El Fashir, north Darfur.

On 1 January 2004, Janjaweed militia forces attacked Dibis, 8 Km west of Kass and killed 13 members of Fur tribe.

On 17 January 2004, Janjaweed militias killed a woman on her farm in Folou, 8 Km north of Kutum.

On 6 February 2004, Janjaweed militia and associated forces attacked Miha, El Syah, Medo, Sendi, Medoud and Ushara in Milit, Malha localities, north Darfur and killed 30 civilians. A total of 100 cattle were stolen.

On 7 February 2004, several women were killed in an air bombardment while fleeing from Tabra, west of Tawila (North Darfur) to other places.

On 10 February 2004, Janjaweed militia attacked an administration unit in Shataya (100 Km south west of Kass, south Darfur, and reportedly killed 88 civilians. Many civilians fled from Shataya and 13 other surrounding villages to Kass, Habiba, Boronga and Kailiak in south Darfur.

On 11 February 2004, Janjaweed militia reportedly attacked five villages, Shattaya, Derlewiya, Magara, Kaliek and Romalya, situated south of the town of Kass, in South Darfur. Reportedly, 74 civilians were killed in these attacks.

On 11 February 2004, a passenger bus on its way to Nyala-Idd El Firsan road (Daywanya village), 30 km west of Idd El Firsan, south Darfur, was attacked during which 4 passengers were killed.

Between 22 and 25 February 2004, Janjaweed militias attacked 22 villages around Tawila town, about 60 Km north-west of El Fashir, north Darfur during which a number of civilians were killed. Reportedly, 94 female students were raped and 37 female students were abducted by the militias.

On 24 February, two GoS helicopter gunship attacked villages of Umquozin, north Darfur (border to Kordofan State) during which 3 men and 4 children were killed. Reportedly, the Wali came with a high ranking military official on 27 February to that village by excusing the Army and offering compensations to the family members of the victims.

On 27 February 2004, Janjaweed militia attacked Tawila village, 62 Km west of El Fashir, north Darfur and killed 17 civilians.
On 28 February 2004, Janjaweed militia forces attacked villages in the area of Tawila and killed 68 civilians. About 30 villages were looted and burned. All houses, the market and the health centre in Tawila had been completely looted. Reportedly, over 100 women were raped, six of them in front of their fathers. About 150 women and 200 children had been abducted from that area.

Between 29 February and 1 March, Janjaweed militia attacked and killed two IDPs in Um Khair village, 54 Km west of Garsilla, south Darfur.

On 1 March 2004, Janjaweed militia groups attacked Dagarais village, 34 Km west of Nyala, south Darfur and killed 22 civilians and injured 30 villagers.

On 3 March 2004, Janjaweed militia attacked four villages near Deleij, 64 Km south-west of Zalingei, south Darfur, and reportedly killed two civilians. All villages were reportedly burned, and an unknown number of cattle were stolen by Janjaweed attackers.

On 5 March 2004, Janjaweed militias attacked the administrative unit of Mastri, 55 Km south-west of Geneina, north Darfur, and killed reportedly two civilians and injured one villager.

Between 5 and 7 March 2004, Janjaweed militia forces captured 168 civilians belonging to Fur tribe and reportedly executed them summarily at the security office in Delaij, 30 Km east of Garsilla town, Wadi Salih province, west Darfur. All civilians were from Zaray, Fairgo, Taiggo, Kaskido, and Um Jamaina villages in south of Garsilla, west Darfur. OHCHR has received a list of 118 names of the victims.

On 7 March 2004, about 400 Janjaweed militias attacked a village in Abu Ajura, Dagiare, 45 Km south-west of Nyala, south Darfur, and killed reportedly 22 civilians and injured 30 villagers.

On 7 March 2004, Janjaweed militias attacked Malam, 17 Km north of Mershing (88 Km north-west of Nyala), south Darfur, and looted cattle and belongings of villagers. Reportedly, one person was killed during the attack.

On 7 March 2004, Janjaweed militias attacked Tulo and Arsonga, 4 Km west of Gomeiza and Kortinga, 73 Km north of Nyala, south Darfur, and killed two civilians and injured 3 other persons.

On 8 March 2004, GoS military planes bombed villages near Kidimir, east of Meran mountains during which 13 women, 8 children and 4 men were killed.

On 12 March 2004, Janjaweed militias attacked an IDP camp in Adamata, near El Genina, west Darfur, and killed reportedly two IDPs.

On 12 March 2004, GoS military planes bombed Sherya, 70 Km east of Nyala, south Darfur, during which 6 women were reportedly killed and 25 persons were injured. Reportedly after the bombing, Janjaweed militias attacked the village and burned over 100 huts and stole 670 cattle.

On 15 March 2004, GoS military planes bombed Wadi Hagam, south Darfur during which 6 people were killed and 4 persons injured. Reportedly, the injured persons died later at Nyala hospital.

On 16 March 2004, GoS troops and Janjaweed militia forces attacked, Korma, 68 Km north-west of El Fashir, north Darfur, during which 48 civilians were killed. Reportedly,
22 women and young girls were raped. In some cases, rapes were carried out in presence of family members of the victims. A number of men and boys were abducted and forced to herd looted livestock. As a result of the attacks, thousands of villagers left their homes towards Kabkabia.

On 17 March 2004, Janjaweed militias attacked Krenik, 65 Km east of El Genina, West Darfur, where 10 persons were killed and 16 injured.

On 18 March 2004, Janjaweed militia forces attacked Abu Sikkin, 66 Km north east of El Fashir, north Darfur, and killed reportedly 6 villagers.

On 19 March 2004, Janjaweed militia forces launched one of their deadliest attacks in Korma north Darfur. Janjaweed governmental militia, provided with trucks, killed 48 civilians. Reportedly, 22 women were raped and scores of wounded were evacuated by humanitarian aid workers when access was granted days later.

On 21 March 2004, Janjaweed and military forces attacked Korma again during which 8 people have been killed and a further portion of the market was burned.

Between 29 and 30 March 2004, Janjaweed militias attacked Abu Ajora village, about 65 Km south-west of Nyala, and killed 8 villagers. The cattle were looted by the militias. Reportedly, Janjaweed militia forces attacked again and burned the village on 31 March.

**Violations by the Sudan Liberation Movement/Army and other Armed Opposition Groups**

On 25 April 2003, the SLM attacked El Fashir, north Darfur and captured the airport during which 63 people were killed.

On 11 May 2003, the SLM attacked Mellit and killed 5 civilians.

On 16 May 2003, the SLM ambushed three commercial trucks near Khor Tawamis, 5 Km south-east of Kass, south Darfur. One person was killed and 8 other were injured. All property was looted.

On 4 June 2003, SLM forces attacked Korma, 80 Km north-west of El Fashir, north Darfur, during which 3 civilians were killed and an unknown number of persons were injured.

On 19 July 2003, the SLM attacked the police station in Feleh, north of El Genina, west Darfur and killed one civilian and injured one person. They stole weapons.

On 19 July 2003, the SLM attacked Tawila, 58 Km south-west of El Fashir, north Darfur, during which 2 policemen and 2 civilians were killed. Weapons and ammunition were stolen. The police station was burned.

On 22 August 2003, the SLM attacked Korma and killed 33 people. Houses were looted and burned.

On 22 August 2003, the SLM attacked Tawila again and killed 37 civilians. Houses were looted and burned.

On 20 October 2003, Fur militias ambushed a passenger bus on the road from Nyala to Zalingi between Nertiti and Thor, during which one civilian was killed. Passengers' property was stolen. Two policemen were taken hostage to an unidentified location.
In mid November 2003, a group belonging to the Justice and Equality Movement (JEM) attacked the village of Damrat El Sheikh, 10 km north of Kutum, north Darfur. Two civilians were reportedly killed in the incident and five injured.

Between 10 and 15 November 2003, a large group of armed men belonging to the Justice and Equality Movement (JEM) attacked villages in Kulbus, west Darfur, during which 21 civilians were reportedly killed. According to reports received, seven villages were burned (Kkilialat, Ed-El-Shagaara, Shegog, Beer El-Bateha, Umm-Sayala, Merent and Bertana).

During the night of 12 to 13 November 2003, an armed group belonging to the Bazaa tribe attacked Shag Tabaldi village and looted cattle belonging to the Berti tribe. As a result of the attack, one person is reported to have been killed.

On 14 November 2003, groups belonging to the Justice and Equality Movement (JEM) attacked Damert El-Sheik Abd-Albagi, 12 km north-west of Kutum, north Darfur, during which one person was reportedly killed and three injured.

On 21 November 2003, armed groups of the SLM/A attacked Mershing town, 45 km north-west of Nyala, south Darfur, surrounded the police station, and demanded the surrender of all police staff. The armed opposition group took with them all the weapons, ammunition, and four-wheel drive vehicle. According to reports received, five policemen were taken hostage and one policeman was killed when he refused to surrender.

On 10 December 2003, the SLM attacked a military village in Kulbus, 125 Km north of El Genina, and killed 4 persons. A total of 7 people were kidnapped by the rebels.

On 7 January 2004, the SLM ambushed three commercial trucks in Kuma, 74 Km east of El Fashir, north Darfur during which one person was killed. One truck was burned and two other were taken away by the rebels.

In March 2004, the UN has also received a list of 15 incidents in north Darfur over an unspecified length of time that have been attributed to the rebel groups. Reportedly, 43 persons have been killed by rebel groups, including the SLM/A and JEM.

Violations by Unknown Perpetrators

On 18 April 2003, an unidentified armed group attacked, looted and burned the village El Faki Salah, 15 Km south-west of Nyala, south Darfur, during which 3 villagers were killed.

On 23/24 April 2003, an unidentified Arab gunmen opened fire on a group of Massaleet tribe that were praying in the market in a village south of El Genina, west Darfur and killed 42 civilians. As a result of the incident, Massaleet tribesman held a demonstration in front of the state capital building on the 24th to protest the killings. Reportedly, the demonstrator turned violent and set the building on fire.

On 2 June 2003, an unidentified armed group attacked a commercial truck in Doma, about 28 Km north of Nyala, south Darfur, along the road between Nyla and El Fashir. One woman was killed and 4 persons were injured by perpetrators and the truck was taken away.

On 16 June 2003, an unidentified armed group attacked the police station in Feleah village, 75 Km north of El Genina during which one person was killed and one injured.
On 23 July 2003, an unidentified armed group attacked Kalu village, south-west of Kass, south Darfur and killed 3 civilians. All cattle were looted by perpetrators.

On 25 July 2003, an unidentified armed group attacked Sani Dalieba, 40 Km south-east of Nyala, south Darfur during which one person was killed.

On 3 August 2003, a commercial truck was attacked by an unidentified armed group in Duma on the road between Nyala and El Fashir during which the driver of the truck was killed.

On 8 August 2003, a group of masked men ambushed a commercial truck carrying a WFP food relief at Baibul, 30 Km west of Nyala, south Darfur and killed one passenger. Two other persons were injured.

On 10 August 2003, an unidentified armed group attacked Um Sedira village about 95 Km north-east of Nyala, south Darfur, and killed 5 villagers.

Between 8 and 11 August 2003, about 26 armed men attacked Sayah Modu, 100 Km north-east of El Fashir, and killed 2 civilians.

Between 8 and 11 August 2003, an unidentified armed group attacked Menwashi, 70 Km north of Nyala (along the road between Nyala and El Fashir) during which 7 civilians were killed and 14 others were injured.

On 12 August 2003, an unidentified armed group ambushed a commercial vehicle in Juruf, 58 Km north-east of Nyala, south Darfur during which 6 passengers were killed and an unknown number of persons were injured.

Between 2 and 7 September 2003, an unidentified armed group ambushed two Land Cruisers coming from Karam Gay (Sheria Province) to Nyala and killed 2 passengers.

On 9 September 2003, a commercial truck was ambushed and looted by an unidentified armed group on the road between Ed Daein and Haskanita, south Darfur during which 4 civilians were killed. Reportedly, the Army arrested two of the attackers the following day.

On 19 September 2003, an unidentified armed group attacked and looted the village of Taisa, 60 Km north of Nyala during which 7 civilians were killed.

On 20 September 2003, an unidentified armed group attacked Subagaya village, 70 Km north of Nyala during which 2 civilians were killed and 50 others were injured. Reportedly, about 300 livestock were looted. As a result of the attack, the inhabitants of the village fled to Um Sharaya near Menwashi, 70 Km north of Nyala.

On 1 October 2003, an unidentified armed group ambushed two commercial trucks on the road between Zalingi and Nyala, south Darfur and killed 3 civilians. The loads of the trucks were looted by perpetrators.

On 7 October 2003, an unidentified armed group attacked the village of Damrat El Sheikh, 35 Km north of Kutum during which 2 civilians were killed.

On 13 October 2003, an unidentified armed group ambushed a vehicle belonging to the National Water Corporation in El Kulul, 15 Km south-west of Kass during which 4 civilians were killed.
On 16 October 2003, an unidentified armed group ambushed a vehicle in Jad El Seed, 73 Km north-east of Ed Daein, south Darfur, and killed 2 civilians and injured 3 others.

On 16 October 2003, an unidentified armed group attacked villages of Nyama, Kiri, and Kusais, north of Kass, south Darfur, and killed one civilian and injured two others.

On 21 October 2003, an unidentified armed group attacked a commercial truck carrying WFP food commodities about 20 Km south-east of Nyala during which the co-driver was killed.

On 3 November 2003, one person was killed during a robbery on the Nyala-Abu Ajura road, 38 km south of Nyala, south Darfur. Reportedly, a number of cows were also stolen.

On 10 November 2003, a commercial truck on its way to Geneina, north Darfur, was attacked. The driver and his fellow passenger were shot dead during the incident and the load of the truck was stolen.

On 12 November 2003, a commercial truck hired by the UN agency WFP was attacked by bandits in Seleah on the Kulbus road, west Darfur. Two persons including the driver were killed during the attack. The entire cargo was stolen by the bandits.

On 12 November 2003, one IDP was shot dead in front of his shelter in the Sanam EL Naga camp, 80 km south-east of Nyala, south Darfur.

On 13 November 2003, one person belonging to the Gimir tribe was shot dead between Sanam EL Naga and Giraida, south of Nyala, south Darfur.

On 21 November 2003, 30 persons were reportedly killed in a village near Baida, 120 km west of Geneina, north Darfur. An unknown number of persons were injured and were brought to El Geneina hospital.

On 30 November 2003, an armed group attacked two buses in Kaura, 118 km west of El Fashir, north Darfur, and reportedly killed one person.

Between 1 and 5 December 2003, an unidentified armed group shot and killed one person on the road between Nyala and Abu Ajura, south Darfur.

On 6 December 2003, an unidentified armed group attacked Bimo village, 65 Km south-west of Nyala, south Darfur during which 3 civilians were killed.

On 24 December 2003, an unidentified armed group ambushed a commercial truck between Kass and Shataia, 80 Km south of Kass and killed 3 civilians and injured 4 others.

On 1 January 2004, an unidentified armed group attacked Shali village, 15 Km south-east of Kutum and killed one civilian and injured a person.

On 19 January 2004, an unidentified armed group killed 2 civilians belonging to Zaghawa tribe in Kebkebiya, 162 Km west of El Fashir. Reportedly, a leader of the Zaghawa tribe was kidnapped by the perpetrators.

On 20 January 2004, an unidentified armed group attacked a village near Degereais, 23 Km south of Nyala and killed one civilian.
On 23 January 2004, an unidentified armed group killed an engineer in Kutum who was responsible for repairing the Kutum airstrip.

On 11 February 2004, a passenger bus on its way to Nyala-Idd El Firsan road (Daywanya village), 30 km west of Idd El Firsan, south Darfur, was attacked during which 4 passengers were killed.

On 7 March 2004, an unknown armed group ambushed a passenger bus on Nyala – Ed Da‘ain road, south Darfur, and killed one and injured two passengers. All belongings of passengers were looted by that armed group.

On 13 March 2004, two dead bodies were found on the road between Thur and Nertete, south Darfur. The victims believed to have been killed in the preceding 2-3 days.
ANNEX II

TORTURE AND OTHER INHUMAN TREATMENT OR PUNISHMENT

1. Yusuf al-Beshir Musa, aged 35, correspondent of al-Sahafa in Nyala, South Darfur. The security forces reportedly arrested him on 3 May 2003 under Article 26 of the 1999 Emergency Act. It is alleged that he was held incomunicado for three days at the National Security centre in Nyala and reportedly beaten with sticks on his arms, legs and body. It is reported that on the fourth day of his detention he was allowed to see a lawyer and was examined by a doctor whose report allegedly described marks of beatings on his buttocks and chest. He was reportedly released on 24 May 2003. It is believed that his lawyers lodged a complaint with the Attorney-General’s Office in Khartoum.

2. Ahmed Mohammedin Waadi, a 35-year-old self-employed owner of a pharmaceutical store. He was reportedly arrested by approximately 14 members of the Security Force and taken from his store on 6 May 2003. He was reportedly taken to a 3 m x 3 m room with his hands tied behind his back. It is alleged that he was severely beaten on his hands and feet by five people using whips, electrical wires until he passed out. It is also alleged that when he came to, they threatened to rape his wife and sisters. Ahmed Mohammedin Waadi was reportedly released on 18 May 2003. He was reportedly receiving treatment for the injuries that he sustained during the above incidents.

3. Yousif Al Bashier Mousa, a 35-year-old disabled reporter for the Al Sahafa daily Newspaper was reportedly arrested on 3 May 2003 at Nyala stadium by three security officers and taken to the National Security Offices north of the Nyala industrial park where he was detained in a 2 m x 1 m cell. It is believed that there was little ventilation in cell and that he was forced to sleep on the concrete floor. He was reportedly not allowed to go to the toilet during his detention, and was provided with only two meals during a four-day period. Every night, beginning at 10 p.m., he was interrogated about his activities and the information that he sent to Al Sahafa. He was reportedly held at gunpoint, threatened with rape and damage to his remaining leg, and repeatedly beaten and punched in the face and abdomen. It is also alleged that sticks were used to beat him on the shoulders and the soles of his feet. Following his detention in the National Security Offices, Yousif Al Bashier Mousa was reportedly moved to the Nyala general prison. He was reportedly allowed to receive medical treatment on 6 May 2003. A doctor reportedly confirmed his allegations.

4. Adam Yaseen Mohamed, aged 26, Abdel Kareem Ahmed Haydo, aged 22, Burmna Abdel Rahman Masar, aged 30, Saeed Ahmed Mohamed, aged 29, and Dirdima Bushra Hatala, aged 27, all farmers from the Ta’aisha tribe. They were reportedly arrested on 1 April 2003 in Rehaid al-Birdi, South Darfur, and charged with murder under article 130 of the Penal Code. Reportedly, they were beaten on their arms and legs, flogged with a water hose and injured by knives while in custody. It was alleged that a bottle was inserted into their anus and that their testicles were crushed. Their lawyers have reportedly requested that the defendants receive medical examinations and that investigations into allegations of torture be conducted.

5. Abdel Aziz Abdul Kader, teacher, Mahdi Yaqub, teacher, Ahmed Abdul Rahman, teacher, Adam Hussain Mohammed Fadil, Omda (community leader), Adam Saleh, Omda, Musa Mohammed, Omda, Al-Haj Tirab Mahmoud, doctor, Mohamed Osman Al-Basha, Adam Daou Al-Beit Tur, Ali Musa Bakara, as well as 14 other men, all influential members of the Fur ethnic group, were arrested by security forces offices in Kass, South Darfur State on 12 August 2003, and taken to security forces premises, where they detained incommunicado in a single cell, flogged and severely beaten with sticks. While 14 of the detainees were transferred to the prison in Nyala on 14 August 2003, 10 other men are believed to remain detained in Kass and fears were expressed that they may be at risk of further torture and other forms of ill-treatment. Five of them reportedly sustained serious injuries as a result of the alleged beatings in Kass and were taken to the general hospital in Nyala on 19 August 2003 for a check up. It was alleged that they did not receive adequate medical treatment and that they were taken back to the prison.

6. Abu Beker Tambour, Hayder Tamboor, Nasr Eldin Tamboor, Yaqub Rahma Tanusi, and Abd Mandy and four others were reportedly arrested by officers from the military intelligence in Zalingey, West Darfur State, and Western Sudan between 19 and 22 August 2003. They were reportedly taken to the security forces' premises in Zalingey where they were believed to be held in incommunicado detention. Nasr Eldin Tamboor was reportedly transferred to a hospital in Zalingey on 26 August 2003. There were reports that beatings by security forces officers worsened a kidney injury he had sustained prior to his arrest. He is reportedly chained to his hospital bed, under surveillance of security forces officers and was not allowed any visits. It was also reported that Nasr Eldin Tamboor was previously detained incommunicado in Nyala prison, around August and September 2002, before being released without charge after about a month.

7. On 19 August 2003, the security committee in Kass Province of Western Sudan issued an emergency code to arrest and detain Alhaj Tyrab Mahmoud, Abaker Adam Mohamed Sho, Moubarek Yagoub Salah, Ishag Izel Dean, Ibraheem Musa Abdel Majeed, Ammar Alnemaairy, Ahmed Abdel Rahman Shabab, Hashim Mohamed Abu Albasher, Mohamed Adam Tor, Easa Mohamed Abdel Bary, Abdel Aziz Ahmed Musa, Yaya Abdel Jaleal, Alhady Ishag Abdel Kareem, Abu Algasim Ahmed Abdel Bagy Tilib, Nour Aldean Jibril Abdel Mawla, Ismaeel Mohamed Haroun, Mohamed Easa Boukhary and Tijany Abdella Mahmoud. All were reportedly detained in Nyala prison since 14 August 2003 without official charges. Five of them were allegedly seriously injured without access to medical assistance. It was also reported that the detainees were kept in unsanitary conditions with little to eat and they were not allowed any visits. It was alleged they had been forbidden to bring personal effects into the prison, including food or bed-covers that were allegedly not provided within the prison.

8. Sideag Altahir Tarjok, a 35-year-old lawyer from El Fashir, Hey Alghobba, Abdel Raheem Arja, a 34-year-old lawyer from Kutum, Ali Mansour Maneas, a 48-year-old administrative officer in the El Fashir province, Mohamed Elias, a 33-year-old civil service worker, all members of the Zaghawa tribe, as well as Yagoub Khamee, Sameer Ibraheem Abdel Malik, Mohamed Nasr el Dean Mohamed Ahmed, Ahmed Arbab Mohamed Jummaa and Musa Abdel Rahman Abaker, members of the Four tribe were arrested in August 2003. Sideag Altahir Tarjok was arrested on 17 August 2003 and he was allegedly held in incommunicado detention in the security office. It was alleged that he had been at risk of different forms of torture or ill-treatment including floggings, kicking and beating, in particular on his hands. Abdel Raheem Arja was reportedly arrested in mid-June 2003. It was alleged that he had been beaten with sticks and flogged. Ali Mansour Maneas was reportedly arrested during the first week of July 2003 and since then detained in the El Fashir prison without any official charge.
Mohamed Elias was reportedly arrested while at home in Hey Altiganya on 17 August 2003. Yagoub Khameas, Samear Ibraheam Abdel Malik and 9. Mohamed Nasr el Dean Mohamed Ahmed, were reportedly arrested on 20 August 2003. Ahmed Arbab Mohamed Joumaa and Musa Abdel Rahman Abaker, were reportedly arrested on 25 August 2003. They are said to be detained at the Zalingi security forces’ detention facility.

9. Alrehaima Yousif Soulieman, M. A. A., Mohamed Ibraheam Mohamed, Alsadig Adam Ismaeal, Mohamed Yousif Ali, Alkhair Mohamed Ahmed, Ibraheam Ahmed Mohamed, Ahmed Mohamed Ibraheam, Ibraheam Mohamed Abdel Rahman, Adam Gamer Aldean, Hamad Alsharief, Hamid Mohamed Ibraheam, Mahmoud Abdella, Jibracial Adam Hamad, Awadella Adam Hamdan, Alzain Ahmed Ali, Makky Ahmed Mohamed, Abdella Shaigora, Asim Issa Mohamed, Ibraheam Azabain (omda), Taj Aldean Ismaeal Ahmed and Ahmed Hamid Mohamed, all belonging to the Ma’alia tribe. They were reportedly arrested on suspicion of murder on 6 October 2003 by members of the armed forces in Abujabra, Garadaya and Adila areas. They were reportedly initially detained in Adila police station for 12 days without any official charges or questioning. It is alleged that two of them, namely Alrehaima Yousif Soulieman, aged 19, M. A. A., aged 16, were flogged on their backs, burned with cigarettes and hot metal poles on their hands, arms and chests, and beaten with sticks, in particular on their arms and legs, by approximately 10 officers. They were believed to have been subjected to this treatment to extract a confession. The other 20 detainees were also believed to have been subjected to ill-treatment. They had allegedly been kept in a small cell without ventilation or adequate illumination and were reportedly not given sufficient food. The 22 above-named detainees were reportedly transferred to Nyala prison on 21 October 2003, where they were alleged to be currently detained.