



# FIVE YEARS AND COUNTING

INTENSIFIED AERIAL BOMBARDMENT, GROUND OFFENSIVE AND HUMANITARIAN CRISIS IN SUDAN'S SOUTH KORDOFAN STATE



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Peter Benenson House, 1 Easton Street

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*Cover photo: A woman running away from the scene of a bomb attack in her village, South Kordofan, April 2016 © 3ayin*

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# INTRODUCTION

**“We want to live as human beings and not like animals, targeted by the aerial bombardments and artillery, forcing our people to live in caves...In the name of humanity, I wish everybody who hears this voice to take action and rescue our situation.”**

Gandi Fileel Lail, Chairperson, Civil Society Organizations<sup>1</sup>

For over five years now, the Sudanese Government and the Sudan People's Liberation Movement/Army – North (SPLM/A-N) have been engaged in a conflict in SPLA-N controlled areas of Sudan's South Kordofan and Blue Nile states.<sup>2</sup> The conflict has been characterised by an unrelenting campaign of aerial and ground attacks at the hands of the Sudanese Armed Forces (SAF).<sup>3</sup>

Amnesty International's monitoring of the conflict over the past five years has concluded that many of the attacks have targeted civilian objects and civilian areas which have no legitimate military objective.<sup>4</sup> The attacks have also involved the use of weapons which are inherently indiscriminate, such as cluster bombs, or been carried out in situations which are inevitably indiscriminate due to the circumstances of the attack, such as the use of unguided bombs dropped from Antonov aircraft in civilian areas. Amnesty International received some of the reports raised herein from independent local human rights monitors and was not able to independently verify these incidents.

As a consequence of the targeted and indiscriminate aerial and ground attacks, as well as the denial of humanitarian access, civilians in South Kordofan continue to experience gross and systemic human rights violations, including to the rights to life, healthcare, education, food, safe water and adequate housing. Amnesty International has concluded that the crimes under international law are of such a nature and scale that they may constitute war crimes and crimes against humanity.

The United Nations (UN) Office of the High Commissioner for Human Rights (OHCHR) has recommended a thorough inquiry into alleged violations of human rights and humanitarian law in South Kordofan. However, the UN Security Council (UNSC) has not paid substantial attention to the situation in South Kordofan since it adopted Resolution 2046 (2012).<sup>5</sup> This is despite there being no meaningful progress towards a resolution

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<sup>1</sup> 360Sudan/TFM interview with Gandi Fileel Lail, Chairperson, CSOs, Kauda: 23 April 2016, Kauda

<sup>2</sup> For a more detailed account of the conflict in South Kordofan and Blue Nile specifically and its impact on Sudan more generally see Small Arms Survey, *Two Fronts, One War: Evolution of the Two Areas Conflict, 2014–15*, HSBA Working Paper 38, August 2015, II.; International Refugee Rights Initiative: *A Crisis Normalised: Civilian perspectives on the conflict in Blue Nile State September 2016*, available at <http://www.refugee-rights.org/Publications/Papers/2016/A%20Crisis%20Normalised.pdf> (accessed 4 September 2016)

<sup>3</sup> For a detailed background on unresolved issues and background on the conflict in Sudan's Southern Kordofan and Blue Nile states, see: Amnesty International, *“Don't We Matter?”; Four years of unrelenting government attacks on Civilians in South Kordofan* (Index: AFR 54/2162/2015), available at <https://www.amnesty.org/download/Documents/AFR5421622015ENGLISH.PDF>; Amnesty International, *“We can run away from bombs, but not from hunger,” Sudan's refugees in South Sudan* (Index: AFR 65/001/2012). Also see; IRIN, *Forgotten Conflicts, Blue Nile* <https://www.irinnews.org/special-report/2016/06/21/forgotten-conflicts-blue-nile> (accessed 3 September 2016)

<sup>4</sup> Amnesty International, *“Don't We Matter?”; Four years of unrelenting government attacks on Civilians in South Kordofan* (index: AFR 54/2162/2015); Amnesty International, *Sudan: Civilians under attack in Southern Kordofan*, (Index: AFR 54/011/2014); Amnesty International, *Sudan: Civilians caught up in unending crisis in Southern Kordofan*, (Index: AFR 54/009/2013); Amnesty International, *“We can run away from bombs, but not from hunger”: Sudan's refugees in South Sudan*, (Index: AFR 65/001/2012); Amnesty International and Human Rights Watch, *Sudan: Southern Kordofan Civilians Tell of Air Strike Horror*, (Index: AFR 54/028/2011).

<sup>5</sup> The UNSC adopted Resolution 2046 (2012), on 2 May 2012, which expressed deep concern at the humanitarian situation created by the “continued fighting in the states of South Kordofan and Blue Nile in Sudan,” and entrusted the African Union's High-Level Implementation Panel with responsibility for reaching a negotiated settlement between the Government of Sudan and the SPLM-N, and “strongly urged” both the Government of Sudan and the SPLM-N to permit humanitarian access. UN Security Resolution 2046, UN Doc. S/RES/2046(2012), adopted on 2 May 2012, paras. 3, 4 and 6.

of the conflict and no accountability for violations of international humanitarian and human rights law. The UNSC receives briefings every three months but has taken no follow-up action.

## IMPACT OF AERIAL BOMBARDMENTS AND GROUND ATTACKS ON CIVILIANS

**“We ran away from our homes because of the fighting in Al Azarak. The sorghum, houses and clothes were burnt by government soldiers. Everything we had, got lost. Some people were killed and injured by the shelling. We have been hiding in the caves and dry stream beds for over one month now. We are suffering and likely to run again soon.”<sup>6</sup>**

Adam Juma, displaced resident of Al Azarak

Many of the aerial attacks by the SAF on South Kordofan have involved the use of weapons which are inherently indiscriminate, such as cluster bombs and barrel bombs. Other attacks were carried out in such a way that the outcome would be inevitably indiscriminate or have no legitimate military target, for example, the use of unguided bombs dropped from Antonov aircrafts in civilian areas.

Continuous monitoring of bombardments by domestic human rights monitors show that patterns of bombing follow planting and harvesting periods, decimating the local economy. Over the course of five years of conflict, large numbers of civilians have been killed or badly injured in the attacks, particularly by bombs and rockets launched from Antonov planes and MiG and Sukhoi fighter jets, as well as from long-range artillery shelling on the ground. Others have been killed and injured by unexploded ordnances. On 3 April, two MiG jet fighters dropped two bombs in Upper Kauda Village, Eldo Payam. A woman and three children were injured and taken to the Mother of Mary Hospital for treatment. As a result of the bombing, six huts were completely burned down with all their household effects and food stocks including four sacks of sorghum, five sacks of groundnuts and two sacks of sesame seeds.<sup>7</sup>

On 14 April, at 9.30am, SAF artillery targeted Tamau and Kulurina villages in Sabat Payam. Four shells were fired on Tamau village and two shells on Kulurina but, fortunately, there were no deaths, damage or injuries. Then at 3.44pm, at Nyukur village, Nyukur Payam, an Antonov plane dropped a bomb and killed one woman, injured two children and killed four goats and three chickens. It also burned three houses and destroyed three granary stores.<sup>8</sup> A minute later, a bomb was also dropped on Sanjak village, Nyukur Payam, but it caused no injuries. At 3.45pm, an Antonov dropped one bomb on Marada village, Tunguli Payam, but no damage or casualties were reported.<sup>9</sup>

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<sup>6</sup> Amnesty International interview with Adam Juma, 16 May 2016, Zam

<sup>7</sup> Sudan Consortium Narrative Report, April 2016, available at [http://sudanconsortium.org/darfur\\_consortium\\_actions/reports/2016/Sudan%20Narrative%20Report%20April%202016.pdf](http://sudanconsortium.org/darfur_consortium_actions/reports/2016/Sudan%20Narrative%20Report%20April%202016.pdf) (accessed 3 September 2016)

<sup>8</sup> Sudan Consortium Narrative Report, April 2016, available at [http://sudanconsortium.org/darfur\\_consortium\\_actions/reports/2016/Sudan%20Narrative%20Report%20April%202016.pdf](http://sudanconsortium.org/darfur_consortium_actions/reports/2016/Sudan%20Narrative%20Report%20April%202016.pdf)

<sup>9</sup> Ibid.



*This image shows the forward section of an OFAB-500ShR bomb. This is a large, parachute-retarded, high explosive fragmentation aircraft bomb consistent with SAF's Su-24 attack aircraft. It's a very large bomb carrying over 100kg of explosives and is entirely unguided - a 'dumb' gravity bomb. Its use in a civilian populated area would constitute an indiscriminate attack. The community reported that the bomb killed a 22 year old woman and destroyed an area of civilian houses. The repeated use of unguided bombs and other explosive weapons with wide area effects in the vicinity of densely populated civilian areas would violate the prohibition on indiscriminate attacks. © Transformedia CiC, April 2016*

A new dynamic in 2016 has been the involvement of the Rapid Support Forces (RSF) in ground offensives in South Kordofan and Blue Nile. The RSF is a Sudanese government force under the command of the National Intelligence and Security Service (NISS).<sup>10</sup> Created in 2013 specifically to fight against rebel groups throughout Sudan, the force is reportedly better equipped than other paramilitary and militia groups.

In 2014 and 2015, the RSF carried out two counterinsurgency campaigns in Darfur during which the force attacked villages, burned and looted homes, raped and beat villagers, executed civilians and caused massive displacement. In January 2016, Sudanese government forces, including the RSF, launched a large-scale military campaign in Jebel Marra, Darfur. Coordinated ground and air attacks targeted locations throughout Jebel Marra until May, when the seasonal rains in Darfur intensified, making ground attacks impractical throughout most of the area; air operations continued through late August.

A chief from Korkorai village who spoke to 360Sudan said:

**“When the Rapid Support Forces got here [Korkorai] they found some people and began to shoot some of us, I saw 12 killed. We scattered but the militia continued to chase us into the bush. Then they burned the village, so whatever you ran with - if you were naked or clothed – that is what you have now.”<sup>11</sup>**

<sup>10</sup> Amnesty International has extensively documented violations of human rights carried out by NISS. See: Amnesty International, Government must investigate brutal killing of student by NISS, 20 April 2016 <https://www.amnesty.org/en/press-releases/2016/04/sudan-government-must-investigate-brutal-killing-of-18-year-old-university-student-by-intelligence-agents/>; Sudanese National Intelligence Service empowered to violate human rights 19 March 2015 <https://www.amnesty.org/en/latest/campaigns/2015/03/sudanese-national-intelligence-service-empowered-to-violate-human-rights/> accessed 4 September 2016; Amnesty International; Agents of Fear; The National Intelligence Service in Sudan (AFR54/010/2010) July 2010; Also read Human Rights Watch: Men with no Mercy; Rapid Support Forces Attacks against Civilians in Darfur, Sudan September 2015 Available at [https://www.hrw.org/sites/default/files/report\\_pdf/sudan0915\\_insert\\_lowres\\_with\\_cover.pdf](https://www.hrw.org/sites/default/files/report_pdf/sudan0915_insert_lowres_with_cover.pdf). Accessed 4 September 2016

<sup>11</sup> 360Sudan/TFM Interview with chief Almay Kuku, Karkarai village, 27 April 2016



*This image is a sub-munition from a cluster munition and bears a strong resemblance to the M20G sub-munition of Greek manufacture, which are fired using 107mm artillery shells. Karkarai, Um Dorrein, April 2016 © Transformedia CiC*

On 18 April, the RSF looted eleven cows from Tajura village in Kumbur Payam. The cows were allegedly driven to Amdual village in Talodi County which is currently controlled by government troops. On 22 April, at 6.00pm, 47 cows were looted by the RSF at Umdurdu Konjani village in Kumbur Payam.

**“We went back to the village and we found it smelt really bad, and it’s all just burned down. We just found dead people and animals and it smelt really bad. So we can’t just go back there - for what? We haven’t received any help. We are tired, really tired. We have nothing.”<sup>12</sup>**

Evidence with Amnesty International confirms the Sudanese military widely disregards the fundamental rule of international humanitarian law requiring parties to a conflict to at all times, “distinguish between civilians and combatants,” meaning that “attacks may only be directed against combatants” and “must not be directed against civilians”. Sudanese forces have also consistently violated the obligation to distinguish between civilian objects and military objectives. On this basis, Amnesty International is of the view that some individuals in the Sudanese military may be responsible for war crimes.

In addition, Amnesty International’s research over the past five years indicates that the Sudanese military has carried out widespread as well as systematic attacks against the civilian population. As such, the attacks may also constitute crimes against humanity. That possibility must be independently and thoroughly investigated and if there is sufficient admissible evidence, all those suspected of responsibility for crimes under international law, including crimes against humanity and war crimes, must be tried by a civilian ordinary court in fair trials without recourse to the death penalty.

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<sup>12</sup> 360Sudan/TFM interview with Alam al Janub, Karkarai village, Buram county, 27 April 2016

Cluster munitions, which are banned by more than 100 countries, present an enormous danger to civilians. Dropped from the air or fired from the ground, they are designed to break open in mid-air, releasing the sub-munitions over a wide area in a way that cannot discriminate between civilians and military targets. Many of the sub-munitions fail to explode on impact and effectively become anti-personnel mines. Unexploded sub-munitions have the potential to remain lethal for years, posing a high risk to the civilian population, both during and after the conflict. Because they are inherently indiscriminate weapons, cluster munitions should not be used in any circumstances. Their repeated use in populated residential areas, as has occurred in SPLM-N controlled areas of South Kordofan, is a flagrant violation of the prohibition on indiscriminate attacks and as such constitutes a war crime.

## IMPACT ON FOOD SECURITY, HEALTHCARE AND EDUCATION

Since the start of the armed conflict in the Nuba Mountains in 2011, nearly 250,000 Sudanese refugees have fled to South Sudan, mostly to Unity and Upper Nile States.<sup>13</sup> Sudan is the fifth largest source country of refugees worldwide. Inside the country itself, 3.2 million people have been displaced.



*A woman draws water for her farm, South Kordofan, 2015 © Giovanni Diffidenti*

The Sudanese government has consistently refused humanitarian access to areas controlled by the SPLA-N, with devastating consequences on food supplies, health care and education. The widespread destruction or damage to civilian property including homes, fields, food stores, hospitals, health clinics, schools and market areas by these attacks has also disrupted agricultural production, health care and education in the area, contributing to the humanitarian crisis. The last agreement on humanitarian access was in 2012. The proposal then put forward by the UN, the African Union (AU) and the Arab League, allowed for the provision

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<sup>13</sup> Available at <http://www.unhcr.org/uk/news/briefing/2016/6/5751495f17d/5-years-south-kordofan-conflict-refugees-still-fleeing.html> (accessed 3 September 2016)

of critically needed food and medical supplies to areas controlled by SPLA-N. The agreement expired in November 2012.

The Famine Early Warning System Network warns that food security outcomes in conflict-affected areas of South Kordofan “have likely already deteriorated to Emergency (IPC Phase 4) and will remain there through September 2016 among [internally displaced persons] (IDPs) and poor residents due to below-average harvests, displacement, and conflict-related restrictions on movement, trade, and livelihood activities”.<sup>14</sup>

According to the UN, roughly 20% of the whole Sudanese population are in need of humanitarian assistance. The members of the Troika (USA, Norway and United Kingdom) in May 2016 issued a statement condemning the attacks of civilians in Kauda and Heiban including the bombing of St. Vincent Elementary School.<sup>15</sup> The statement also mentions that the humanitarian situation remains critical, with the government’s actions, including dismissal of over 5.4 million people in need of humanitarian aid.<sup>16</sup>

The Government of Sudan’s actions contribute to the increasingly difficult environment for addressing humanitarian needs in Sudan by, for example, the de facto expulsion of Ivo Freijsen, the Head of the Office for the Coordination of Humanitarian Affairs (OCHA) in Sudan.<sup>17</sup>

The fighting generally takes place from November to June, before the region’s rainy season muddies all access points to the Nuba Mountains, making many roads impassable. In 2016, however, the attacks took place later than in previous years. The fighting season started in March when the SAF launched a multi-pronged attack in seven locations, three of which had never before been affected by conflict.<sup>18</sup> These include Korkorai (Um Dorrein County), Al Azarak (Heiban County), and Mardes (Delami County). All these are farming areas on which the populations from Heiban, Kujur, Guru, Uru, Lichillo, Oya and Hajar Bako rely for food production.

Between March and June, the SAF dropped an estimated 227 bombs in these areas, launched ground attacks on and captured civilian villages in Al Azarak, Mustaraq and Mardes. The SAF burned down crops and fields and looted food stores. The fighting displaced 75,000 people mainly from Al Azarak and surrounding villages.<sup>19</sup>

The SAF has maintained its presence in these areas despite a ceasefire announced by President Al Bashir in June. This has prevented displaced civilians from returning to their homes and farming their crops.

Others were afraid to tend to their farms due to fear of fighting or attacks by the SAF. For instance, in July, the SAF attacked a farm in Lima, Heiban killing one woman and injuring others. The lack of farming will have a significant impact on decreasing food security for the rest of the year and into the next.

## IMPACT OF THE CONFLICT ON CHILDREN

Amnesty International has documented the impact the conflict has had both directly and indirectly, on children. Children are frequently killed and injured in the attacks, or afterwards when they play with unexploded ordnance.

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<sup>14</sup> Available at <http://www.fews.net/east-africa/sudan/food-security-outlook-update/april-2016> (accessed 3 September 2016)

<sup>15</sup> Troika statement, <https://www.gov.uk/government/news/troika-statement-on-current-situation-in-sudan>; The members of the Troika statement on the situation in Sudan, <https://www.gov.uk/government/news/troika-statement-on-current-situation-in-sudan> (accessed 3 September 2016)

<sup>16</sup> Ibid.

<sup>17</sup> UN Office for the Coordination of Humanitarian Affairs (OCHA), Humanitarian Bulletin Sudan, February 2016 <http://reliefweb.int/report/sudan/statement-attributable-humanitarian-country-team-sudan-de-facto-expulsion-un-senior> (accessed 3 September); Troika statement, <https://www.gov.uk/government/news/troika-statement-on-current-situation-in-sudan>; The members of the Troika statement on the situation in Sudan, <https://www.gov.uk/government/news/troika-statement-on-current-situation-in-sudan> (accessed 3 September 2016)

<sup>18</sup> For more information, see Nuba Reports: Food on the frontlines, Sudan’s war of attrition in the Nuba mountains; <http://nubareports.org/food-on-the-frontlines-safs-war-of-attrition-in-the-nuba-mountains/> (accessed 3 September 2016)

<sup>19</sup> For more details on attacks in Kurmuk, Blue Nile and Delami and Heiban counties in South Kordofan, see South Kordofan and Blue Nile Coordination Unit, March 2016 report available at: <http://reliefweb.int/report/sudan/south-kordofan-and-blue-nile-coordination-unit-humanitarian-update-march-2016> (accessed 4 September 2016)



The impact of the conflict on children was particularly marked this year. There has been a significant increase in the number of children killed and injured by bombs compared to 2015.

On 25 March, the SAF shelled Al Habel village, Um Dorein County and wounded two female children aged 11 and 10 years. The SAF also shelled Korongo Abdalla area, west of Kadugli town, Kadugli County wounding a seven year old child, Al-Tahir Khamis, and a teacher, Ahmed Azrag.<sup>20</sup> In April, five children were killed and 22 were injured, of which 11 were from Delami County alone. In addition, schools have been bombed and others closed due to the fighting, particularly those near the front line.<sup>21</sup>

On 1 May, two MiG jet fighters dropped four bombs on Heiban village, Heiban Payam and killed six children. Three of the children killed were from the same family. The other three belonged to neighbours. A mother of one of the dead children was also injured. During the same incident, a woman in nearby Kwarly village was killed as she jumped into a fox-hole to escape the bombs. She hit her head on a plank of wood and died instantly. Two huts were completely destroyed along with all household property.

On 1 May, local monitors also reported that the SAF dropped what seemed to be bombs delivered by parachute. Civilians are unaccustomed to the sound and timing of these bombs, making it harder to avoid them.

On 31 May, an Antonov plane dropped ten bombs in Heiban town, one in Chawde and two in Lewere village. The shrapnel from this injured the leg of a six year old girl who was taking shelter with her family.<sup>22</sup>



*Children and youth in an abandoned shelter, Kauda, South Kordofan, March 2016 © Ganja Chokada*

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<sup>20</sup> National Human Rights Monitors' documentation reports, March update

<sup>21</sup> Sudan Consortium, Human Rights Narrative report for April, available at [http://www.sudanconsortium.org/darfur\\_consortium\\_actions/reports/2016/Sudan%20Narrative%20Report%20April%202016.pdf](http://www.sudanconsortium.org/darfur_consortium_actions/reports/2016/Sudan%20Narrative%20Report%20April%202016.pdf) (accessed 3 September 2016)

<sup>22</sup> See: <http://nubareports.org/food-on-the-frontlines-safs-war-of-attrition-in-the-nuba-mountains/> (accessed 3 September 2016)

# NEW RELATIONSHIPS WITH SUDAN – THE KHARTOUM PROCESS

Over the last two years, there have been an unprecedented number of refugees and migrants that have reached Europe's shores, including from Sudan, Eritrea, Ethiopia and Somalia. Sudan is also a transit country for refugees and migrants from the East and Horn of Africa on route to Europe via Libya. In November 2014 during a ministerial conference in Rome, an EU-Horn of Africa Migration Route Initiative, known as the Khartoum Process, was launched in response to this crisis. The initiative was led by DG HOME and Italy with an emphasis on measures at a national level to reduce migration, and on combating trafficking and smuggling. This was followed by the Valletta Summit on migration in November 2015 which comprised of African and European Heads of State. The outcome of the summit was an Action Plan with five priority areas, including on migration and stemming the root causes of irregular migration. Through this summit the 'EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa' was established.

In April 2016, the EU Commissioner for International Cooperation and Development, Neven Mimica, announced an aid budget of 155m euros for Sudan. The package includes 15m euros under the Regional Development and Protection Programme to improve living conditions for refugees and host communities in Khartoum and East Sudan; 40m euros through a Better Migration Management package (which is regional) to support the Khartoum Process; and 100m euros to address root causes of instability, irregular migration and displacement in Darfur, South Kordofan, Blue Nile and East Sudan. The funds are to be dispersed through non-profit and private partner organizations, though in reality the Sudanese authorities have tight control over all of these.

The funds provided by the EU are said to include training security officers in addition to providing a range of equipment including computers, scanners, cameras and vehicles at 17 border crossing points in Sudan. In addition two 'reception centres' have been proposed at Gedaref and Kassala (two towns on the border with Eritrea and Ethiopia). Those responsible for patrolling Sudan's borders include the police, the border control and the RSF. As mentioned elsewhere in this briefing paper, the RSF is involved in the conflict in Darfur where violations of human rights and international humanitarian law have been committed and are now involved in military offensives in South Kordofan and Blue Nile.<sup>23</sup> In May there were already reports that 1,300 Eritreans were rounded up and arrested by security forces in Sudan on route to Libya and deported back to Eritrea.<sup>24</sup>

In addition to EU deals being made, bilateral deals between European countries and Sudan are also being made. For example, on 4 August, Italy and Sudan signed a Memorandum of Understanding (MoU), including clauses on repatriation. The text of the MoU has not been made public, but the existence of the MoU is confirmed as the Italian embassy in Sudan published a press release about it. On 24 August, it was reported that 48 Sudanese nationals were repatriated from the city of Turin in Italy to Khartoum.<sup>25</sup> Those repatriated had reportedly been found/detained by Italian police in the area of Ventimiglia (at the border with France) or by French authorities in French territory near the border (where they routinely send undocumented people back to Italy). The process was carried out very quickly by an Italian judge and Amnesty International is concerned that proper procedures and checks were not carried out to ensure that Italy has not breached the principle of *non-refoulement*. According to the man interviewed, there were 15 people from the group that were from Darfur and the rest from other parts of Sudan. Upon arrival in Sudan he said they were interrogated and beaten by eight plain clothed police officers and the National Intelligence and Security Service took their names and fingerprints. He managed to escape the airport and doesn't know what happened to the rest of the group.

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<sup>23</sup> For more details on RSF involvement in the conflict in Darfur particularly Jebel Marra, see forthcoming report: Amnesty International *Scorched Earth. Poisoned Air; Sudanese government forces ravage Jebel Marra, Darfur*, 29 September 2016

<sup>24</sup> See <https://www.irinnews.org/news/2016/05/25/sudan-and-eritrea-crackdown-migrants-amid-reports-eu-incentives> (accessed 5 September 2016)

# THE SIGNING OF THE ROADMAP AGREEMENT – A FALSE HOPE?

In March, peace negotiations between the Government of Sudan, the opposition and armed opposition groups facilitated by the AU High Level Implementation Panel (AUHIP) collapsed. These talks were the eleventh of their kind since 2011. Despite the failure to reach common ground, the Government of Sudan and the AUHIP chairperson, Thabo Mbeki, signed a Roadmap Agreement for peace in Sudan while the opposition and rebel groups declined.<sup>26</sup> The Roadmap<sup>27</sup> commits parties to urgently end conflicts in Darfur, Blue Nile and South Kordofan and ensure humanitarian access to all populations in these areas. The Agreement also commits parties to engage in an inclusive National Dialogue process.

Opposition political parties and armed opposition groups, owing to international pressure, signed the Roadmap on August.<sup>28</sup>

The ceasefire declared in June has since been breached but no major battles have taken place. However, local human rights monitors report that military activity in South Kordofan during the current rainy season has been higher than in the previous two rainy seasons. The SAF usually withdraws to government-held territories at the start of the rainy season. However this year, the SAF has continued to encamp in the fertile agricultural areas of Al Azarak in Heiban County, Mardes in Delami County and parts of Karkaria in Um Dorrein County.

On 11 July, SAF soldiers attacked a farm in Lima village, killing one woman, a civilian. Three days later, the same SAF-aligned militia along with SAF soldiers attacked the Lima area again but were reportedly repelled by SPLA-N forces.

Fighting also broke out between the SPLA-N and SAF forces on 1 August in the Um Serdiba area of South Kordofan. The reason for the attack remains unclear. However, some sources say SAF troops mistakenly thought a group of rebel soldiers were preparing to attack them and proceeded to shell the SPLA-N forces.

On 7 August, a day before the signing of the Roadmap, two Antonov planes were reportedly circling over Kauda<sup>29</sup>, the capital of SPLM/A-N controlled areas. The SAF still maintain an encampment in villages occupied by civilians prior to their takeover in Heiban.

On 14 August, contention in discussions on allowing humanitarian access to SPLM/A-N controlled areas of South Kordofan and Blue Nile caused another collapse in talks.<sup>30</sup>

## CONCLUSION AND RECOMMENDATIONS

This crisis cannot be ignored any longer. The UNSC, the AU and the Intergovernmental Authority on Development must urgently address serious concerns with respect to civilian protection, humanitarian access, human rights monitoring and justice, truth and reparation.

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26 See Sudan Tribune article of 22 March <http://www.sudantribune.com/spip.php?article58385> (accessed 3 September 2016)

27 Copy of signed Roadmap Agreement for Peace in Sudan, available at <http://www.peaceau.org/uploads/auhip-roadmap-signed-080816.pdf> (accessed 3 September 2016)

28 The parties who signed include the National Umma Party and various rebel groups including the Sudan People's Liberation Movement/Army – North (SPLM/A-N), the Sudan Liberation Movement / Army – Minni Minawi (SLA-MM) and the Justice and Equality Movement (JEM).

29 Nuba Reports, Sudan Call prepare to sign Roadmap, Warplanes fly over Nuba, <http://nubareports.org/sudan-call-prepare-to-sign-peace-roadmap-warplanes-fly-in-nuba/> (accessed 3 September 2016)

30 Read Sudan Tribune Article, <http://www.sudantribune.com/spip.php?article59920> (accessed 3 September 2016); Also see Nuba Reports, <http://nubareports.org/one-step-forward-two-steps-back-understanding-sudans-collapsed-peace-talks/>. For more information on discussions around humanitarian access see Jonathan Loeb, HPG working paper, <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8590.pdf> (accessed 4 September 2016)

Amnesty International is calling on:

The Government of Sudan to:

- Immediately end all attacks directed at civilians and civilian objects, as well as all indiscriminate aerial bombardment and other indiscriminate attacks in South Kordofan;
- End the use of all weapons and delivery systems which are too imprecise to be used lawfully in civilian areas including cluster bombs;
- Take all necessary precautions in all attacks in order to protect civilians, including by warning civilians of impending attacks;
- Allow unrestricted, independent humanitarian access to all areas of South Kordofan for the purposes of providing food, health services, support to the education system and other humanitarian assistance to civilians affected by the conflict;
- Ensure that all children, especially those in the most severely affected regions by the conflict have access to life-saving vaccinations and essential medicines;
- Ensure that national human rights defenders in South Kordofan are able to carry out their work freely and safely;
- Allow unimpeded access to all areas of South Kordofan to international human rights monitors from the United Nations, the African Commission on Human and Peoples' Rights, and nongovernmental organizations;
- Launch prompt, independent, impartial and effective investigations into all violations of international human rights and humanitarian law in order to bring those suspected of criminal responsibility before ordinary civilian courts in fair trials without resort to the death penalty; and
- Adhere to all binding international human rights and humanitarian law obligations, in particular with respect to the protection of civilians in armed conflict.

The Sudan People's Liberation Army – North to:

- Allow unrestricted, independent humanitarian access to and human rights monitoring in all areas of South Kordofan under their control; and
- Adhere to all binding international human rights and humanitarian law obligations, in particular with respect to the protection of civilians in armed conflict.

The UN Security Council to:

- Ensure the Government of Sudan ends attacks directed at civilians and civilian objects and indiscriminate attacks in South Kordofan and Blue Nile states, and ends the use of all weapons and delivery systems too imprecise to be used lawfully in civilian areas;
- Urge Sudan to join the Convention on Cluster Munitions;
- Demand that the Sudanese government and the SPLA-N respect all binding international human rights and humanitarian law obligations, in particular with respect to the protection of civilians in armed conflict;
- Demand that the Sudanese government and the SPLA-N allow unrestricted, independent humanitarian access to all areas of South Kordofan and Blue Nile, and ensure that national and international humanitarian agencies and organizations are able to operate in all parts of South Kordofan and Blue Nile and have adequate levels of funding to support their operations;
- Demand that the Sudanese government and the SPLA-N ensure the safety of national human rights monitors and allow unimpeded access for international human rights monitors and organizations in all parts of South Kordofan and Blue Nile;

- Call on the Sudanese government to carry out impartial and independent investigations to identify individuals suspected of criminal responsibility for war crimes and crimes against humanity in South Kordofan and Blue Nile and to bring such individuals to justice in fair trials before ordinary civilian courts without recourse to the death penalty;
- Request the Secretary-General report to the UNSC on options for increased protection of civilians in South Kordofan and Blue Nile, including options for improved humanitarian access to all areas in South Kordofan and Blue Nile for UN agencies and international humanitarian organizations, including cross-border relief operations and targeted interventions focused on urgent needs such as acute food shortages, vaccines and essential medicines, water borehole repair and maintenance and school materials;
- Request the Secretary-General to establish an independent, international Commission of Inquiry to investigate crimes under international law, such as war crimes and crimes against humanity, and human rights violations in South Kordofan and Blue Nile states, with a mandate to make recommendations as to how to ensure that all those suspected of criminal responsibility are brought to justice;
- Extend the mandate of UN Security Council Resolutions 1556, 1591 and 1945, which impose an arms embargo in Darfur, to cover the whole of Sudan to ensure that no arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and related parts and components are supplied to any parties of the conflict.

The UN Human Rights Council to:

- In the absence of a decision of the UN Security Council to establish an independent commission of inquiry, to establish its own independent international Commission of Inquiry into all alleged violations and abuses of international human rights and all alleged violations of international humanitarian law by all parties to the conflict in South Kordofan and Blue Nile states, as recommended by the UN High Commissioner for Human Rights in 2011;
- Mandate an independent Commission of Inquiry, as described above, to establish the facts and circumstances of such abuses and violations and of any related crimes perpetrated under international human rights and humanitarian law and to identify the individuals responsible, to make recommendations, in particular, on accountability measures, with a view to ensuring that those individuals responsible are held accountable; and
- Establish a Special Rapporteur on the situation of human rights in Sudan with a mandate to investigate and report to the Human Rights Council and the UN General Assembly on the human rights situation in Sudan, including South Kordofan and Blue Nile states.

The African Union to:

- Call on the Government of Sudan and the SPLA-N to renew dialogue that prioritises a respect for international human rights and international humanitarian law and provision of humanitarian access to all areas of South Kordofan and Blue Nile;
- Call for improving humanitarian access to all areas in South Kordofan and Blue Nile states for UN agencies and international humanitarian organizations, including cross-border relief operations, and targeted and time-limited interventions focused on such urgent needs as acute food shortages, vaccines and essential medicines, water borehole repair and maintenance, and school materials; and
- Call on the Government of Sudan to carry out prompt, impartial, independent and effective investigations to identify individuals responsible for war crimes in South Kordofan and Blue Nile states and to bring such individuals to justice in fair trials without resort to the death penalty.

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## CONTACT US



[info@amnesty.org](mailto:info@amnesty.org)



+44 (0)20 7413 5500

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# FIVE YEARS AND COUNTING

## INTENSIFICATION OF AERIAL BOMBARDMENT, GROUND OFFENSIVES AND HUMANITARIAN CRISIS IN SUDAN'S SOUTH KORDOFAN STATE

Since armed conflict began in June 2011 between the Government of Sudan and the Sudan People's Liberation Movement/Army – North (SPLM/A-N), people living in SPLA-N controlled areas of Sudan's South Kordofan State have endured an unrelenting campaign of aerial and ground attacks by Sudanese Armed Forces. This briefing paper highlights the impact the conflict continues to have on civilians.

The targeted and indiscriminate attacks by the Government of Sudan against civilians and civilian infrastructure has resulted in the widespread destruction of civilian objects including homes, fields, food stores, hospitals, health clinics, schools and market areas. The Government of Sudan continues to refuse humanitarian access to areas controlled by the SPLA-N, creating a protracted humanitarian crisis.

Now in its fifth year, Amnesty International calls upon the UN Security Council to take immediate steps to end violations of international human rights and humanitarian law, including targeted and indiscriminate attacks against civilians; open up access to humanitarian relief; and uphold the human rights of the people of South Kordofan. It also calls for prompt, independent, impartial and effective investigations into violations of International human rights and humanitarian law.

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