

SUDAN

Deliberate and indiscriminate attacks against civilians in Darfur

Over the past year hundreds of civilians have been killed and scores of villages burnt by the government-backed *Janjawid* militias. Government troops have often attacked villages alongside the *Janjawid*. The Sudanese air force has also indiscriminately bombed civilian towns and villages.

The central government is allowing militias aligned to it destroy the homes and livelihood of the farming populations of the region. The *Janjawid* have been killing, raping and wounding the civilian population, looting property and livestock and burning villages. This appears to be part of a deliberate strategy of forced displacement.

The conflict is spilling over into Chad as the *Janjawid* make cross border raids. They have reportedly killed more than 100 refugees and Chadian civilians and looted cattle during such raids in the past few months. On 7 March 35 armed men believed to be from the *Janjawid* reportedly attacked border sites and killed one civilian man in Ouendalou, wounded another in Absogo, and stole 100 head of cattle.

For the past year no member of the *Janjawid* has been arrested or brought to justice for a single unlawful killing.

There have been numerous reports of aerial bombings of civilians and civilian objects by the Sudanese air force. Bombings usually consist of boxes filled with metal shrapnel dropped from the back of Antonov planes. By their nature these lack precision. Sometimes civilians have reported the presence of helicopter gunships, flying at low altitude and shelling villages and civilians. These two types of

aircraft have repeatedly been used by the Sudanese government in the conflict in southern Sudan. Bombings in Darfur have had the effect of terrorizing the population and encouraging panic and displacement. Most civilians who have taken refuge in Chad spoke of frequent bombings, which could be heard or seen from their camps in Chad.

Villages and towns in North Darfur have reportedly suffered the most from aerial bombing. However there have also been reports of bombings in West Darfur and in the south of North Darfur around Kabkabia and the Jebel Marra (mountain).

The Sudanese authorities have consistently denied that they have been deliberately or indiscriminately attacking or bombing civilians.

Among the many reports of attacks against civilians this year are the following:

Tina, in Western Darfur - 28 January: at least two civilians were reportedly killed including a 28-year-old man and his two-year-old daughter and 15 civilians wounded following what were believed to be aerial bombings by the Sudanese air force, inside Sudan near the Chad border town of Tina. Hundreds of Sudanese refugees and aid workers were forced to relocate following the bombing.

Habila Karainik, Karainik, Magornay, Mornay, Gurnyu, Mejmeri, Effendi, Urbi, Liri, Kastara and Nuri Last, in Western Darfur - between 9-13 February: 11 villages were reportedly bombed. People fled to the four largest villages/towns of Mornay, Habila, Magornay, Karainik. Villages in the area were emptied and the area devastated. The *Janjawid* reportedly

surrounded the four towns to which people had fled and killed many of the displaced.

Kaskildo, Arwalla, Zaray, Forgo, Ndjamena, Masa, Whu, Kaare, Wususu, in Western Darfur - between 23-27 February:

157 civilians were reportedly killed including 37 children when 9 villages in the area of Wadi Saleh in the province of Garsila (villages are 30 km south-west of Garsila) were reportedly burnt. Forty-one children were reportedly abducted, probably to be used as herders. Many of the women ran away to the mountains, some were pursued and reportedly killed by the attackers who then reportedly abducted their children. A week later 168 men from the same region were reportedly extra judicially executed.

Tawila district, in Northern Darfur - 27-9 February:

more than 80 civilians were reportedly killed during an attack by the *Janjawid* on at least 10 villages between Kabkabiya and Al-Fasher. A United Nations Humanitarian Task Force that visited the villages after the raids described a situation of fear and devastation. There were reports that a number of school girls had been raped. Further attacks on 24 villages around Tawila took place on 19 March and an estimated three to four thousand villagers fled the area.

Al-Kureinik, in Western Darfur - 6 March:

15 villagers, all civilians, including a child were reportedly killed by the *Janjawid*. Three land-cruisers and some 60 men on horseback attacked Al-Kureinik, a large village east of al-Jeneina that was already swollen with internally displaced people.

'Aish Barra, in Western Darfur - 8 March:

three children were among twelve civilians reportedly killed in 'Aish Barra, a village west of al-Jeneina, near the Chad border.

Al-Shariya (East of al-Fashir), in Northern Darfur - 12 March:

the *Janjawid* reportedly attacked the village killing and wounding many civilians. Among those killed were: Muhammad Ibrahim Yunis Adam (14, student), Zahra Muhammed Ibrahim Yunis Adam (23, mother of a 6 month old baby), Halima Hamed Mahmoud Malek (22), Fatima

Shammu Malek (42) and Fatouma Ibin Muhammed (72). Among the wounded are: Khatir Habib Yunis Adam (10), Salah Khatir Habib Yunis Adam (5), Nadia al-Sadiq (3), Nidal al-Sadiq Haroun (5), Amira Musa Ali Malek (4), Nur al-Din Ali Malek (15), Abdulla Adam (17), Aisha Yunis Adam (24), Khadija Adam Hamid (27), Mahasin Musa Ali (26), Khamis Jaddu Adam (55).

Korma district, in Northern Darfur - 20 March:

the *Janjawid* along with government of Sudan troops reportedly killed 47 civilians, abducted scores of women and burnt villages in the Korma district 140 km from Al-Fashir town. A few days later the town where 4500 internally displaced people had taken refuge was reported to be almost empty.

International law:

Sudan is in violation of its obligations under Common Article 3 of the Geneva Conventions that prohibits violence to life and person of those taking no active part in the hostilities. Common Article 3 applies to armed conflict "not of an international character" and binds "each Party to the conflict".

The government of Sudan may also have committed war crimes in Darfur. The Rome Statute of the International Criminal Court includes a list of war crimes (when committed in internal armed conflict) in its jurisdiction. These war crimes include *inter alia*: murder of all kinds, mutilation, cruel treatment, torture and hostage taking, committed against those who take no active part in the conflict, intentionally directing attacks against the civilian population or civilian objects. The international community, through the Rome Statute and other mechanisms, has affirmed that individuals can be held criminally responsible for war crimes.

When forcible displacement is committed on a systematic basis or large scale, or, as confirmed in Article 7 of the Rome Statute, when it is committed as part of a widespread or systematic attack directed against any civilian population, it is a crime against humanity.

Recent historical parallels:

During the conflict with the Sudan People's Liberation Army, which is reaching a final peace agreement, the government of Sudan engaged in the indiscriminate bombing of civilians and civilian objects. Militia backed by the government attacked civilians and civilian property killing and wounding tens of thousands. They also looted property and burnt villages, leading to hundreds of thousands of internally displaced. In 2001 President George W. Bush's special envoy for peace in Sudan, former Senator John Danforth proposed a framework for peace negotiations that comprised four tests for the two main parties to the conflict in Sudan, to prove their commitment to a peace process. These were:

- 1) The signing of a ceasefire agreement for the conflict in the Nuba Mountains, allowing humanitarian access, to be monitored by a team of international personnel;
- 2) An agreement by both sides not to attack or target civilians or civilian objects in the war in the south, also to be monitored, by a verification mission of international professional staff;
- 3) The appointment of a commission consisting of eminent persons from many countries, which will investigate and make recommendations for practical solutions to the problem of slavery in Sudan; and
- 4) Respect for "zones of tranquillity" in the conflict areas, enabling humanitarian agencies to carry out polio vaccinations and campaigns against rinderpest and guinea worm.

A Civil Protection and Monitoring Team (CPMT) was set up to monitor the reports of attacks against civilians in March 2002. This team is granted unrestricted access to all areas covered by the agreement.

WRITE TO THE SUDAN GOVERNMENT:

- Expressing grave concern over recent reports of attacks against civilians by the *Janjawid* sometimes accompanied by government troops (give examples from the list above);
- Stating that direct attacks against civilians are in violation of Common Article 3 to the Geneva Conventions of 1949 and urge the government to end the targeting

of civilians or civilian objects in the conflict in Darfur;

- calling on the government to end all direct and indiscriminate attacks against civilians immediately and to ensure that all instances of such attacks are investigated and perpetrators tried in accordance with international law;
- calling on the government to cease all support and supplies to the *Janjawid* or establish a clear chain of command control over them, giving clear instructions that abuses of human rights and humanitarian law will not be tolerated and making them accountable to these instructions;
- urging the Sudanese authorities to allow the deployment of international monitors with a strong human rights mandate to Darfur;
- urging the government of Sudan to allow the extension of the mandate of Civilian Protection Monitoring Team to investigate attacks against civilians by both sides to the conflict in Darfur.

ACT NOW!

► **Please send your appeals to:**

•Lieutenant-General Omar Hassan Ahmad al-Bashir
President and Commander-in-Chief of Armed Forces
President's Palace
PO Box 281
Khartoum
SUDAN
Fax: + 24911 776603 / 777583
Salutation: Your Excellency

•Mr Ali Osman Mohamed Taha
First Vice-President
People's Palace
PO Box 281, Khartoum, Sudan
Fax: + 249 11 771025/779977
Salutation: Dear Minister

•Mr Ali Mohamed Osman Yassin
Minister of Justice and Attorney General
Ministry of Justice, Khartoum, Sudan
Fax: + 249 11 770883
Salutation: Dear Minister

•Mr Mustafa Osman Ismail
Minister of Foreign Affairs

Ministry of Foreign Affairs
PO Box 873
Khartoum, Sudan
Fax : + 249 11 779383
Salutation: Dear Minister

•Dr Yasir Sid Ahmed
Advisory Council for Human Rights
PO Box 302, Khartoum, Sudan
Fax: + 249 11 779173/770883
Salutation: Dear Sir

•Mr Osman Mohamed Yousif Kubor
Governor of Northern Darfur State
c/o People's Palace
PO Box 281
Khartoum
Fax: +249 11 776432/ 771651/ 783223
Salutation: Dear Sir

•Lieutenant-General Adam Hamid Musa
Governor of Southern Darfur State
c/o People's Palace
PO Box 281
Khartoum
Fax: +249 11 776432/ 771651/ 783223
Salutation: Dear Sir

•Major-General Suleiman Abdalla Adam
Governor of Western Darfur State
c/o People's Palace
PO Box 281
Khartoum
Fax: +249 11 776432/ 771651/ 783223
Salutation: Dear Sir

► **Please raise Amnesty International's concerns with your own government.**
More information on the human rights situation in Darfur can be obtained on Amnesty
International's website:
<http://web.amnesty.org>

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