

AMNESTY INTERNATIONAL

Background Information

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Further information on arms shipments to Sudan's Southern Kordofan.

Fighting in Southern Kordofan

Fighting between the Sudanese Armed Forces (SAF) and the Sudan People's Liberation Army (SPLA) - North in Southern Kordofan began on 5 June. The UN estimates more than 73,000 people have fled as a result of the fighting. On 28 June a broad framework agreement was reached between the National Congress Party and the SPLA-North on the political and security arrangements for the Blue Nile and Southern Kordofan states. The agreement should lead, among other things, to a cessation of hostilities and improved humanitarian access to Southern Kordofan.

Amnesty International identified a Sukhoi SU-25 from a photograph taken during an air attack by the Sudanese Air Force on 14 June on the airstrip in Kauda, which is adjacent to a United Nations Mission in Sudan (UNMIS) compound. Fragments from the site of this attack on 14 June, identified by ordnance experts for Amnesty International, resemble the warhead from a USSR 240mm HE Rocket, Aircraft launched, Model S-24..

Munitions from another attack on 25 June in Kauda have been identified from the Cyrillic markings as S-5 57mm rockets. It is not possible to determine the provenance of these particular rockets since several countries manufacturer this rocket. They can be fired from a UB-16-57 or UB-32A1 rocket launchers mounted to fighter jets or such as the MiG-21 or SU-25 jets or attacks helicopters such as the Mi24 helicopters¹ all of which are in the inventory of the Sudanese Air Force.² Satellite imagery, from the Satellite Sentinel Project, shows an Antonov military aircraft, two Su-25 jets, four Mi-24 helicopters and a Mi-8/17 helicopter at the El Obeid airbase in Northern Kordofan as of 28 June.³

The only troops that should be present in Southern Kordofan are those from the Joint Integrated Units (JIUs). As part of the Comprehensive Peace Agreement, which ended the Sudan civil war in 2005, military units called the JIUs were formed of personnel from the SAF and SPLA. The Small Arms Survey has reported that as tensions rose in Southern Kordofan in the countdown to the referendum, the SAF have used regular forces rather than the JIUs because of their contact with the SPLA.⁴

¹ Jane's, Air Launched Weapons, Issue 54-2009.

² See 2010 Military Balance, IISS which lists the following: **fighter ground attack aircraft:** 10 Su-25 Frogfoot combat aircraft (Russian-made); 6 *Shenyang J-6* (Chinese-made); 15 A-5 *Fantan*; 21 MiG-29SE; 2 MiG-29UB *Fulcrum*; 3 MiG-23BN; 10 F-7 (MiG-21). & **transport aircraft:** 1 An-26 *Curl* (modified for bombing); 4 C-130H *Hercules*; 3 DHC-5D *Buffalo*; 2 Y-8; 1 An-30 *Clank*; 1 An-74TK-200/300; 1 *Falcon 20 (VIP)*; 1 *Falcon 50 (VIP)*; 1 *Fokker 27 (VIP)*.

³ 'Bombardement: Evidence of aerial and artillery attacks in the Nuba Mountains', Satellite Sentinel Project, 30 June 2011.

⁴ 'Armed Entities in South Kordofan', Small Arms Survey, June 2011.

Any arms transfers to either the SAF or the SPLA, including the physical movement of conventional arms, must be approved by the Joint Defence Board, otherwise any deliveries are a violation of the CPA..

Arms to the Sudanese Armed Forces

The Russian Federation and the People's Republic of China have been the main suppliers of military aircraft to the Sudan Air Force.⁵

In 2008 and 2009, Russia exported eight attack helicopters, according to data submitted by the Russian Federation to the UN Register of Conventional Arms.⁶ Russia has been exporting attack helicopters annually since 2004, according to the UN Register of Conventional Arms. A Russian company on behalf of the Government of Sudan maintains the Mi-17 and Mi24 attack helicopters.⁷ Sudanese military personnel have been trained at the Combat and Conversion Training centre of the Air Force at Torzhok in Russia as pilots for the Mi-24s.⁸

In October 2006 the Sudanese government reportedly asked the Russian Government for a US\$1 billion loan to fund the purchase of new fighters and helicopter gunships.⁹ Sudan acquired three Antonov 26 military utility planes, a type of aircraft used regularly for indiscriminate aerial bombing in Darfur, and one such aircraft was delivered from Russia to Sudan in March 2004 and another in September 2006.¹⁰

In 2009, Russia exported 15 armoured combat vehicles in 2009, according to data submitted by the Russian Federation to the UN Register of Conventional Arms.¹¹

China has been one of the main suppliers of conventional arms to the SAF. In 2009 and 2008, China supplied Sudan \$23,773,782 worth of large caliber guns, howitzers & mortars (self propelled and not self-propelled)¹² as well \$10,967,538 worth of tanks and other armoured fighting vehicles¹³ and \$1,824,186 worth of military firearms including machineguns, assault rifles and combat shotguns, according to UN

⁵ <http://www.amnesty.org/en/library/asset/ACT30/011/2008/en/19ea0e74-8329-11dd-8e5e-43ea85d15a69/act300112008en.pdf>

⁶ Data submitted by Russian Federation on 28 May 2010 and 29 May 2009.

⁷ The Government of the Russian Federation states that the Mi-17s and M-24 were exported to Sudan after receiving a declaration from the Sudanese that these supplies would not be used in North, West or South Darfur.

⁸ Letter from the Permanent Representative of the Russian Federation to the UN Panel of Experts on Sudan, 5 October 2007.

⁹ UN Register of Conventional Arms for 2004; Flight International, 21-27 November 2006; "MiG-29 Fulcrum High-Performance Combat Aircraft, Russia", airforce-technology.com, undated, <http://www.airforcetechnology.com/projects/mig29>; "Russian MiGs in Sudan", Charles R. Smith, NewsMax.com, 4 January 2002, <http://archive.newsmax.com/archives/articles/2002/1/4/155909.shtml>; "Mig-29SMT – Contracts, Orders, Sales" (regarding transfers to Sudan). "African MiGs – Part 3" by Tom Cooper, Air Combat Information Group (www.acig.org), http://www.acig.org/artman/publish/article_197.shtml; "Sudan: Civil War Since 1955" by Tom Cooper, Air Combat Information Group (www.acig.org), 2 September 2003, http://www.acig.org/artman/publish/article_180.shtml.

¹⁰ Delivery of Antonov registration ST-ZZZ in September 2006 according to aviation sources including Aero Transport DataBase; for background see Amnesty International Report *Sudan: Arming the Perpetrators of Grave Abuses in Darfur*, 16 November 2004 AI Index: AFR 54/139/2004, pg. 10; "World Military Aircraft Inventory", *Aviation Week & Space Technology*, 2005-2007.

¹¹ Data submitted by Russian Federation on 28 May 2010.

¹² Based on the Harmonised System code 930111.

¹³ In 2009 only, Based on the Harmonised System code 871000.

Comtrade data submitted by Sudan on its arms imports.¹⁴ China only reports the trade in sporting and hunting shotguns and rifles.

Belarus exported to Sudan armoured vehicles in 2007¹⁵ and 2004¹⁶, and 32 large calibre artillery systems in 2003, according to data submitted by Belarus to the UN Register of Conventional Weapons.¹⁷

In September 2007, the Sudanese Minister of Defence, Lt-Gen Abdel-Rahim Mohamed Hussein, told reporters that Sudan's main military suppliers are Belarus, China, Democratic People's Republic of Korea, Indonesia, Iran, Malaysia and Russia, and that Sudan has signed cooperation deals with China and Russia to modernize its air force.¹⁸

Arms to the SPLA

The SPLA is the official army of the south. According to the International Institute for Strategic Studies, the SPLA's arsenal includes armoured vehicles, artillery, mortars, and SALW.¹⁹ There is less publicly available information about arms exports to the SPLA.

Researchers working for the Small Arms Survey and Amnesty International investigated shipments of arms that the SPLA received from the Ukraine through Kenya in 2007 and 2008.²⁰ The shipments included 77 T-72 main battle tanks, unknown quantity of 125mm tank ammunitions, anti-aircraft guns, 122 multiple rocket launchers and automatic rifles.²¹

The US Government has provided military training and assistance to the SPLA, reportedly costing annually \$100 million.²² According to official documents the:

“U.S. Department of State is assisting in the transformation of the SPLA from a largely guerrilla force to a regular military operating under the Government of Southern Sudan (GOSS), or at an appropriate future juncture, as part of a national army under a government of national unity or its unified successor. As part of this assistance, the US Department of State will support the creation and the development of the training and advisory team(s) in Juba,

¹⁴ Based on the Harmonised System code 930190.

¹⁵ Two BTR-70 Delivered from the territory of the exporter after modernization as “Kobra K2K” and MTP “Kobra K2”, Origin from the Russian Federation, according to data submitted by Belarus on **22 May 2008**.

¹⁶ In 2004, Belarus exported a total of 41 **armoured combat vehicles**, including 21 BRDM-2D, seven BTR-80, ten BTR-70 and 1 BMP-1, according to data submitted by Belarus to the UN Register of Conventional Arms. According to this data the armoured combat vehicles were originally from the Russian Federation. Data submitted by Belarus on 31 May 2005.

¹⁷ Data submitted by Belarus on 26 May 2004.

¹⁸ *Sudan Tribune* 3 September 2007.

¹⁹ IISS, *Military Balance 2010*

²⁰ See case study 3 on ‘Ukrainian arms shipments to the SPLA’ in *Skirting the Law: Sudan’s Post CPA Arms Flows*, Mike Lewis, Small Arms Survey, 2009, pp.39; and *The Karamoja Cluster of eastern Africa: Arms transfers and their repercussions on communal security perceptions* by Ken Matthysen, Sergio Finardi, Brian Johnson-Thomas and Peter Danssaert, IPIS vzw/TransArms, 2010.

²¹ See case study 3 on ‘Ukrainian arms shipments to the SPLA’ in *Skirting the Law: Sudan’s Post CPA Arms Flows*, Mike Lewis, Small Arms Survey, 2009, pp.39; and *The Karamoja Cluster of eastern Africa: Arms transfers and their repercussions on communal security perceptions* by Ken Matthysen, Sergio Finardi, Brian Johnson-Thomas and Peter Danssaert, IPIS vzw/TransArms, 2010.

²² ‘US millions fund Sudan army; worries over abuses’, Maggie Fick, 2 July 2011.

Southern Sudan to provide training and mentorship to SPLA soldiers and senior officers.”²³

A team of contracted advisors “will provide guidance and assistance to the Government of Southern Sudan’s Ministry of Defence (MOD) and armed forces.”²⁴ The Statement of Work from the Bureau of African Affairs for the Southern Sudan Transformation Training and Advisory Team describes the duties and qualifications expected of the contracted advisors. There is no mention of any advisor being responsible for providing training to the SPLA on international human rights law or international humanitarian law. The only reference to human rights is under the duties of the Military Justice and Equal Opportunity Advisor to military justice programs who is to “provide guidance and expertise on the fundamental and legal aspects of establishing and implementing military justice programs which upholds basic human rights and equal opportunity programs within the military,....”²⁵ From the records it is not clear when and to whom this contract was awarded.

US diplomatic cables released by Wikileaks shed more light on the nature of the US military training and assistance, which otherwise is not forthcoming from the US Government. On two occasions the International Peace Information Service tried to obtain the DynCorp contract from the US State Department through the Freedom of Information Act.²⁶ In both instances the FOIA case was closed by the State Department.²⁷

This cable, dated 16 December 2009, also refers to the arms deliveries from the Ukraine to the Government of Southern Sudan via Kenya.²⁸

*“Over the past two years, [Kenyan Ministry of Defence] KMOD officials have shared full details of their engagement with the SPLA as we have **shared details of our training program for the SPLA, including combat arms soldier training, under a May 2007 Presidential Directive [emphasis added].**”*²⁹

²³ See Solicitation Number: 1015-Advisors, posted 6 March 2008; and Statement of Work, Bureau of African Affairs, Southern Sudan Transformation, Training and Advisory Team, US State Department, p3. Posted 6 March 2008 (<https://www.fbo.gov>)

²⁴ See Solicitation Number: 1015-Advisors, posted 6 March 2008; and Statement of Work, Bureau of African Affairs, Southern Sudan Transformation, Training and Advisory Team, US State Department, p3. Posted 6 March 2008 (<https://www.fbo.gov>)

²⁵ See Solicitation Number: 1015-Advisors, posted 6 March 2008; and Statement of Work, Bureau of African Affairs, Southern Sudan Transformation, Training and Advisory Team, US State Department, p3. Posted 6 March 2008 (<https://www.fbo.gov>)

²⁶ FOIA Request 27 June 2007; FOIA 26 September 2007.

²⁷ Letter State Department 17 August 2007; Letter State Department 17 December 2007.

²⁸ For more information on these deliveries see The Karamoja Cluster of eastern Africa: Arms transfers and their repercussions on communal security perceptions by Ken Matthysen, Sergio Finardi, Brian Johnson-Thomas and Peter Danssaert, IPIS vzw/TransArms, 2010; and ‘Skirting the Law: Sudan’s Post CPA Arms Flows’, Mike Lewis, Small Arms Survey, 2009, pp.35.

²⁹ Cable “SUBJECT: Kenya responds to Sudan tank demarche”, dated 16 December 2009 (<http://213.251.145.96/cable/2009/12/09NAIROBI2497.html>). See The Karamoja Cluster of eastern Africa: Arms transfers and their repercussions on communal security perceptions by Ken Matthysen, Sergio Finardi, Brian Johnson-Thomas and Peter Danssaert, IPIS vzw/TransArms, 2010.