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Austrian Centre for Country of Origin
& Asylum Research and Documentation

Darfur

COI Compilation

September 2017



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This report serves the specific purpose of collating legally relevant information on conditions in countries of origin pertinent to the assessment of claims for asylum. It is not intended to be a general report on human rights conditions. The report is prepared within a specified time frame on the basis of publicly available documents as well as information provided by experts. All sources are cited and fully referenced.

This report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should refer to the full text of documents cited and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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List of Abbreviations

ACJPS – African Centre for Justice and Peace Studies

CRP – Central Reserve Police

JEM - Justice and Equality Movement

LJM – Liberation and Justice Movement

NCP - National Congress Party

NISS – National Intelligence and Security Services

SLA-AW (aka SLM-AW) – Sudan Liberation Army-Abdul Wahid Mohamed al Nur

SLA-MM (aka SLM-MM) – Sudan Liberation Army-Minni Minawi

RSF - Rapid Support Forces

SAF - Sudanese Armed Forces

SRF - Sudan Revolutionary Front

SLM - Sudan Liberation Movement

SPLM-N - Sudanese People’s Liberation Movement-North

PDF - Popular Defence Forces

SLA-TC – Sudan Liberation Army Transitional Council

SLM-TC - Sudan Liberation Movement Transitional Council

UNAMID – African Union/United Nations Hybrid operation in Darfur

A detailed map of places in Darfur has been created by the UN Office for the Coordination of Humanitarian Affairs (UN OCHA) in 2012 and can be accessed via the following link:

- UN OCHA: Sudan – Darfur: Administrative Map, September 2012
http://reliefweb.int/sites/reliefweb.int/files/resources/map_2983.pdf

1 Security situation in Darfur since 2016

The Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) publishes short overviews of conflict-related incidents in Sudan based on data assembled by the Armed Conflict Location & Event Data Project (ACLED) of the University of Sussex. In the 2016 overview the total number of recorded casualties is listed for each of the five Darfur regions, with Central Darfur as the region with the highest casualty rate:

“In Central Darfur, 292 incidents killing 1318 people were reported. [...]

In East Darfur, 40 incidents killing 62 people were reported. [...]

In North Darfur, 284 incidents killing 347 people were reported. [...]

In South Darfur, 184 incidents killing 351 people were reported. [...]

In West Darfur, 73 incidents killing 136 people were reported.” (ACCORD, 9 February 2017)

For each region, the number of casualties is followed by a list of places in which security related incidences occurred. The list can be accessed via the following link:

- ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Sudan, year 2016: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED), 9 February 2017 (available at [ecoi.net](http://www.ecoi.net))
http://www.ecoi.net/file_upload/5250_1486727170_2016ysudan-en.pdf

In its report to the UN Security Council, the Panel of Experts on the Sudan gives the following account of armed conflict in Darfur following a monitoring period of October until December 2016, explaining that while clashes between rebels and government troops have been limited to the Jebel Marra region, intercommunal violence and militia activity occur all over Darfur:

“JEM [Justice and Equality Movement] and SLA/MM [Sudan Liberation Army-Minni Minawi] no longer have a significant presence in Darfur as a result of the Government’s effective counter-insurgency strategy. JEM now operates mostly in South Sudan, while SLA/MM operates mainly in Libya. These groups are engaged in mercenary activities and, allegedly, in criminal activities in those countries. The conflict between the Government and armed groups in Darfur has been limited to the Jebel Marra area, where SLA/AW [Sudan Liberation Army-Abdul Wahid] continues to control pockets of territory. The fighting has resulted in the significant displacement of civilians. Analysis of the information available to the Panel from 2016 has highlighted the use of extensive offensive military overflights in Jebel Marra by the Sudanese Armed Forces to conduct aerial bombardments with a variety of air-to-ground weapons. [...] While the conflict has remained circumscribed geographically to the Jebel Marra area, localized intercommunal violence, militia activity and banditry have continued unabated in the five states of Darfur, posing a threat to

internal security and stability. Sexual and gender-based violence remains a serious concern, in particular for vulnerable populations at camps for internally displaced persons, and the perpetrators continue to operate in a climate of impunity.” (UN Security Council, 9 January 2017, p. 3)

In his statement to the Office of the High Commissioner for Human Rights (OHCHR), Aristide Nononsi, a member of the Panel of Experts on the Sudan, in May 2017 gives similar information regarding the decline in hostilities between government troops and rebels, while at the same time attacks on civilians have continued:

“Since my last visit in February 2017, I have noted some positive developments. In this regard, I welcome the decision of the President of The Sudan of 8 March 2017 to pardon 259 armed movement personnel who were captured during fighting with government forces in Darfur. This number included 66 fighters who had been sentenced to death. [...]

In Darfur, I note that the ceasefire is generally holding. Despite the cessation of hostilities between government forces and armed opposition movements, threats of violence and attacks against civilians have continued in other forms. These include inter-communal violence, sexual violence and abductions of civilians. I call on the Government of the Sudan to focus on the implementation of provisions of the Doha Document for Peace in Darfur (DDPD) relating to disarmament and disbanding militias so that the protection concerns in the region may be addressed.” (OHCHR, 21 May 2017)

A June 2017 report by the UN Secretary-General on the African Union-United Nations Hybrid Operation [UNAMID] in Darfur gives the following overview of recent developments regarding the armed conflict in Darfur, stating that while the overall level of armed clashes has been reduced, the root causes of the conflict remain unresolved:

“During the reporting period, the level of armed hostilities in Darfur remained significantly lower than in previous years. The non-signatory armed movements attempted to reassert their military presence in Darfur, but remained unable to conduct sustained operations in the face of the military dominance of the Government of the Sudan. In response to intercommunal conflict during the migration season, state and local governments and community leaders, supported by UNAMID, undertook preventive and mitigation measures, resulting in a lower level of violence as compared with previous years. However, the root causes of such disputes, as they relate to the ownership of and access to land and other resources, remained unresolved. Civilians and internally displaced persons were exposed to physical attacks, most often by armed militia and government security personnel. Despite an overall improvement in security conditions as compared with one year ago, the lack of significant progress towards effectively addressing the root causes and consequences of the conflict, especially with respect to the issue of land and presence of armed militias, prevented the further stabilization of the situation in Darfur.” (UN Security Council, 14 June 2017, p. 1)

The ACCORD update on incidents of violence for the first quarter of 2017 with data provided by ACLED lists 35 incidents in Central Darfur, killing 67 people, 15 incidents with 46 killings in

East Darfur, 57 incidents with 47 killings in North Darfur, 15 incidents with 9 killings in South Darfur and 17 incidents with 16 people killed in West Darfur (ACCORD, 22 June 2017).

For each region, the number of casualties is followed by a list of places in which security related incidences occurred. The list can be accessed via the following link:

- ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Sudan, first quarter 2017: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED), 22 June 2017 (available at [ecoi.net](http://www.ecoi.net))
http://www.ecoi.net/file_upload/5250_1498551881_2017q1sudan-en.pdf

The Overseas Security Advisory Council (OSAC), a US organisation for the promotion of cooperation between the US Department of State and private security companies, mentions in its Crime and Safety report of May 2017 that “Carjacking by gangs and militia groups continues to be a common occurrence throughout the Darfur region. The threat of other violent crime (home invasions, armed robberies, kidnappings) is particularly high in Darfur, as the government has limited capacity and resources to combat crime there.” (OSAC, 10 May 2017)

The Dutch Ministry of Foreign Affairs (Ministerie van Buitenlandse Zaken, BZ) in its general report on Sudan of June 2017 (reporting period July 2015 until May 2017) notes that tribal conflicts are accompanied by a proliferation of tribal armed militia involved in setting up illegal checkpoints, carrying out abductions and carjacking as well as illegally occupying land. During the reporting period, incidents involving crime and banditry increased in Darfur. A total of 2,402 criminal incidents were registered with a total of 853 deaths. Criminal gangs, militias and armed nomads took advantage of the weak rule of law, the impunity and security vacuum in Darfur. They committed different forms of crime, such as attacking civilians and displaced persons, burglary, theft, murder, rape, armed robbery, abduction and extortion. While government measures led to a reduction in the number of criminal incidents in populated areas (cities), the number of incidents remained the same or even increased in other areas within Darfur. In East Darfur and West Darfur, the measures taken by the government also prompted resistance among the Arab population and led to attacks on government officials. In general, crime in Darfur remained high, especially at the edges of cities and in more remote areas. (BZ, 20 June 2017, p. 28)

1.1 Clashes between government forces and armed opposition movements

This section also contains information on attacks by government forces or its allied militias on civilians.

A report by Human Rights Watch of September 2015 briefly outlines the main rebel movements in Darfur as well as their area of control:

“Throughout most of the Darfur conflict, the three largest rebel factions have been the Sudan Liberation Army faction led by Abdul Wahid Mohammed Ahmed el-Nur (SLA/AW), the Sudan Liberation Army faction led by Minni Arko Minnawi (SLA/MM), and the Justice and Equality Movement led by Gibril Ibrahim (JEM). Rebel fighters have come primarily from three ethnic groups: the Zaghawa, the Fur, and the Massalit; however, many other tribes are also represented, including some members of Arab tribes. Beginning in 2006,

perhaps earlier, the three factions began splintering into dozens of smaller groups, often divided along ethnic lines. [...]

The size of the areas controlled by rebel groups, and the degree of control, has varied significantly throughout the conflict. In 2015, the rebel movements appear to control less territory than at any point since the start of the conflict. The SLA/MM is now reduced to isolated pockets in rural North Darfur, with the SLA/AW controlling rural areas in Jebel Marra and East Jebel Marra. The JEM, which has long claimed that its objectives are national and not to hold territory in Darfur, controls virtually no territory.” (HRW, 9 September 2015)

The Heidelberg Institute for International Conflict Research (Heidelberger Institut für Internationale Konfliktforschung, HIIK) in February 2017 publishes its Conflict Barometer report which analyses political conflicts in the world for the year 2016. Regarding Sudan, the report summarises the conflict between armed groups and the government throughout 2016 in the following terms:

“The war over autonomy and resources, such as water and land rights, as well as control over gold mines, between various armed groups and the government continued. As in the last 13 years, the Sudan Revolutionary Front (SRF) contested ethnic Arab domination over African tribes in the country’s peripheral regions with conflict-related actions intensifying as compared to last year. SRF is an armed opposition’s platform comprising the Sudan Liberation Movement (SLM), including its factions led by Abdul Wahid al-Nur (SLM-AW) and Minni Minawi (SLM-MM), the Justice and Equality Movement (JEM), led by Gibril Ibrahim, as well as the Sudanese People’s Liberation Movement-North (SPLM-N), which mostly operated in the states of Blue Nile and South Kordofan. The government employed its regular armed forces, the Sudanese Armed Forces (SAF) and the Sudanese Air Force, as well as the paramilitary Rapid Support Forces (RSF), mostly comprising the so-called Janjaweed and the Popular Defence Forces (PDF). The African Union/UN Hybrid operation in Darfur (UNAMID) also continued to operate. [...]

At the end of December 2015, the government under President Omar al-Bashir had extended the latest ceasefire for the Darfur region for one additional month. In early January, both the government and the SLM-AW accused the other side of breaking the ceasefire in the region of Jebel Marra, a mountain range located in the states of South, North and Central Darfur. This year, SLM-AW was involved in most of the fighting, while the other armed groups reduced their armed activities in the context of peace negotiations. Beginning on January 15, SAF, supported by RSF, conducted a large-scale military offensive in the Jebel Marra region with the goal of clearing the area of SLM-AW holdouts. The Sudanese Air Force supported the ground offensive through daily air raids in the area. By the end of January, 44,700 people were newly displaced to refugee camps throughout Darfur, with some entering neighboring Chad. Government and military officials frequently called the military campaign a success and guaranteed the safety for all IDPs to return home, while denying systematic attacks on civilians in the affected areas. Throughout the first half of the year, heavy fighting reportedly took place on an almost daily basis, with both sides offering conflicting statements on the number of casualties.

Due to the government preventing UNAMID and aid organizations from entering conflict-affected regions, including this year's hot spot of Jebel Marra region, battle reports were difficult to verify. From February 15 to 17, heavy fighting occurred in the area of Kutum, Central Darfur, with the SLM-AW claiming to have killed 47 government troops and wounded 19 others. On March 9, the SLM-AW supposedly killed 47 military troops in an attack on a military convoy of heavily armored vehicles accompanied by paramilitary tribal fighters, allegedly belonging to RSF. A week later, on March 16, the SLM-N and SLM-AW reportedly killed 71 government troops in a battle southeast of Gulo in Central Darfur. On the same day, the government reinforced its military presence in Jebel Marra by sending hundreds of additional military vehicles into the region. From April 4 to 10, a six-day battle between government and SLM-AW forces took place south of Golo, Central Darfur, with government and militia troops reportedly numbering 5,000 men. According to SLM-AW reports, up to 1,000 government troops died, while other media reports spoke of approx. 100. The government denied all reports of this battle. A few days later, on April 13, the SLM-AW confirmed statements by the government that they controlled the Sarong area in Central Darfur. As of June, various aid organizations suggested that the escalation in Darfur since January had caused 150,000 new IDPs, with the possibility of 30,000 more people hiding out in caves in the mountains. The IDPs mainly fled Sudanese Air Force raids, which were flown with Antonov aircrafts and, as in previous years, reportedly also targeted civilians and infrastructure. Following the air raids, RSF frequently looted and burned down villages. In late June, al-Bashir declared a unilateral ceasefire in Darfur, after having already announced a four-month ceasefire in Blue Nile and South Kordofan. By July and August, the Sudanese Air Force reduced the number of bombardments conducted, with government troops and allies controlling much of Jebel Marra. Nevertheless, the SLM-AW occasionally reported military victories. On July 22, SRF proclaimed to have killed over 100 SAF and RSF troops during fighting in western Jebel Marra. In a similar incident two months later, on September 17 and 18, the SLM-AW supposedly killed at least 71 government troops, after being attacked in western Jebel Marra. On September 29, a Human Rights group released a report on the fighting in Jebel Marra, stating that the government had used chemical weapons in at least 30 attacks, killing between 200 and 250 people. Furthermore, the air raids destroyed at least 171 villages and much livestock since the beginning of the year. SRF claimed that up to 1,500 people died in the chemical weapon attacks. The government denied all allegations. After months of negotiations, SRF agreed to sign a ceasefire agreement with the government on October 30 that promised coordinated peace talks in Darfur, Blue Nile and South Kordofan, areas in which all three rebel groups had been involved in fighting. The SLM-AW leadership split on the issue of whether to join the peace talks with the government. On November 6, a group of SLM-AW defectors led by El Amin El Tahir and Abu Jamal Bakr signed a peace agreement with the Central Darfur government in Zalingei." (HIIK, February 2017, pp. 91-92)

The British daily newspaper The Guardian in a May 2017 commentary by Niemat Ahmadi, president and founder of the Washington-based Darfur Women Action Group, indicates violations against civilians committed by the Sudanese Armed Forces (SAF) as well as their allied militias, the Janjaweed and the Rapid Support Forces (RSF):

“The trouble in Darfur has never been about the fighting between rebel and Sudanese forces. It’s about the Sudanese government’s systematic burning of villages, slaughter of innocent citizens and orders for the rape of women and girls – acts resulting in the international criminal court’s indictment of President al-Bashir and others. Actually, violence has increased in 2016 and 2017, including allegations, brought by credible sources, of chemical attacks and rape. Attacks have been perpetrated by Sudanese armed forces, including the Janjaweed and Rapid Support Forces, against helpless internally displaced people. Just this past week, a camp was burned down. Though the African Union-United Nations Mission in Darfur (Unamid) now states, as its leader, Rodolphe Adada, did in 2007 that ‘the war in Darfur is over,’ it is actually Unamid’s failure that has led its leadership to falsify success, disregarding the suffering of the people whose protection it is responsible for. Today, as Khartoum continues to isolate Darfur, more than 3 million Darfuris, languishing in camps for nearly 14 years, have had their lands reallocated to Khartoum loyalists.” (The Guardian, 2 May 2017)

The international non-governmental organisation Human Rights Watch (HRW) mentions attacks by government forces on Jebel Marra throughout 2016:

“During government offensives in Darfur in 2014-2015, the Rapid Support Forces led massive attacks on hundreds of villages, burning and destroying homes, and committing serious abuses, including rape and killings that may be crimes against humanity. Government forces also launched a major offensive with ground and air forces on Jebel Mara in 2016, destroying hundreds of villages and displacing up to 195,000 people. Amnesty International reported on allegations of chemical weapons use during the offensive.” (HRW, 3 May 2017)

The Sudan Democracy First Group (SDFG), a think tank for human rights and umbrella group of leading Sudanese independent and democratic civil society actors, in a statement of January 2016 denounces attacks by the Sudanese army on civilians in the area of Nertiti [Jebel Marra] in Central Darfur:

“On the first day of 2016, and only one day after President Bashir’s announcement of a one-month cease fire in the three conflict zones, the Sudanese Army and its allied militias attacked the area of Nirtiti in Central Darfur state. Wearing the uniform of the Sudanese Army, the attackers took over the area for several hours, assaulting people in their homes and neighborhoods, killing and wounding tens of civilians with the death toll continuing to climb. The raid on Nirtiti took place within the area of operation of United Nations/African Union Mission in Darfur (UNAMID) forces: UNAMID did nothing to stop the attack or protect civilians as per their mandate. The raid on Nirtiti is understood to be a reprisal by the army for the killing a soldier whose body was found in the outskirts of the city the previous day.” (SDFG, 2 January 2016)

The Paris-based online newspaper Sudan Tribune also reports on the above-mentioned attacks in Nertiti, Central Darfur:

“Sudanese government forces in Nertiti, Central Darfur State, killed at least nine civilians on Sunday with guns in an apparent revenge attack for the murder of a soldier, a local

activist said. Abdallah Saleh al-Shafie humanitarian official of displaced persons and refugees association told Sudan Tribune that the government forces in Nertiti launched an indiscriminate attack on the civilians using heavy and light weapons after a soldier was found dead in the area. Al-Shafie confirmed that nine people were killed and 60 wounded, some of them are seriously hurt. He added that government troops looted civilian property and broke into shops in Nertiti-North and Nertiti-South markets. [...]

The humanitarian official said dozens of wounded civilians are treated at the UNAMID hospital as Nertiti hospital was unable to receive them. Further the government forces arrested 15 people during the 'barbaric and savage,' attack, as he said, while others fled the area and sought protection in the area just outside the UNAMID site." (Sudan Tribune, 2 January 2017)

The African Centre for Justice and Peace Studies (ACJPS), a non-profit, non-governmental organisation for the promotion of human rights in Sudan, in a press statement of January 2016 reports on violations committed by members of the Rapid Support Forces (RSF) as well as state security services against civilians in El Geneina, West Darfur:

"Sudanese authorities should immediately put in place measures to ensure the protection of civilians in and around El Geneina, the capital city of West Darfur state, and reign in state security forces following the lethal shooting of at least ten civilians by police and security personnel and the burning and looting of the nearby village of Mouli, approximately 15 kilometers south of El Geneina over the past week. Mouli was attacked and burned to the ground by suspected members of the Government's Rapid Support Forces on 9 and 10 January. Four residents of Mouli were abducted during the attacks and their whereabouts remain unknown. On 10 January, Central Reserve Police and National Intelligence and Security Services (NISS) fired live ammunition and tear gas to disperse an angry crowd that had gathered in front of the West Darfur Governor's offices in El Geneina and set fire to property. It is thought that most people in the crowd had been displaced from Mouli earlier that morning and headed to the State governor's office to demand protection. At least seven people were killed, including one 16-year old boy, and ten were injured when authorities fired on the crowd." (ACJPS, 14 January 2016)

The UN Secretary-General in his July 2016 report to the UN Security Council on the activities of the UNAMID mission in Darfur gives a brief overview of the fighting between the rebel faction Sudan Liberation Army/Abdul Wahid (SLA/AW) and government forces as well as areal bombardment in the Jebel Marra area within the reporting period March until June 2016:

"Fighting between government forces and Sudan Liberation Army/Abdul Wahid (SLA/AW) elements continued in parts of the Jebel Marra throughout the reporting period. Clashes were reported in areas north-east of Nertiti, Central Darfur, on 22 and 23 March and 1 and 4 April, with government forces allegedly attacking the villages of Kwila, Kadingo, Koron, Solow, Hilat Tusug, Boringakari and Mari. Aerial bombardments were also reported in the area, including in Jokosti, Miela, and Dagingja around Golo between 4 and 18 March and Sarrong between 17 March and 9 April. The Government also launched air strikes south-east of Nertiti in the villages of Galol, Jaro, Dirma and Dirsra on 23 March, as a result of which two children were reportedly injured." (UN Security Council, 1 July 2016, p. 1)

In his subsequent report on UNAMID activities of September 2016 (reporting period June until September 2016) the UN Secretary-General gives an update on rebel activities in Jebel Marra:

“As a result of its recent air and ground military operations, the Government of the Sudan partially succeeded in limiting the area of operations of SLA/AW by dislodging its combatants from several of its bases in the foothills of the Jebel Marra. However, SLA/AW continued to maintain pockets of presence in areas close to Sortony, North Darfur, and prevented the takeover by the Sudanese Armed Forces of the main mountainous part of the Jebel Marra in Central Darfur, in particular the area east of Nertiti, south of Golo, and between Rockero and Golo.” (UN Security Council, 27 September 2016, pp. 1-2)

In September 2016 Human Rights Watch (HRW) reports on attacks carried out by the SAF, RSF and other allied militias throughout 2016 on villages in the rebel held areas of Jebel Marra, leading to the death of civilians as well as mass displacement:

“In January, Sudan’s armed forces, including the Rapid Support Forces and allied militia, launched coordinated ground and air attacks on populated villages in Jebel Marra, the rebel stronghold in Central Darfur. These attacks continued for much of the year, following Sudan’s ‘Operation Decisive Summer’ campaigns in Darfur in 2014 and 2015. Government forces killed civilians, raped women and girls, and destroyed hundreds of villages. In September, the United Nations found the violence had displaced up to 190,000 people, many of whom are not accessible to humanitarian agencies. Elsewhere in Darfur, attacks on civilians by government forces and inter-communal fighting over land and resources also resulted in deaths, destruction and displacement. Amnesty International alleged that the government used chemical weapons against civilians. However, Sudan, a party to the Chemical Weapons Convention since 1999, denied the findings and limited the scope of investigation by the Organization for the Prohibition of Chemical Weapons (OPCW). Government authorities continued to block the African Union/United Nations peacekeeping mission, UNAMID, from much of the Jebel Marra region, undermining the mission’s ability to protect civilians.” (HRW, 8 September 2016)

The international human rights organisation Amnesty International (AI) in its annual human rights report on Sudan of February 2017 (covering 2016) provides more information on the military campaign of the Sudanese government in the Jebel Marra region from January until May 2016, with operations carried out by the Sudanese Air Force until September 2016. According to AI, satellite imagery as well as interviews with victims suggest chemical attacks perpetrated by government forces in the area:

“The security and humanitarian situation in Darfur remained dire, as the armed conflict entered its thirteenth year in 2016. In January, government forces launched a large-scale military campaign in the Jebel Marra area of Darfur. Co-ordinated ground and air attacks targeted locations throughout Jebel Marra until May. After that, the seasonal rains intensified, making ground attacks impractical throughout most of the area; air operations continued, however, through to mid-September. A large number of crimes under international law and human rights violations committed by Sudanese government forces were documented, including the bombing of civilians and civilian property, the unlawful killing of men, women and children, the abduction and rape of women, the forced

displacement of civilians and the looting and destruction of civilian property, including the destruction of entire villages. Evidence was also documented that suggested the Sudanese government forces repeatedly used chemical weapons during attacks in Jebel Marra. Satellite imagery, more than 200 in-depth interviews with survivors and expert analysis of dozens of images of injuries indicated that at least 30 probable chemical attacks took place in Jebel Marra between January and September 2016. An estimated 200 to 250 people may have died as a result of exposure to chemical weapons agents, with many – or most – being children. Most survivors of the suspected chemical weapons attacks had no access to adequate medical care.” (AI, 22 February 2017)

The full report by Amnesty International regarding the aforementioned chemical attacks in the Jebel Marra region can be accessed via the following link:

- AI - Amnesty International: Scorched earth, poisoned air: Sudanese government forces ravage Jebel Marra, Darfur [AFR 54/4877/2016], 29 September 2016 (available at [ecoi.net](http://www.ecoi.net/file_upload/1226_1475481693_afr5448772016english.pdf)) http://www.ecoi.net/file_upload/1226_1475481693_afr5448772016english.pdf

According to the March 2017 US Department of State (USDOS) report on human rights practices in Sudan (covering 2016), “UN monitors were unable to verify the alleged use of chemical weapons, due in part to lack of access to Jebel Marra and insufficient corroborating evidence.” The report goes on to state, however, that the report by Amnesty International “that also alleged the government engaged in scorched earth tactics was corroborated by multiple sources from Darfur.” (USDOS, 3 March 2017, section 1g)

The UN Secretary-General in his December 2016 report on UNAMID activities in Darfur (covering October until December 2016) notes a reduction in armed hostilities throughout the reporting period:

“There was no major armed conflict in Darfur during the reporting period. Nevertheless, the situation remained volatile in the absence of progress towards a comprehensive agreement addressing the root causes of the violence. Hostilities involving the armed movements decreased as a result of the government military offensive, which limited the armed rebellion to a small part of the Jebel Marra, and the effect of the rainy season on the mobility of military forces.” (UN Security Council, 23 December 2016, p .1)

In its January 2017 report to the UN Security Council, the Panel of Experts on the Sudan gives a detailed account of the January 2016 military operation in Jebel Marra against the rebel group Sudan Liberation Army-Abdul Wahid (SLA-AW). This operation is said to have been carried out as a cooperation between the Sudanese Armed Forces (SAF), the government-affiliated militia Rapid Support Forces (RSF) as well as tribal militia of the Arab Rizeigat tribe:

“In early January 2016, the Government launched a large-scale offensive on SLA/AW in Jebel Marra, involving a combination of the Sudanese Armed Forces and the Rapid Support Forces. In previous years, given the mountainous nature of the terrain, government forces had been unable to dislodge SLA/AW fighters from Jebel Marra and take full control of the area. In 2016, government forces carried out operations to encircle the group and cut off its supply networks and its links with the local communities. Government forces took

control of some key routes to Jebel Marra, while an armed group of Rizeigat herders reportedly blocked the strategic Sortony-Kabkabiyah road in North Darfur. The government forces attempted to clear rebel-controlled areas through intensive aerial bombardments; these operations resulted in significant displacement of the population. Government security forces have taken control of villages considered to be SLA/AW strongholds, such as Sarong, south-east of Golo, Fanga Suk and Rockero. They also have made it more difficult for SLA/AW to access supplies, medicine and ammunition. The losses suffered by SLA/AW in the Jebel Marra area have fuelled internal tensions over the movement's strategy and Abdul Wahid al-Nour's leadership. Some field commanders reportedly feel that the group should not continue to fight in Jebel Marra against the more numerous, better-equipped government security forces and would prefer either to engage in the peace process or find a safe haven in Libya or elsewhere. Several high-profile commanders have defected in recent months. For instance, on 4 November 2016, a splinter group reportedly comprising around 200 fighters and led by Mohamed Al-Amin (Toro), one of the most influential SLA/AW force commanders, signed a peace deal with the Government. Although weakened, SLA/AW continues to engage in fighting against government forces. Abdul Wahid al-Nour remains an iconic figure for many in the Fur community, as well as the movement's political face. Despite increased external pressure, including from the United States and Chad, Abdul Wahid al-Nour continues to refuse to engage in any form of dialogue with the Government of the Sudan, which he deems illegitimate, and rejects the mediation by the African Union High-level Implementation Panel." (UN Security Council, 9 January 2017, pp. 10-11)

The USDOS human rights report of March 2017 (covering 2016) reports the following on air force and ground force attacks by government forces and groups affiliated with the government on places in Darfur, often affecting civilians:

"Killings: From January to September, military personnel and paramilitary forces committed numerous killings in Darfur and the Two Areas. In mid-January the government launched an aerial and ground offensive to dislodge the SLA/AW from its strongholds in the mountainous areas of Central, North, and South Darfur. According to press and NGO reports, RSF personnel under NISS command committed numerous killings, often after barrel bombs were dropped by Antonov An-26 aircraft during government offensives in Darfur and the Two Areas. Human rights groups reported such aerial bombardments disproportionately hurt civilians. Most reports were difficult to verify due to continued prohibited access to conflict areas, particularly Jebel Marra in Darfur and SPLM-N-controlled areas in South Kordofan and Blue Nile States. In late September, Amnesty International issued a report alleging that, during the first nine months of the year, the government engaged in scorched earth tactics and used chemical weapons in Jebel Marra, Darfur, resulting in deaths. UN monitors were unable to verify the alleged use of chemical weapons, due in part to the lack of access to Jebel Marra from rebel commanders loyal to Abdel Wahid. At year's end the OPCW had not been presented with sufficient corroborating evidence to conclude chemical weapons had been used. Clashes between government forces, government-armed militias, and rebel movements, notably the SLA/AW in Darfur and the SPLM-N in the Two Areas, resulted in casualties on all sides. Sudan Liberation Army/Minni Minawi and Justice and Equality Movement/Gibril were

generally inactive during the year. Intercommunal conflict and societal violence continued to be the most deadly consequences of the conflict in Darfur. The continued utilization and arming of local militias as proxies and the continued influence of these groups in part due to their heavy armament, coupled with widespread impunity, allowed the conflict to spread systemically as clashes over land, cattle, and other resources intensified. Clashes between heavily armed communal groups, particularly in East, South, and North Darfur, resulted in significant casualties (dead and injured) on all sides. Many deaths continued to be attributed to the SAF and militia groups. Security deteriorated in North Darfur. Violence in the Jebel Marra area of East Darfur, including indiscriminate SAF aerial and artillery bombardments, continued, although this largely ceased by September. [...]

SAF air raids resulted in civilian deaths and the destruction of fields and impeded the planting of crops throughout Darfur and the Two Areas. Throughout the year the SAF repeatedly bombed cultivated land, disrupting planting cycles, which, coupled with forced displacements and the denial of humanitarian assistance, resulted in near famine-like conditions. There were also numerous reports of the SAF using cluster bombs in both Darfur and the Two Areas. NGOs accused the government of using the denial of food as a weapon of war. [...]

On June 9, ICC prosecutor Fatou Bensouda reported to the UN Security Council that aerial bombardments had resulted in more than 400 civilian deaths and up to 200 villages destroyed. She also reported that air raids on January 21 on an East Jebel Marra village reportedly killed 48 women and destroyed six houses. The UN Security Council's Panel of Experts on Darfur stated it had evidence the country's air force had RBK-500 cluster bombs at the weapon-loading area at the Nyala Forward Operation Base. [...]

In April, SAF raids killed five children and injured 22. Multiple schools were reportedly bombed and others closed due to the fighting, particularly those near the front line. The Sudan Social Development Organization (SUDO UK), a UK-based human rights monitoring organization with sources on the ground in conflict areas, also reported that aerial bombardments in Darfur and the Two Areas killed 391 persons and injured 417. Various reports corroborated a minimum of seven aerial bombardments in Darfur in August alone, focused on the Jebel Marra region, Central Darfur, with two raids in North Darfur and one in South Darfur. There were numerous abuses similar to the following example: On August 29, in the North Darfur village of Kator, government-aligned militias attacked a group of displaced civilians, killing three and injuring four. The IDP's were fleeing earlier bombardments on their home village of Qabas. In Darfur clashes between the government and rebel factions continued, as did attacks by the government's RSF forces on unarmed civilians in South, North, and East Darfur and in the Two Areas. Ground attacks targeting civilians were also serious problems in both Darfur and the Two Areas. [...]

UNAMID reported 55 abductions in Darfur from January to September 15. While government or government-aligned entities perpetrated the majority of these abductions, some were carried out by unknown armed criminal groups. [...] UNAMID reported that abduction remained a coercive method adopted by the various tribes in Darfur to obtain the payment of diya ('blood money' ransom) claimed from other communities. Human

rights organizations accused government forces and rebel groups in Darfur and the Two Areas of perpetrating torture and other human rights violations and abuses. Government forces abused persons detained in connection with armed conflict as well as IDPs suspected of having links to rebel groups. There were continuing reports that government security forces, progovernment and antigovernment militias, and other armed persons raped women and children. [...]

Widespread impunity remained a major challenge, aggravated by government's limited capacity, the absence of a security environment conducive to civilian safety across Darfur, and use of excess force by security forces." (USDOS, 3 March 2017, section 1g)

The African Centre for Justice and Peace Studies (ACJPS) in a press statement of January 2017 refers to security related incidents in Nertiti [Central Darfur] and El Geneina [West Darfur] in December 2016 and January 2017, respectively, which involved government forces and allied militias and resulted in civilian deaths:

"The African Centre for Justice and Peace Studies (ACJPS) has documented the deaths of eight civilians and one member of the Sudanese Armed Forces (SAF) in two separate incidents between 31 December 2016 – 5 January 2017 in Aljeel neighbourhood, Nertiti and Al Jabal neighbourhood in El Geneina, West Darfur. On 31 December, the Sudanese Armed Forces (SAF) opened fire randomly on civilians in Aljeel neighbourhood, Nertiti after a SAF soldier was found dead the day prior, killing two civilians. On 5 January 2017, seventeen members of a local community militia, including members of the Rapid Support Forces (RSF) and the paramilitary Border Guards, attacked the home of a civilian accused of stealing a community members' livestock. The civilian threw a hand grenade at the group before he was subsequently killed. During the clash, five additional civilians attempting to flee the area were killed. Police responding to the violence were also repelled by the local community militia, with one police officer injured." (ACJPS, 13 January 2017)

The report by the UN Secretary-General on UNAMID activities in Darfur of March 2017 (reporting period: December 2016 until March 2017) indicates a decline of armed confrontations in Darfur due to both sides declaring a ceasefire:

"During the reporting period the level of armed confrontations in Darfur continued to subside, with no major fighting between the Government and rebel groups reported, including in the Jebel Marra. The Government maintained military dominance, achieved through its previous campaigns against the rebels, and signed several peace agreements with breakaway factions. [...]

The unilateral ceasefire announced on 10 October 2016 by the President of the Sudan, Omar Hassan A. Al-Bashir, was extended for one month on 31 December, and for an additional six months on 15 January 2017. Similarly, the six-month ceasefire declared on 30 October 2016 by the rebel coalition, the Sudanese Revolutionary Front, remained in place." (UN Security Council, 23 March 2017, pp. 1-2)

In an April 2017 report on conflict trends in Darfur, the Armed Conflict Location & Event Data Project also mentions an easing of tensions between rebel groups and the government:

“In October 2016, the rebel Sudan People’s Liberation Movement-North (SPLM-N), Sudan Liberation Army-Minni Minawi (SLA-MM) and Justice and Equality Movement (JEM) extended a ceasefire for 6 months in Oct 2016. [...]

In spite of past failures, the October 2016 ceasefire appears to have been adhered to by government and rebel forces, with March 2017 representing the first month without violent activity involving rebel groups since the latest ceasefire was announced. [...] By mid-March, President Omar al-Bashir had issued a decree to drop the death sentences against 66 convicts from Darfurian rebel movements and pardon 193 others (Sudan Tribune, 17 March 2017).” (ACLED, April 2017, p. 6)

The Washington based Enough Project, a project co-founded by the Center for American Progress and the International Crisis Group working to end genocide and crimes against humanity in an April 2017 report refers to the increasing loss of control of the Sudanese government over its militias, explaining that the strategy of recruiting among certain societal groups leads to communal tensions in the region:

„The state’s use of militias from a particular defined group to attack others outside that group has had a devastating effect on populations seen as loyal or sympathetic to the armed opposition. The burning of villages, killing of civilians, looting, rape and abduction of women and girls, and forced displacement of thousands are the hallmarks of RSF [Rapid Support Forces] incursions into armed opposition-held areas in Darfur, South Kordofan, and Blue Nile states. The systematic stripping of the assets of the targeted populations, particularly livestock, appears to be intended to undermine livelihoods and dignity and condemn the people of these areas to lasting destitution. The targeting of entire communities for punishment is also meant to dent the morale of opposition fighters as they see ‘their’ otherwise resilient families and communities experience the harmful effects of their opposition to the government. With the government’s failure to provide for and discipline its proxy militias increasingly evident, today Darfur is the theatre of a cascade of catastrophic consequences stemming from the government’s illadvised and destructive policies. These consequences include the total breakdown of law and order in many parts of Darfur; the collapse of its regional economy and of its contribution to the national wealth as a result; and the tearing apart of the social fabric of the region and its long traditions of peaceful coexistence among a highly culturally diverse population.” (Enough Project, 6 April 2017, p. 15)

The Small Arms Survey, an independent research project located at the Graduate Institute of International and Development Studies in Geneva, similarly refers to government-affiliated militias operating outside of government control and carrying out attacks on civilians:

“Yet paramilitaries have not always proved to be either more efficient militarily, or more loyal or committed to the government. Indeed, in Darfur they have fought much more against civilians than insurgents, with the effect of turning whole communities into recruits for and supporters of what were initially very small rebel factions. The practice continues today: the Armed Conflict Location and Event Data Project estimates that 46 per cent of conflicts in Sudan in 2015 involved the targeting of civilians by ‘political militias’, especially pro-government ones.” (Small Arms Survey, April 2017)

Radio Dabanga, a project of Sudanese journalists and international (media) development organisations reporting on Darfur and operated by Free Press Unlimited in the Netherlands, in May 2017 reports an attack of RSF militia in the Jebel Marra region, Central Darfur:

“At least nine people were reportedly killed, 22 others were injured, and four were raped in attacks by the paramilitary Rapid Support Forces on western Jebel Marra on Sunday. A Central Darfur official has denied the incidents. ‘At about 7 am on Sunday, elements of the Rapid Support Forces (RSF) driving 41 Land Cruisers loaded with weapons, and others on camels and horses began to attack 12 villages north of Nierteti,’ El Shafee Abdallah, the coordinator of the camps for the displaced in Central Darfur, told Radio Dabanga. ‘Nine villagers were shot dead, four young women were gang-raped, and at least 22 people were injured,’ he reported. ‘Before torching the houses, they stole all the property. They cut and burned even the lemon trees.’ The camp coordinator said that the entire population of the villages fled into the mountains, ‘as the roads leading to Nierteti are blocked by the militiamen’. A Central Darfur government official denied the attacks took place.” (Radio Dabanga, 8 May 2017)

A joint report by the Chairperson of the African Union Commission and the UN Secretary-General of May 2017 on the current conflict dynamics in Darfur, which is based on the findings of a strategic review team during its visit to Darfur in March 2017, points out that hostilities between government and rebel forces have decreased significantly and there are signs of fragmentation within the SLA-AW, the rebel movement controlling parts of the Jebel Marra region. However, the report also points out that the government has deployed RSF forces at the North Darfur border in order to prevent infiltration of Darfuri rebel groups which have previously been driven into neighbouring Libya:

“The hostilities between the Government of the Sudan and rebel forces have decreased significantly as a result of the three-phased Operation Decisive Summer (from January 2014 to June 2016), which effectively reduced the presence of the armed groups to parts of western Jebel Marra. According to UNAMID, the Sudan Liberation Army/Minni Minawi (SLA/MM) and the Justice and Equality Movement (JEM) were considerably weakened and have not engaged militarily with the Sudanese Armed Forces since April 2014 and April 2015, respectively. They are currently reported to not have any active presence in Darfur or the Sudan.

While the Sudan Liberation Army/Abdul Wahid (SLA/AW) continues to be present in Darfur, UNAMID considers its military effectiveness and area of operation to be considerably reduced. Since September 2016, there has been no military confrontation between the government forces and SLA/AW, and dry season combat (from late December to April), otherwise an annual occurrence, did not take place in 2017. The national armed forces currently maintain control of most areas and have deployed troops to Golo, Koron, Sarong and Guldo, while the following areas reportedly remain contentious under SLA/AW control: Kilinge, Boullay, Kibli, Bar Arie, Kalokitting, Kwila and Galol. Furthermore, SLA/AW is reported to have fragmented into an incohesive force of several factions, especially after a splinter group signed the ‘Koron agreement’ with the Government on 4 November 2016, and even more so after the defection of its Deputy Commander, Alsadig Adam Abdulkarim,

on 21 January 2017 and, more recently, the defection of a third faction led by Commander Abdel-Latif Abdel-Hamid on 14 April 2017.

In the meantime, however, conflicts in the wider region surrounding the Sudan are providing an opportunity for some of the Darfur armed groups to train and acquire military equipment and funds. The Panel of Experts on the Sudan has reported on the engagement of SLA/MM in Libya, fighting alongside the Libyan National Army in the area of the oil crescent since mid-2015, and in criminal activities, such as the operation of illegal checkpoints, kidnapping for ransom and trafficking in persons (S/2017/22). In an effort to prevent the infiltration of the Darfur armed groups from Libya, the Government of the Sudan has deployed the Rapid Support Forces along the northern borders of the region. A joint Libya-Sudan border force established in November 2013, following a military protocol signed in 2011, and mandated to protect their joint border, prevent the infiltration of armed elements, terrorist groups and illegal immigrants and secure the commercial convoys was discontinued in 2015 by the internationally recognized Government of Libya, owing reportedly to other security priorities.” (UN Security Council, 18 May 2017, pp. 2-3)

The International Crisis Group (ICG), an independent, non-profit NGO that publishes analyses on violent conflicts, mentions the following regarding the activities of armed rebel groups in Darfur in its monthly early warning bulletin CrisisWatch from May 2017:

“Rebel faction Sudan Liberation Movement led by Abdel Wahid al-Nur (SLM-AW) clashed with govt militia Rapid Support Forces (RSF) in Jebel Marra area of Central Darfur state late April, nineteen people reportedly killed. Representatives of rebel groups SLM faction led by Minni Minnawi (SLM-MM) and Justice and Equality Movement (JEM) met govt delegation in Berlin 19 May to revive peace talks, SLM-AW declined invitation. In accordance with Sudan-S Sudan [South Sudan] deal, S Sudan troops forced SLM-MM contingent from S Sudan into Darfur late May. Govt forces clashed with it and SLM-AW splinter, SLM-Transitional Council (SLM-TC), in Eshairaya area, East Darfur state, inflicting heavy losses. Simultaneously another SLM-MM contingent crossed from southern Libya into Darfur; govt forces defeated group in Kutum, North Darfur state. Sporadic clashes continued end-month.” (ICG, May 2017)

In May 2017 Radio Dabanga reports on violations committed by RSF forces in North Darfur:

“The Rapid Support Forces (RSF) militia has arrested at least seven people at the areas of Muzbad and Arori in Um Baru and Karnoi localities on charges of communicating with the armed movements, as part of a campaign of ongoing arrests. On Wednesday informed sources from North Darfur told Radio Dabanga that the detainees, most of them herders, have been beaten and tortured by the RSF. A listener told Radio Dabanga that the campaign has caused panic among the population and led to the displacement and flight of some people, fearing ‘a campaign of retaliation for the killing of their commander Brig. Hamdan El Simeih’.” (Radio Dabanga, 25 May 2017c)

Another article by Radio Dabanga of 30 May 2017 refers to bombardment of the Sudanese Air Force of Eastern and Northern Jebel Marra in April and May 2017:

“The Sudanese Air Force struck an area 15 kilometres south of Fanga, near the border with Tawila locality, with four barrel bombs. No human casualties were reported but the aerial bombardment killed eight cows, three donkeys, and two goats, a resident from the area told Radio Dabanga. The Sudanese Air Force dropped barrel bombs on the area of Jawa in the eastern part of Jebel Marra on 6 April, and Maya in Kabkabiya locality and Aja in northern Jebel Marra on 22 and 23 April.” (Radio Dabanga, 30 May 2017a)

Radio Dabanga on 30 May 2017 also reports on attacks by RSF forces on civilians in North Darfur near Kutum:

“Members of the Rapid Support Forces (RSF) attacked Ein Siro area, north-west of Kutum at 6am on Sunday. Five people including a child were killed, while seven others sustained injuries. Two children are among the wounded.” (Radio Dabanga, 30 May 2017b)

Nuba Reports, a cooperation between international editors and Sudanese journalists reporting on armed conflicts in the country, in June 2017 publishes news on clashes between the Sudanese army, allied RSF forces and rebel groups in East and North Darfur at the end of May 2017, with reference to media reports by Reuters, Radio Dabanga and Sudan Tribune. According to Nuba Reports, these are the first clashes between government and rebel forces taking place outside the Jebel Marra region in over a year:

“From 19 – 22 May the Sudanese army and the pro-government militia, the Rapid Support Force (RSF), clashed with two rebel groups, the Sudan Liberation Movement-Minni Minnawi (SLA-MM) and the Sudan Liberation Movement – Transitional Council (SLA-TC) in east and north Darfur. Specifically, local sources claim the conflicts took place in Eshairaya, roughly 50 kilometers outside East Darfur’s capital, Ed-Daein, and Adoula, an area in North Darfur. Fighting resumed on May 2 in Ein Siro, a mountainous region in the Kutum locality, North Darfur.

Both sides have alleged military victories. The only confirmed claim is the government capture of the SLA-TC leader Nimer Abdel Rahman and the killing of the rebel groups military commander, Mohamed Abdelsalam. Similarly, the two parties have traded accusations over who launched the attack that breaches a unilateral cessation of hostilities. Sudan claims the rebels entered Darfur from Libya and South Sudan while the rebels say the government forces attacked their established positions in North Darfur State. According to the RSF commander Mohamed Ahmed, the two rebel groups had devised this operation over several years, codenamed ‘Tightening Arms’, with plans to re-capture the agriculturally-rich Jebel Marra area in central Darfur. Conversely, SLA-MM spokesperson Ahmed Hussein claims the government had prepared to launch the attacks over several months, moving 150 vehicles into areas under its control in North Darfur. Rebel leader Minnawi accused the Sudan government of attacking their positions in the region to force peace under their terms. Last January, President Omar al Bashir extended the unilateral cessation of hostilities in Sudan’s war zones for six months. [...]

The conflicts mark the first time in over a year the SLA-MM and the splinter group SLA-TLC have been involved in a ground offensive. Until now, it is only another Darfur rebel group, the Sudan Liberation Army-Abdel Wahid (SLA-AW), which continued to fight the

government in the central, Jebel Marra area. The SLA-MM recent military activity may suggest resumption to conflict in north Darfur and a shift in their peace talks position.” (Nuba Reports, 1 June 2017)

In July 2017 Human Rights Watch comments the following on war tactics employed by the Sudanese government:

“The government has extended a unilateral ceasefire and reduced indiscriminate bombing and shelling of civilian areas, but its armed forces still use scorched-earth tactics and in May burned seven villages in North Darfur and killed at least 10 civilians. And while Sudan nominally relaxed restrictions on aid groups, it still blocks their access to conflict-affected areas, restricts peacekeepers’ movements, and has yet to agree on how to get critical humanitarian aid to civilians in rebel-held Nuba Mountains and Blue Nile.” (HRW, 12 July 2017)

The June 2017 report by the UN Secretary-General on the conflict in Darfur (covering March until June 2017) contains similar information regarding the activities of rebel groups in Darfur:

“For the first time since the outbreak of the conflict in 2003, the annual dry season in Darfur witnessed only one major and a few minor military confrontations between government and armed movement forces in April and May. Having extended its unilateral ceasefire in January 2017 for a further six-month period, the Government did not relaunch its counter-insurgency campaign against the significantly weakened Sudan Liberation Army/Abdul Wahid (SLA/AW) in Jebel Marra this year. The Sudan Liberation Army/Minni Minawi (SLA/MM) clashed with government forces in North and East Darfur. [...]

In North Darfur, on 20 May, SLA/MM and SLA/TC [Sudan Liberation Army-Transitional Council] elements on board 280 gun-mounted and utility vehicles were intercepted by quickly mobilized SAF and Rapid Support Forces in Musbat and Wadi Howar (Furawiyah), approximately 60 km north-east and 120 km north of Umm Barru, North Darfur, near the border with Chad. Unable to sustain operations against government forces, the majority of armed movement elements were reportedly forced to retreat to Chad and Libya by 22 May. On 28 and 29 May, Government and SLA/MM forces also clashed in Ayn Sero, 30 km north-west of Kutum, North Darfur, reportedly resulting in at least three civilian fatalities, four incidents of rape, burning and looting of villages and civilian displacement. The Mission is verifying these reports.

6. Concurrently, in East Darfur, on 20 May, SLA/MM and SLA/TC forces on board 80 vehicles clashed with Sudanese Armed Forces in Sharaya, 70 km west of Ed Daein, East Darfur, resulting in the deaths of five Sudanese Armed Forces soldiers and an unconfirmed number of rebels. Further clashes were reported near the Adoula mountains and Arto Bargo, 25 km south and 16 km south-east of Shearia, respectively, on 21 and 22 May, resulting in the deaths of seven SLA/MM fighters and one Sudanese Armed Forces soldier. On 21 May, 15 men identifying themselves as SLA/MM members approached the Mission’s team site in Muhajiriyah, East Darfur, and were subsequently arrested by Military Intelligence. By the end of 22 May, the Government confirmed that approximately 30-40 SLA/MM combatants with seven vehicles had managed to reach Jebel Marra via East Darfur. The majority of

rebels, however, were reported to have retreated to South Sudan via Abu Jabra. UNAMID has received conflicting accounts of the total number of casualties in these incidents and has not received reports of civilians being affected.” (UN Security Council, 14 June 2017, pp. 1-2)

“Meanwhile, as a result of the territorial losses suffered in 2016 and internal fracturing and defections, SLA/AW maintained only a limited military presence in the higher reaches of Jebel Marra in Killing, Boullay, Kibli, Bar Arie, Kalokitting, Kwila and Galol. Facing the closure of supply routes and logistical constraints, SLA/AW resorted to incursions and ambushes north of Kass, Deribat and Menawashei, South Darfur, areas in which government forces have not established full control. On 7 April, reportedly in search of supplies, SLA/AW ambushed a government police vehicle along the Keila-Al Malam road area between Menawashei and Deribat, killing two police officers and wounding one. On 7 May, according to local sources, Sudanese Armed Forces retaliated by attacking SLA/AW positions in Katti, Kurifal, Burro, Kadingo, Marra, Kwila, Boga and Barbara, within 20 km south and south-east of Guldo, Central Darfur. UNAMID was unable to verify the impact of the fighting owing to road conditions in the area.” (UN Security Council, 14 June 2017, pp. 2-3)

In a June 2017 report on conflict trends in Darfur, the Armed Conflict Location & Event Data Project observes that the conflict level between rebel groups and government troops has risen despite the ceasefire:

“Although it remains unclear who launched the most recent attacks and why, it is possible that clashes re-erupted in May 2017 because SLA/MM deemed to have amassed enough capabilities to return to Darfur to defend its cause. The government’s lack of credibility towards recent efforts to resolve the conflict in Darfur (by continuing its counterinsurgency operations in Jebel Marra despite having committed to a unilateral ceasefire for instance) might have also provoked an armed rather than diplomatic response (see Figure 8; Radio Dabanga, 26 April 2017). Upon recommitting to their own unilateral ceasefire on 1 May 2017, SLA/MM and JEM had signalled that it would not prevent them from acting in self-defence or to protect civilians (Radio Dabanga, 1 May 2017). The government showed that it remained wedded to a military response to the conflict led by its militia. Following the clashes, RSF and Sudanese forces launched a violent campaign of bombardments, mass killings, lootings and burning down of entire villages in Darfur (Sudan Tribune, 1 June 2017; Radio Dabanga, 1 June 2017). This might urge rebel groups to gather forces and jointly resist the government, leading to a surge in conflict over the next few months. Divisions within the country’s strongest other rebel front, the Sudan Peoples Liberation Movement North faction (SPLM/N), compound the situation and risk undermining achievements made over the past few years to stabilise the country as a whole (Nuba Reports, 1 June 2017).” (ACLED, June 2017, p. 9)

In a June 2017 article, Radio Dabanga refers to robbery and theft operations carried out by pro-government militia in North Darfur:

“The commander of Kutum Garrison in North Darfur, Brigadier El Sadig El Mahdi Abdelrahman, has acknowledged that the Ein Siro area and the surrounding villages were

exposed to burning and theft by what he called outlaws whom he said ‘have come from all directions, especially Kutum and Kabkabiya’. [...] He pointed out that the Rapid Support Forces (RSF) and other militias riding motorcycles and camels have continued robbery and theft in Ein Siro areas for the fourth consecutive day.” (Radio Dabanga, 1 June 2017)

According to a Radio Dabanga article of June 2017, RSF militia fought rebel combatants in Kutum, North Darfur:

“Lt. Col. Adam Mohamed Saleh, the spokesman for the Rapid Support Forces (RSF) militia, told the official Sudan News Agency (SUNA) on Sunday that the paramilitaries managed to hunt down and kill commanders Khatir Shatta Jallab and Abdallah Bakheet Diyar, east of Furawiya in Um Baru. He said that after their defeat in Ein Siro in Kutum, the rebels were heading to Libya. The militia forces seized two four-wheel drive vehicles the commanders were travelling in. Five rebel combatants were captured.” (Radio Dabanga, 12 June 2017)

In a press statement of June 2017, the ACJPS mentions RSF attacks on civilians in North and Central Darfur following clashes between the RSF and rebel groups:

“From 28 May – 15 June 2017, a number of attacks were perpetrated against civilian targets in North and Central Darfur by the Rapid Support Forces and other government sponsored militias. The attacks took place from 28 May – 6 June 2017 in Ain Siro locality, North Darfur, and from 14 – 15 June in Tor and Nertiti, Jebel Marra. At least 35,000 civilians have been displaced to the neighbouring hills in each area and Kutum, North Darfur.

In Ain Siro, at least fourteen civilians were killed and nineteen seriously injured, and seven villages set on fire and burnt to the ground. In Jebel Marra, at least three civilians were killed and eleven seriously injured. Ten women were abducted from Tor on 14 June and seven men abducted from Nertiti on 15 June. Their whereabouts remain unknown, raising serious concerns for their safety and well-being, as well as the risk for sexual violence.

The attacks were precipitated by fighting in the region between the Rapid Support Forces and the Darfuri rebel groups the Sudan Liberation Movement – Mini Minawi and the Sudan Liberation Movement – Transitional Justice. However, ACJPS has confirmed that there is no rebel presence in any of the villages attacked.” (ACJPS, 22 June 2017)

In a June 2017 article Radio Dabanga reports on attacks by government soldiers on the local community following the rape of a number of women by Sudanese army soldiers:

“Members of the military garrison of Golo in Central Darfur’s Jebel Marra besieged the area on Thursday following the killing of a soldier who, together with others, raped a group of women. ‘On Thursday morning, army soldiers raped a number of women who were collecting water at a well near Golo in Rokoro locality,’ El Shafee Abdallah, Coordinator of the Central Darfur camps told Dabanga Radio. ‘While they were raping the women, people in the area rushed to the scene and beat the rapists with sticks and stones, killing one of them, and wounding others. The soldiers fled back to the military garrison of Golo. The army troops then besieged the area, and terrorised the people with a barrage of missiles and bullets,’ he reported. ‘They raided houses, shops, and even the market, and robbed the people of their belongings. They forced a large number of donkey cart owners to

transport the stolen goods to the garrison,' the camp coordinator said. The people who were able to escape sought shelter in mountain caves and valleys." (Radio Dabanga, 30 June 2017a)

The International Crisis Group (ICG) mentions in its monthly early warning bulletin CrisisWatch from July 2017 that President Bashir on 2 July extended a unilateral ceasefire in Darfur, South Kordofan and Blue Nile states by four months (ICG, July 2017).

Radio Dabanga in July 2017 reports on several rebel groups in Darfur merging to form the "Sudan Liberation Force Alliance" and announcing their continued struggle against the Sudanese government:

"Three rebel groups in Darfur have merged under the name of the Sudan Liberation Force Alliance. They say they are not bound by any ceasefire. In a statement on Friday, the SLFA announced that the Sudan Liberation Movement for Justice, the Sudan Liberation Movement-Unity, and the Justice and Equality Movement led by Abdallah Bishir Jali decided to form one movement in a conference in 'the liberated areas' between 29 June and 2 July. El Tahir Abubaker Hajar was elected chairman and Abdallah Yahya deputy chairman of the new Sudan Liberation Force Alliance (SLFA). Jali was appointed as general commander. The new group says they will continue the armed struggle against the Sudanese government as they are not committed to any ceasefire." (Radio Dabanga, 9 July 2017)

1.2 Inter-communal clashes

This section also contains information on attacks by tribal militias as well as unidentified armed groups on civilians. For more details on tribal conflicts, please refer to [section 2.3](#) of this compilation.

The USDOS in its human rights report of March 2017 (covering 2016) states that the conflict between the government and the rebel forces involves "ethnic militias" and often erupts along communal lines, harming civilians and destroying their livelihood. According to an independent expert, intercommunal fighting over livestock and natural resources is said to have substantially increased during the reporting period:

"In Darfur, fighting involved government forces, rebels, and ethnic militias, and it was often along communal lines. These armed groups, including the RSF, which NISS [National Intelligence and Security Services] controlled, killed and injured civilians, raped women and children, looted properties, targeted IDP camps, and burned villages in all of Darfur's five states. [...]"

An increase in criminality and banditry also contributed to a deterioration of overall security in Darfur. UNAMID continued to document hundreds of cases of human rights abuses, including unlawful killings, other abuses of the right to physical integrity, and arbitrary arrest and detention. [...]"

Between December 2015 and September, there were 1,626 cases of criminality and banditry, which included 384 killings. The attacks included rape, armed robbery, abduction,

ambush, livestock theft, assault/harassment, arson, and burglary and were allegedly carried out primarily by Arab militias, but also by government forces, unknown assailants, and rebel elements. Security in Darfur continued to deteriorate due to the rise in criminal activity and intercommunal conflict. The independent expert on the situation of human rights in Sudan noted with concern that, during the year, the size and scale of intercommunal clashes over cattle rustling and control of natural resources in Eastern Darfur had been unprecedented, as were the sophisticated firearms used by the combatants.” (USDOS, 3 March 2017, section 1g)

The Heidelberg Institute for International Conflict Research (HIIC) in its Conflict Barometer report covering the year 2016 contains the following overview of the root causes of intercommunal violence and its agents:

“In recent years, the conflict developed a new dimension, thereby increasingly overlapping with inter-communal fighting, since Arab tribes that had been armed by the government to fight insurgency groups as part of the RSF, started to compete over precious metals with the government as well as amongst each other. Former Janjaweed leader Musa Hilal, for instance, reportedly controlled Darfur’s biggest gold mines and increasingly contested the central government. When the UNSC issued a resolution to extend a panel of experts monitoring violations of the UN arms embargo for Darfur in April of this year, Russia, who had signed an agreement on gold extraction rights with the government in 2014, put on hold the publication of a panel report describing militia and government involvement in unregulated gold mines in Darfur.” (HIIC, February 2017, p. 91)

“The conflict over subnational predominance and resources, such as cattle, arable land, water rights and access to gold mines, between various predominantly Arab pastoral tribes and subtribes de-escalated to a limited war. In the context of a more effective involvement of local administration as well as the establishment of buffer zones, inter-communal violence caused less fatalities as compared to previous years. Throughout the year, inter- and intra-tribal fighting took place involving members of Ma’aliya, Rizeigat, its sections, Zaghawa and Awlad Zaid, Beni Halba, Massalit, Misseriya, its sections, al-Ziyoud and Awlad Umran, Salamat, Fellata, Habaniya, Awlad Rashid, El Borno, Awlad Sibeh, El Jamaniya, and Awlad Saror. As in previous years, most incidents of intercommunal violence took place in Darfur, fewer in Kordofan, both regions where armed groups were fighting the government [...]. Reportedly fighting increasingly erupted over gold mines in the Jebel Amer region, North Darfur, where tribal groups competed for extraction rights with government representatives as well as foreign nationals.” (HIIC, February 2017, pp. 92-93)

The Guardian in a July 2016 article reports on the widespread proliferation of small arms among the population of Darfur, indicating that this has aggravated the conflict between ethnic groups as well as tribes:

“Salih is now 38, but guns have been a permanent fixture in his life. Growing up in Darfur in one of the Arab tribes that has been at war with other ethnic groups in the region since 2003, he says it quickly became clear the only way to protect his family was to get a weapon of his own. In the 13 years since war broke out, the UN estimates that more than 300,000 people have been killed in Darfur. Amid the ongoing violent clashes, weapons continue to

flow in from neighbouring countries to meet the demand. Salih, who declined to give his full name, estimates that ‘in the past, only two or three people in every group of shepherds had a Kalashnikov. Now every member of every group has at least two weapons.’ Other types of automatic weapons, such as Soviet-era PK machine guns and rocket-propelled grenades, are also freely available, he says. Although it is widely accepted that the situation has drastically deteriorated, there isn’t any accurate data on the proliferation of weapons across the state. In December, the Sudanese interior ministry released a report estimating there are ‘millions of small arms and light weapons in the hands of citizens in Darfur’, but said the chaos of war had prevented the collection of accurate statistics. [...]

Fatima Ali, from El-Geneina in western Darfur, points out that while the government has been collecting weapons from some tribes it has been consistently arming others. ‘That’s why citizens do not trust the government,’ she says.” (The Guardian, 7 July 2016)

In his report on UNAMID activities in Darfur of September 2016, the UN Secretary-General reports on a reduction in intercommunal incidents during the reporting period June until September 2016:

“There was an overall reduction in the number of intercommunal security incidents, in particular as a result of the more effective involvement of the native administrations and the impact of security measures taken by the state authorities, including the expedient deployment of security forces, the establishment of buffer zones in hot spots and the prevention of the use of compensation money (diya) as an extortion tool. With the beginning of the farming season in June, however, disputes over access to land resulted in several security incidents.” (UN Security Council, 27 September 2016, p. 2)

The subsequent UN Secretary-General report of December 2016 on UNAMID activities in Darfur (covering October until December 2016) states that during the reporting period several intercommunal clashes related to the use of land and natural resources were registered:

“The past three months were characterized by several intercommunal clashes resulting from disputes over access to land and resources during the migration and farming seasons and cattle-rustling incidents that were significantly exacerbated by the inadequacy of rule of law and judicial institutions and the proliferation of weapons. In this environment, state governments, native administrations and traditional leaders maintained their efforts to prevent and respond to such occurrences through security measures, engagement with stakeholders and the facilitation of cessation of hostilities agreements and reconciliation processes.” (UN Security Council, 23 December 2016, p. 3)

In its January 2017 report to the UN Security Council, the Panel of Experts on the Sudan indicates efforts undertaken to curb intercommunal tensions while also stating that intercommunal violence and unchecked activities of tribal militias have resulted in hundreds of casualties and thousands being displaced during the monitoring period of October until December 2016:

“Intercommunal tensions, as well as abuses committed by militias, constitute ongoing impediments to the normalization of the situation in Darfur. Government authorities,

especially the Walis, have adopted positive measures to reduce this violence, such as the imposition of curfews, intercommunal mediations, deployment of the security forces and limitations to the open carrying of weapons. However, bouts of sporadic intercommunal violence have continued to flare up across Darfur during the reporting period, resulting in hundreds of civilian casualties and thousands being displaced. The sporadic armed confrontations in East Darfur between Ma'aliya and Southern Rizeigat tribes over land control — during which Rizeigat elements attacked the Governor's residence in Ed Daein (East Darfur) in April 2016 — illustrate how this phenomenon poses a challenge to the authority of the Government and to stability in the region. Linked to this issue is the proliferation of tribe-based armed militias, which engage in banditry, the operation of illegal checkpoints, kidnapping for ransom and carjacking; occupy land illegally; and perpetrate abuses against civilians. Attacks by militias on the Sudanese Armed Forces and on government premises are reported regularly.” (UN Security Council, 9 January 2017, pp. 12-13)

According to the March 2017 report by the UN Secretary-General, incidences of intercommunal violence have slightly decreased in the reporting period of December 2016 until March 2017 but continue to threaten civilians:

“Intercommunal violence continued to pose threats against civilians throughout Darfur. Although the current reporting period saw a reduction in the number of violent incidents over the preceding period, the level of insecurity was approximately the same as the corresponding period a year ago. A total of eight instances of local conflicts and intercommunal violence resulting in 45 fatalities were recorded over the past three months, a slight decrease from the eight clashes and 118 fatalities recorded in the previous period, and reflected the easing of tensions between farmers and herders at the end of the harvest season, as well as reconciliation efforts by the Government and UNAMID. In Central and West Darfur, Arab militias clashed with Fur and Massalit farmers, respectively, while similarly deadly rivalries erupted between Arab tribes, such as the Beni Hussein and Northern Rezeigat in North Darfur and the Ma'alia and Southern Rezeigat in East Darfur. The hostilities were related to unresolved disputes over land, livelihood and natural resources, and were exacerbated by the prevalence of weapons.” (UN Security Council, 23 March 2017, p. 2)

Radio Dabanga in a May 2017 article refers to recurring altercations between cattle herders and farmers in the Tawila area (North Darfur), involving armed assault and abductions:

“Armed herders shot and wounded one farmer and abducted another as they worked their land in North Darfur on Tuesday. Witnesses told Radio Dabanga that Yousif Musa Abdelrahman and Abdel Majeed Yousif Ibrahim were working in Wadi Barkoro area near Dobo El Omda in Tawila locality, when the herders approached them and opened fire. Abdelarahman was wounded in the leg. The herders then forced Ibrahim to go with them, and made off to an unknown destination. Two farmers were abducted by unknown gunmen, also in Tawila locality on May 7. [...]

Farmers and firewood collectors in the area repeatedly complain of assaults by gunmen from Darfur or western Africa, who tell them they do not have the rights to use ‘the

liberated land'. Darfur displaced as well complain about 'new settlers' from among militiamen in Darfur or neighbouring countries occupying their villages and farms." (Radio Dabanga, 17 May 2017)

The joint report by the Chairperson of the African Union Commission and the UN Secretary-General of May 2017 on the current conflict dynamics in Darfur points out the following on the prevalence and the causes of intercommunal conflict in Darfur:

"Intercommunal conflicts remain one of the main sources of violence in Darfur. Such conflicts are intimately related to the root causes of the conflict and exacerbated by armed militias, as well as by the proliferation of weapons among the civilians and the inadequate capacity and effectiveness of the rule of law institutions. While conflicts among the myriad ethnic groups of Darfur have historically occurred, the upsurge of violence during the insurgency years resulted in massive civilian casualties and population displacement. Management of land, water and other resources and a perceived bias by the Government towards one group over another are at the heart of those conflicts, which in 2013 claimed the lives of as many as 1,976 people. Following a concerted intervention by state governments, the national armed forces and the police from mid-2015 onward, the number of casualties has fallen and mediation efforts, supported by UNAMID, have multiplied, resulting in a significant decrease in intercommunal conflicts. However, conflicts continue to flare up in East Darfur between the Rizeigat and the Ma'aliya over land ownership and access to resources, in South Darfur between the Fallata, Salamat, Habbaniya and Masalit over access to farmland, grazing pastures and cattle rustling, and in Central Darfur between the Misseriya and Salamat over access to land and cattle rustling. Land continues to be the most contested resource at the heart of most intercommunal conflicts in Darfur. Lack of clear land ownership and management systems, due to historical factors and government interventions on behalf of different tribal groups that have not addressed the issue in a comprehensive manner, have exacerbated and politicized such conflicts. The Unregistered Lands Act of 1970, followed by severe desertification in the 1980s, in tandem with the weakening of the native administration, the traditional administrative authority on land issues, and the ethnicization of the Darfur conflict since 2003 by the Government along the 'Arab-African' narrative, with the open support of militia groups and extortion practices in their favour, resulted mainly in the Fur and Masalit tribes losing their fertile areas to several Arab tribes." (UN Security Council, 18 May 2017, pp. 4-5)

The June 2017 report by the UN Secretary-General on recent developments in Darfur contains an overview of intercommunal incidences within the reporting period of 16 March until 7 June 2017:

"The reporting period, characterized by the ongoing migration season, witnessed 11 intercommunal security incidents resulting in 88 fatalities compared with 8 incidents and 45 fatalities during the previous period. The most significant clashes took place between Arab tribes over access to limited resources such as grazing pastures and water along migration routes. [...]

Two of the conflicts involved Salamat, a nomadic community without recognized land rights and competing over resources with Misseriya in Central Darfur, and Habbaniya and Ta'aisha in South Darfur." (UN Security Council, 14 June 2017, p. 3)

The Armed Conflict Location & Event Data Project (ACLED) in its June 2017 report on conflict trends in Darfur notes a rise in intercommunal violence throughout May, partially due to rivalry between Arab tribes in South and West Darfur:

"In parallel, localised intercommunal violence, militia activity and banditry continued unabated throughout Darfur and Kordofan (see Figure 8). Communal violence in Darfur rose from 3 events and 8 related fatalities in March to 10 events and 76 fatalities in May. This is due to deadly rivalry between Arab tribes in South and West Darfur (the Salamat, Habbaniyah and Misseriya), as well as to continued herder attacks on farmers around Katur and Tawila in North Darfur, and around Jebel Marra (Radio Dabanga, 25 May 2017; Radio Dabanga, 17 May 2017)." (ACLED, June 2017, p. 9)

Over the course of June and July 2017, Radio Dabanga reports several incidences of attacks, robberies and kidnappings carried out by unidentified gunmen in North and South Darfur:

"A man has been murdered, four abducted in two separate incidents, and 20 displaced people fired upon in incidents of banditry across Darfur. On Thursday, Abakar Mohamed Abdallah was shot dead east of Mershing in South Darfur. One of the sheikhs told Radio Dabanga radio that armed militiamen opened fire on Abdallah as he returned to the camp after the funeral. He was killed outright. The gunmen then made off with his donkey and other possessions. On Wednesday, armed herdsmen abducted Adoma El Haj and Kajil Abulgasim from the Kila district north of Mershing because of a missing camel. In a separate incident on Wednesday, armed militiamen driving a vehicle mounted with a Dushka machine gun abducted Mohamed Yagoub Ibrahim and his son Ismail from the Khitir area in eastern Jebel Marra. On Thursday, 20 displaced women were attacked by armed militiamen in Darfur, along with the killing of a number of donkeys. Omda Mukhtar Bosh told Radio Dabanga that militiamen opened fire on the women who were gathering straw in the Mundo area south of Tawila, killing three donkeys on the spot, while the displaced women miraculously survived. Bosh said militants threatened to hit, assault, and kill them if they returned to collect straw. [...]

For the second week in a row, militiamen have continued to steal money, property, and livestock of residents of Ein Siro and the areas north-west of Kutum in North Darfur. Residents told Radio Dabanga said that the attackers plundered Mustariha village before burning it on Tuesday. They said the militants stole ceilings, doors and school equipment and at the same time cut mango and orange trees." (Radio Dabanga, 8 June 2017a)

"Nine people were kidnapped from a village in South Darfur. [...] Gunmen found the dead body of one of their relatives last week, a sheikh in Jurof, east of Mershing, told Radio Dabanga. In retaliation, they rode their camels to Jurof, attacked and kidnapped nine villagers." (Radio Dabanga, 13 June 2017a)

“At least three people were killed, several others injured, and five people were kidnapped in an attack by gunmen on a group of civilians in South Darfur yesterday. Witnesses from the area told Radio Dabanga that armed men riding motorcycles and others on camels side opened fire on a group of people east of Tur in Kass locality. Provocation for the attack was the alleged theft of some cows from the gunmen.” (Radio Dabanga, 15 June 2017)

“On Saturday, militant herders abducted two farmers in the area of Gallab in North Darfur’s Tawila locality. The passengers of a commercial vehicle were robbed of all their belongings. Speaking to Radio Dabanga, a relative of one of the victims reported that gunmen in two vehicles and others on motorcycles stormed the land Amer Yagoub Hamid and Mahjoub Suleiman Tabeldiya were cultivating, and seized them at gunpoint. ‘They took them into the direction west of Tabit,’ he said. The source could not provide a reason for the abduction, although he said they expect a phone call from the kidnappers demanding a ransom.” (Radio Dabanga, 26 June 2017a)

“A group of gunmen kidnapped two villagers near Tawila town in North Darfur on Thursday. Speaking to Radio Dabanga, the coordinator of the Tawila camps, Omda Mukhtar Bosh, reported that gunmen driving a vehicle stormed the village of Kulu, 12 km west of Tawila town. ‘They entered the family home of Abboud Adam Mohamed and Haroun Adam Ahmed at 7 pm on Thursday at gunpoint and took the two men with them towards Mount Sarajanat, north of Tawila,’ he said. ‘The family does not have a clue about the reason for the abduction,’ Bosh added.” (Radio Dabanga, 30 June 2017b)

“On Saturday, a farmer was killed at his land west of Fanga in North Darfur. [...] Mohamed Ismail, a 41-year-old farmer, was shot dead at his land in Karkaro village, 12 km west of Fanga, in eastern Jebel Marra in Tawila locality on Saturday. A relative of the victim reported to Radio Dabanga that a group of gunmen on camels shot Ismail while he was tending his farm. ‘They then took his donkey and left the place,’ he said. ‘So many farmers have been killed or chased away from their lands in Tawila locality already, that it clear they want to get rid of the farmers in eastern Jebel Marra,’ the relative added.” (Radio Dabanga, 3 July 2017a)

1.3 Safe/blocked routes

The Danish Immigration Service and the UK Home Office in a joint report on a fact-finding-mission to Khartoum, Kampala and Nairobi conducted in February and March 2016 state the following regarding travel from Khartoum to Darfur:

“It is possible to travel by road and air between Khartoum and Darfur as well as Khartoum and the Two Areas. A person has to go through checkpoints controlled by different actors (the government, rebel groups and local armed groups). Access to certain parts of the Two Areas is restricted.” (DIS/UK Home Office, August 2016, p. 10)

The Enough Project report of April 2017 describes the breakdown of Darfur into zones under regional control, which manifests itself in the setting up of road checkpoints and illegal “toll gates” by local militias, a phenomenon spread across the entire Darfur region:

“Sudan has its own version of ‘zonal commanders’ or ‘commzones,’ a system devised by rebel commanders during the civil war in Côte d’Ivoire that enabled them to divide the areas under their control, with each commander controlling multiple facets of economic activities in their designated areas and extracting personal wealth from legitimate or criminal economic activities in the area. [...]

Just as during the civil war in Côte d’Ivoire and in some of the rural areas of CAR [Central African Republic] as has been documented for decades, one common manifestation of the harm in the commzone system in Darfur is evident in the widespread use of illegal ‘toll gates’ or road checkpoints.

The practice reportedly became widespread starting in 2009 in South Darfur state and quickly spread to North and West Darfur states before becoming a daily reality throughout the region. A mid-October 2016 news article in Sudan Tribune describes how illegal toll collections continued to thrive despite a directive, delivered in person by President Omar al-Bashir himself, to end the practice. Sudanese state governors have also tried without success to ban the practice. Militiamen manning a gate impose predetermined ‘fees,’ in fact extortion money, on commercial and civilian vehicles and individual passengers under the pretext of guaranteeing their safety to the next gate. The 195-kilometer highway between Nyala and al-Fashir, two main cities in Darfur, has about 37 such gates. Those who fail to pay fees at these gates face beatings and threats to their lives. Attempts by the North and South Darfur governments to ban this practice quickly failed when the militiamen resorted to highway robbery on the busiest commercial roads. The government’s interest in using the militias to counter armed opponents in region eclipsed its concerns about the militias’ highway robbery. The government backed down on its effort to stop the use of checkpoints, and the toll gates returned to stay. When some traders and commercial buses have stopped doing business— due to the high risk and the high costs of the ‘protection money’ estimated at a daily average of 16,000 SDG for commercial trucks—the militiamen used their government-issued vehicles to transport goods and people for pay.” (Enough Project, 6 April 2017, p. 17)

Jérôme Tubiana, an independent researcher with expertise on conflict and armed movements in Darfur in an email response of 18 July 2017 remarked with regards to road security:

“Militia groups are indeed independently setting up check points and blocking roads. We're talking of tens of such illegal checkpoints held by very abusive militias on main roads between Nyala, Fasher and Geneina.” (Tubiana, 18 July 2017)

Eric Reeves, Senior Fellow at Harvard University’s François-Xavier Bagnoud Center for Health and Human Rights as well as a Sudan researcher and analyst writes in an email correspondence of 21 August 2017 that there “is no systematic information available” on road security. He goes on to say that “certainly militia blocking of roads is a widespread problem, although the RSF and SAF seem to keep certain roads fairly clear. But the more remote the road, the more likely there will be one or more militia checkpoints (i.e., extortion sites).” (Reeves, 21 August 2017)

A senior researcher of Human Rights Watch with knowledge on Sudan in a phone conversation of 19 July remarked the following regarding road security:

“The roads linking the main cities in Darfur, such as al-Fashir, Geneina and Nyala, are only sporadically accessible and are sometimes closed due to fighting. The main roads in Darfur can be considered dangerous, especially the road linking Nyala and Al-Fashir. The road security is precarious and the Sudanese Armed Forces frequently turn humanitarian missions away or redirect them, especially around Al-Fashir and the Jebel Marra region. The main towns are government-controlled and government troops try to enforce security there. The whole Darfur region is under a state of emergency. Nyala is especially volatile since it regularly experiences attacks, criminal banditry and kidnapping perpetrated by armed militia stationed there. HRW regularly receives reports of human rights violations by soldiers or militia against displaced persons living in camps, often near large towns.” (HRW senior researcher, 19 July 2017)

A Sudanese contact of Bread for the World, a globally active development and relief agency of the Protestant Churches in Germany that also supports projects in Sudan, explains the following with regards to road security in Darfur:

“Now Darfur region is completely under the hegemony of the tribes, in particular the Rezeigat clan of the Arab Bedouins who are dominating the region militarily, politically and economically. They are the owners of almost all the trucks running on the roads of the whole region, and the ones who own the road barriers and collect road taxes for their own benefit, controlling the rich Jebel Aammer gold mines and north Darfur state, and another one in south Darfur state. They are the only people who are carrying firearm and artillery, and no other non-Arab tribe is allowed to carry whatever armament, except the individuals who join or cooperate with them for their personal interest. Hence, it’s safe for whoever wants to travel or transport commodities, to do that through Arab individuals who belong to the Janjaweed; otherwise safety is not guaranteed.” (Sudanese contact of Bread for the World, 30 August 2017)

Radio Dabanga reports on 7 April 2017 that unidentified militiamen attacked a convoy on the road from Buram to Gireida in South Darfur, killing a person and wounding two others. Furthermore, two incidents of road robbery are said to have occurred in the area around Kutum in North Darfur:

“Militiamen, riding camels, opened fire on the convoy of five vehicles on the road from Buram to Gireida in South Darfur. Abdelrahim Ibrahim Mohamed was killed immediately. Two people sustained gunshot wounds. The passengers had gone shopping in El Nadeef. The perpetrators stole the goods and property of the passengers and fled the scene. Earlier this week bandits scoured roads in Darfur in separate incidents: on Wednesday, a man was robbed of his motorcycle on the road to Kutum. In the same area militants robbed a driver en route from Kutum to Fata Borno and stole the passengers’ belongings.” (Radio Dabanga, 7 April 2017)

In May 2017, Radio Dabanga provides information on an RSF attack on villages north of Nertiti. According to the article, militia members blocked the roads leading to Nertiti during the attack:

“At about 7 am on Sunday, elements of the Rapid Support Forces (RSF) driving 41 Land Cruisers loaded with weapons, and others on camels and horses began to attack 12 villages north of Nierteti,’ El Shafee Abdallah, the coordinator of the camps for the displaced in Central Darfur, told Radio Dabanga. [...] The camp coordinator said that the entire population of the villages fled into the mountains, ‘as the roads leading to Nierteti are blocked by the militiamen’.” (Radio Dabanga, 8 May 2017)

In a further article of May 2017, Radio Dabanga mentions that during fighting between government forces and the rebel group SLM-MM in East and North Darfur, roads in the area have been blocked by the government forces:

“Fierce fighting erupted between Sudanese government forces and combatants of the Sudan Liberation Movement headed by Minni Minawi (SLM-MM) in East and North Darfur on Friday. [...]

The SLM-MM further reported that the fighting so far caused ‘large losses to the militias and government forces and massive destruction of government vehicles. In most of these areas, all roads have been blocked to prevent them from escaping’.” (Radio Dabanga, 21 May 2017)

In June 2017, an article by Radio Dabanga reports a road robbery on the road from Zalingei to Um Dukhun in Central Darfur:

“On Monday, militiamen intercepted two commercial vehicles on the Zalingei-Um Dukhun road in Central Darfur. They robbed the passengers of their goods. A local military force managed to recover the stolen items and capture two of the thieves.” (Radio Dabanga, 13 June 2017a)

Another article by Radio Dabanga of June 2017 provides information on a road robbery by armed militants close to Al Fasher, North Darfur:

“The driver of a pickup carrying passengers was abducted and his vehicle hijacked on the way to the North Darfur capital of El Fasher on Wednesday morning. A relative of one of the passengers told Radio Dabanga that the Toyota Hilux, which was carrying passengers, was intercepted by a group of six armed militants in a four-wheel-drive vehicle in the Majzoub area, 20 km south of El Fasher. The caller said that gunmen forced the passengers out at gunpoint, took all of their valuables, and then made-off with the vehicle and its driver.” (Radio Dabanga, 22 June 2017)

According to a July 2017 article published by the online newspaper Sudan Elite, incidences involving armed robbery have lately been on the rise on the road in North Darfur linking the town Al-Maliha on the border with Libya with Al-Fashir. This has caused resentment and fear among the traders on that route. The article cites a statement of a trader to Sudan Tribune, according to which there are gunmen stationed on the road from Al-Maliha to Al-Fashir extorting money. (Sudan Elite, 29 July 2017)

2 Ethnic and tribal groups and their connection with the government and allied militia

The UK-based Equal Rights Trust, an independent international organisation combating discrimination and advancing equality worldwide in partnership with the Sudanese Organisation for Research and Development in October 2014 published a report on discrimination and inequality in Sudan, which explains the significance of tribal belonging in Sudan:

“In Sudan, race, ethnicity, tribe, colour of skin, culture, place of residence, and political affiliation are fused in a way that defies simple classifications. Tribal belonging (gabila) is extremely important, but tribal lines are political and tribes are political entities. [...] Despite the complexity of ethnic identification in a country where aspects of race, ethnicity, tribe and political affiliation are mixed, a significant emphasis is placed on identifying a person’s tribe. It is noteworthy that national identity cards include the names of the father, grand-father and great-grandfather, which is a customary way of identifying a person’s tribe.” (Equal Rights Trust, October 2014, pp. 52-53)

An undated online exhibition, presented by the University of South Florida (USF) Libraries, explains that “[a]pproximately 80 tribes” live in the Darfur region, “with about 27 of these classified as Arabs, and the rest non-Arabs” (USF, undated).

The independent researcher Jérôme Tubiana and R. S. O’Fahey, Professor of History in the Department of Middle Eastern and African History at the University of Bergen explain in a joint article on ethnic identity in Darfur of 2007, that the division into non-Arab and Arab ethnicities is “misleading”, since “[v]irtually every ‘ethnic’ group in Darfur has components from both categories, especially at the level of khashm al-bayt (lit. ‘the mouth of the house’), i.e. clans that are the building blocks of a tribe, qabila, whether Arab or non-Arab” (O’Fahey and Tubiana, 2007, p. 26). However, the article does provide a classification of the main Darfuri tribes into these two categories, listing the Fur, Masalit, Zaghawa and Bideyat, Berti, Meidop, Tunjur, Birged, Borgo, Mima, Qimr, Tama and Fallata as non-Arab. Under Arab tribes, the article lists the Rizeigat, Ma’aliyya, Ta’aisha, Bani Halba, Misiriyya, Awlad Rashid, Bani Husayn and Zayyadiyya as Arab. (O’Fahey/Tubiana, 2007, pp. 26-38)

A 2013 report of the German Institute of Global Area Studies (GIGA) notes that both Arab and non-Arab groups were mobilised by government at different stages to fight different enemies (GIGA, 2013, p. 4).

The joint report by the Chairperson of the African Union Commission and the UN Secretary-General of May 2017 on the current conflict dynamics in Darfur points out that with the beginning of the Darfur conflict in 2003 former tribal militias were increasingly incorporated into government-affiliated forces. Since then, these forces have been involved in the government-led counter insurgency in the region as well as in intercommunal conflicts:

“Armed militias constitute one of the most complex issues in the security landscape of present-day Darfur. Organized mostly along tribal lines, armed militias have been present historically in Darfur as a protection arm of the communities in the face of fierce

competition for scarce natural resources and acts of criminality, including cattle rustling. However, they gained notoriety as a result of their involvement in the recent Darfur conflict with the Janjaweed in support of the Sudanese government forces to quell the insurgency that started in 2003. As the conflict evolved, some militias were incorporated into different auxiliary units of the Sudanese government forces, such as the Border Guards, the Popular Defence Forces, the Central Reserve Police and the Rapid Support Forces. Those auxiliary forces have since become key actors in the conflict between the Government and the armed movements and in intercommunal conflict, greatly influencing conflict dynamics in Darfur. Adequately equipped with small arms and heavy weapons, some of those forces are not only fighting against the rebel movements but, sometimes, also with each other or against government forces, further exacerbating insecurity and threats against civilians in Darfur.” (UN Security Council, 18 May 2017, P.3)

The April 2017 report by the Enough Project explains the means through which the Sudanese government has sought to control the tribes by stirring intertribal conflict and rewarding loyalty, thereby creating a “militarized ethnic federalism” in Darfur:

“The government of Sudan has also sought to reward loyal tribes by granting them territorial control over lands they claim to be traditionally and historically theirs and by designating tribal chiefs who were loyal to the government—regardless of whether these appointed individuals were entitled to their positions by traditional and customary practice. These policies had the added advantage, from the regime’s distorted perspective, of better dividing larger and influential tribes to better control their areas and resources. Such policies have led to the creation of de facto militarized ethnic federalism in the Darfur region in particular and there are signs of its expansion to West and South Kordofan and elsewhere in Sudan. Darfur’s local government units now increasingly overlap with the traditional domains of the tribes. The practice of appointing tribal leaders to local government positions, and allowing these leaders to recruit and command their own militias, has added fuel to localized traditional disputes over boundaries and access to natural resources. The presence of government-issued weapons in the hands of tribesmen has reignited and exacerbated dormant traditional disputes, leading to unprecedented levels of deadly inter- and intra-tribal conflict in Darfur, which stem directly from these government policies.” (Enough Project, 6 April 2017, pp. 15-16)

2.1 Arab ethnic groups

The undated online exhibition of the University of South Florida (USF) Libraries states:

“Some of the tribes that consider themselves Arabic include: Rizeyqat, Beni Halba, Ta’aisha, Habbaniya, Ziyaddiya, Fulbe, Ja’aliyin, Misseriya, Djawama, Beni Helba, Meidob Habania, Beni Hussein, Ateefat, Humur, Khuzam, Khawabeer, Beni Jarrar, Batahin, Mahameed, Ma’aliyah among others.” (USF, undated)

2.1.1 Rizeigat

A number of sources refer to the Rizeigat (also: Reizegat, Rizaygat, Rezeighat, Rezeigat) as an Arab tribe in Darfur (BZ, 11 May 2010, pp. 5-6; Böcker, 2009, p. 37; Flint/de Waal, 2008, p. 8; Jenkins, 11 May 2006; USF, undated).

According to the undated website of the Embassy of the Republic of Sudan in Washington, D.C., Darfur's Arab tribes are "headed" by the Rizeigat who are "spread over central and southern Darfur" and are considered as pastoralists. The same source also notes that "[s]mall branches of the tribe live on farming around the town of Dhain". (Embassy of the Republic of the Sudan in Washington, D.C., undated)

An October 2010 report published by the Small Arms Survey distinguishes between the Northern Rizeigat (mainly camel herders) primarily based in North Darfur and the Southern Rizeigat (mainly cattle herders) who can be mostly found in south-east Darfur:

"The Rizeigat are the largest and most powerful of the Arab tribes of Darfur, composed of two groups — the predominantly camel-herding Northern Rizeigat, based mainly in North Darfur state but with branches in West and South Darfur, and the mainly cattle-herding Southern Rizeigat, most of whom live in south-east Darfur under the authority of their nazir, Saeed Mahmoud Ibrahim Musa Madibo. The Southern Rizeigat did not respond to the government's mobilization call to fight the insurgency in 2003. Three branches of the Rizeigat tribe — the Mahamid, Mahariya, and Nuwaiba — are common to both groups and reportedly fought together against the Baggara." (Small Arms Survey, October 2010, p. 14)

The United States Institute of Peace (USIP) provides the following overview of the southern and northern Rizeigat:

"Traditionally, all the southern Rizeigat, who are baggara (cattle herders), came under the rule of the old and powerful Madibbo family. The Madibbo, from the Mahariya Um Dahiya clan and based in ed-Da'ain east of Nyala, have presided over the baggara Rizeigat since the nineteenth century. In 1928, the British attempted to carve out a single nazirate in an unsuccessful attempt to unite the southern and northern (abbala) Rizeigat in one political unit under the leadership of nazir Ibrahim Musa Madibbo of the southern Rizeigat. The abbala (camel-herding) Rizeigat groups remained in northern Darfur under their sheikhs, and their unresolved claims to control over land have been one of the single most powerful driving factors in the current conflict. [...] In 2003, Khartoum gave an independent nazir to longtime rivals of the Rizeigat, the Ma'aliya of Adila, who until then had only one of the three wukala' (sing. wakil, representatives) under the Rizeigat nazir." (USIP, 2012, pp. 18-19)

A January 2009 report of the Feinstein International Center of Tufts University in Boston (USA) elaborates on the traditionally camel-herding (abbala) Northern Rizeigat who are differentiated from the Southern Rizeigat cattle-herders (baggara) with whom they share some tribal links:

"The Northern and Southern Rizaygat form a loose 'confederation' of Rizaygat tribes in Darfur. The Northern Rizaygat are traditionally camel herders (abbala), while the Southern Rizaygat are cattle herders (baggara). The Northern and Southern Rizaygat have three branches in common — the Mahriyya, Nu'ayba, and Mahamid. They include both abbala and baggara. There are two additional Northern Rizaygat groups who are uniquely abbala — the Iraygat and Itayfat. The Northern Rizaygat are located primarily in the state of North Darfur, although some Mahamid abbala have branches in southern and western Darfur.

The Southern Rizaygat groups are found in South Darfur, and are united under one tribal administration with the town of Ed-Dain as the administrative center. In contrast to their cousins in South Darfur, the Northern (camelherding) Rizaygat are found separately under their individual tribal administrations of Mahamid, Mahriyya, Nu'ayba, Iraygat, and Itayfat (Theobald, 1965; Elhassan, 1995; MacMichael, 2005). [...] The Northern Rizaygat are atypical in that they are the only group in Darfur that has continued to practice nomadic camel-based pastoralism, with a seasonal migratory movement from the arid and semi-arid fringes of the Sahara in the far north, to the rich savannah in the southern and southwestern part of the region. Recently, the Awlad Rashid, Shatiya, and Mahadi have joined the 'confederation' of the Northern Rizaygat. This new alliance may be driven by a desire to increase political influence in view of post-1990s tribal polarization. The Northern Rizaygat are one of several abbala tribes in North Darfur." (Feinstein International Center, January 2009, pp. 29-30)

As mentioned in a February 2013 New York Times (NYT) article on clashes between the northern Rizeigat and the Beni Hussein, "[m]embers of the Beni Hussein tribe accused government forces of helping the Rizeigat and giving them powerful weaponry" (NYT, 1 February 2013).

A 2013 report of the German Institute of Global Area Studies (GIGA) recounts that when the first rebel movements were formed in Darfur in 2003, the government called on local elites to take up arms against the rebels. While this was rejected by several non-Arab tribes, the Rizeigat followed the government's call. They spearheaded Darfur's "counterinsurgency" and became known as Janjaweed. The same report also notes that smaller Baggara tribes' growing fear of the superior power of the Abbala and the prospect that they could be marginalised by them – above all by the particularly large Rizeigat tribe – is at the core of the intensification of the conflict in recent years. As Abbala access to traditional pastures in northern Darfur and markets in Egypt and Libya is becoming increasingly restricted by non-Arabic groups, many Rizeigat are looking towards the south. This has resulted in conflicts with local Baggara groups over access to grazing land. Another factor that has propelled Baggara fears of the Abbala and polarisation between these two groups is the government's strategy of using Abbala as proxies. Many Rizeigat members of the Popular Defence Forces (PDF) have been linked to the Sudanese Armed Forces (SAF) and thus are much better equipped militarily. There are reports suggesting that the Rizeigat have also enjoyed government support in their incipient conflicts with the Baggara. (GIGA, 2013, pp. 4-5).

The Enough Project in its April 2017 report explains that at the beginning of the conflict in 2003 and 2004 the Rizeigat Abbala of North Darfur were more responsive to recruitment into government-affiliated militias than the Rizeigat Baggara:

"Economic incentives coupled with political rewards are central to the functioning of militia states. The Sudanese regime's recruitment drive in 2003 and 2004 was well received by the smaller sections and clans of North Darfur's Rizeigat Abbala, or camel-herding groups, because the latter shared historic grievances with being denied the rights to their tribal homelands or 'dars.' The larger cattle-herding groups of East and South Darfur, including

the Rizeigat Bagarra, who had historic entitlements to dars, were less responsive to the recruitment drive.” (Enough Project, 6 April 2017, p. 14)

A March 2017 report by the UN Secretary-General on children and armed conflict in Sudan recounts the creation of the government militia, the Rapid Support Forces (RSF), indicating that the militia drew most of its recruits from the Rizeigat tribe:

“In August 2013, in preparation for the launch of Operation Decisive Summer, the Government created an auxiliary force, the Rapid Support Forces, the members of which were mostly recruited from the Rizeigat tribe, many of whom formerly belonged to the Border Guards and, to a lesser extent, the Central Reserve Police. The Rapid Support Forces took an increasing role in operations against armed groups and reportedly committed gross violations of international human rights and humanitarian law. In January 2015, the Rapid Support Forces, which had been operating under the command of the National Intelligence Security Services, became part of the regular government forces through a constitutional amendment. In April 2015, the Rapid Support Forces were placed under the command of the Presidency. In January 2017, the Parliament passed the Rapid Support Forces Act, integrating those forces into the Sudan Armed Forces.” (UN Security Council, 6 March 2017, p. 3)

The Small Arms Survey report of April 2017 provides an overview of government-affiliated militias in the different states of Darfur, many of which operate under the RSF. In North Darfur, Rizeigat Arabs of the Mahamid clan under their leader Musa Hilal Abdallah created their own militia and have since had a chequered relationship with the Sudanese government:

“North Darfur is the main area of control and operations for Sudanese militias, and is the state from which many of them originated. Their main (and most famous) historical leader is sheikh Musa Hilal Abdallah, the head of North Darfur’s Mahamid Rizeigat Arabs. In 2003-04 he reportedly had 12,000 combatants under his command. Today this figure could be as low as 6,000, yet it is said that he could mobilize many more inactive forces from among the Mahamid in both North and West Darfur, in particular if a threat arose against his person. The bulk of his supporters remain his own Jalul clan. [...] His main area of control is around Kabkabiya (and his stronghold of Misteriha) and Kutum. Initially part of the Border Guards, his forces partly stopped receiving regular government salaries and may be funded through the extortion of taxes at road checkpoints. Since 2005 Hilal has gradually been distancing himself from Khartoum, and his troops have occasionally turned against SAF forces and rival militias. [...] Since 2014 Hilal has reportedly asked for Rizeigat men who were loyal to him to be integrated into the regular armed forces and the RSF, with limited success. In January 2015 the Sudanese government reportedly promised Hilal the rank of SAF major general and a large sum of money in exchange for recruiting some 10,000 Mahamid men, possibly as RSF forces. It is unclear whether this happened. By late 2016, despite continuous attempts at rapprochement, Hilal’s relations with Khartoum seemed to remain distrustful.” (Small Arms Survey, April 2017, p. 6)

As the Small Arms Survey reports, another Rizeigat militia in North Darfur, the Jalul militia under its leader An-Nur Ahmad, has been fighting alongside the Sudanese Armed Forces in the Kutum area, with several other splinter groups also active under the name Rapid Support Forces:

“Jalul militia leader An-Nur Ahmad, who is considered to have broken away from Hilal in North Darfur, is based in Gubba, near Kutum (and is thus better known as An-Nur Gubba). One of the first militia leaders to broker a deal with the SLA-AW in 2006, he returned to the government fold and was given a base in Gubba in 2008–09. His forces number 600 men recruited among various Mahamid clans; they have about 100 vehicles and are mostly active around Kutum. They include abbala Arabs from the Jalul, Eteifat (from Um Sayala, which was the main militia base in the Hashaba area before An-Nur settled in Gubba), and Eregat clans. Initially from the Border and CRP [Central Reserve Police], they were at least partly integrated into SAF and now reportedly use the name RSF. However, they do not seem to have been formally integrated into the NISS-controlled RSF and may be directly under the command of the Ministry of Defence. They have systematically fought alongside SAF, including with air support. [...] An-Nur’s forces are considered to be the most loyal government militia in North Darfur. Other militias who have broken away from Hilal are based in the Kabkabiya area. They notably include Mahamid militias from the Awlad Tako and Awlad Jonub clans under Himeda Abbas. They are mostly active in Saraf Umra and are under SAF command in the Kabkabiya area. In Kabkabiya itself local SAF units back another abbala militia under ‘Gamartallah’ Mohammed Musa from the local Zabalat clan, who is involved in the Jebel Amir gold mine. Gamartallah’s troops also reportedly call themselves RSF.” (Small Arms Survey, April 2017, pp. 6-7)

The report further indicates the presence of Rizeigat militias in West Darfur. Some of these militias are said to have been into the Border Guards:

“Most of West Darfur’s Arab chiefs are politicians and/or war leaders, many of whom arrived from Chad between the 1960s and 1980s. In the 1990s their early loyalty to the NIF [National Islamic Front] regime was rewarded by the granting of newly created amir positions in West Darfur’s ‘native administration’. The main militias were recruited among various Rizeigat clans, in particular the Mahamid. These include the Awlad Zeid, Awlad Id, Awlad Kileb, and Naja. The Mahariya, Eregat, Awlad Rashid, Beni Halba, and Mahadi also have important militias. Since 2003 all of these have been integrated into the Border Guards. Hilal has influence over Mahamid kinsmen in West Darfur. West Darfur militias have repeatedly intervened in North Darfur, either in tribal wars (such as the Rizeigat–Beni Hussein conflict in 2013), or on behalf of the government. By mid-2016 the RSF were said to be recruiting men in Al Geneina to fight the SLA-AW in Jebel Marra.” (Small Arms Survey, April 2017, p. 7)

In South Darfur, according to the Small Arms Survey, Rizeigat subclans have been recruited into the RSF under Rizeigat militia leader Hemmeti:

“In South Darfur the main paramilitary force currently appears to be the RSF’s first batch of recruits under Hemmeti. He reportedly controls at least 6,000 men who were recruited among Awlad Mansour and other Mahariya clans, as well as some Mahamid (in particular Awlad Zeid under a former Chadian rebel commander), Eregat, Awlad Rashid, other Arabs, and a growing number of non-Arabs such as Bergid and Tama. [...] Initially it seems that Hemmeti and his forces were chosen as the RSF’s first recruits because they were the most loyal among the Darfur militias and had not joined the fighting in Nyala. Indeed, they seem

to have remained more loyal to the government than many other paramilitary forces.” (Small Arms Survey, April 2017, p. 7)

Furthermore, the report mentions the recruitment of Rizeigat in East Darfur into different government forces, such as the PDF, the Border Guards and the CRP. However, the different government-affiliated militias are said to have been engaged in intertribal fighting since 2013:

“The new state of East Darfur is largely controlled by local baggara Rizeigat PDF [Popular Defence Forces], Border Guards, and the CRP [Central Reserve Police]. In addition, another newer Rizeigat paramilitary force under former SLA-Minni Minawi (SLA-MM) rebel Ali Rizeigallah ‘Savannah’ has been particularly active since 2013. Since then, Rizeigat militias have resumed their conflict with the Ma’aliya tribe, which has similarly mobilized its PDF against the Rizeigat. [...]. Since 2013 East Darfur militias have largely been engaged in inter-tribal conflict and have not been under government control. In April 2016 Savannah’s forces were ambushed by rival militias, which allegedly included Hemmeti’s Mahariya tribe. In retaliation, Savannah’s forces ransacked the house of East Darfur governor Anna’as Omar, who is a NISS colonel, killing two NISS agents. This incident is said to have increased tensions both between the Mahamid and Mahariya and, more generally, between militias and NISS forces in East Darfur.” (Small Arms Survey, April 2017, pp. 7-8)

2.1.2 *Beni Hussayn*

Jérôme Tubiana and R. S. O’Fahey in their 2007 article classify the Beni Hussayn as an Arab sedentary group and circumscribe the area of their settlement:

“A long-established Arab sedentary group, whose tribal area is bounded by Kabkabiyya (dar Fia) in the south, Kutum in the east, Dar Zaghawa in the north, Dar Siref Umoro, and Dar Qimir in the west. Their nazir is Ajidey Adam Hamid who lives in Serif Bani Husayn.” (O’Fahey, R.S./Tubiana, 2007, p. 38)

A February 2013 New York Times article refers to the Beni Hussayn as a being “largely cattle herders” (NYT, 1 February 2013).

The January 2009 report of the Feinstein International Center of Tufts University (USA) notes that the Beni Hussayn are an Arabic-speaking group and adds that subsections of the Beni Hussayn practice “camel nomadism” (Feinstein International Center, January 2009, p. 30).

According to an article published in the Sudan Tribune in April 2015, tribal violence erupted in 2013 between the Beni Hussayn and the Rizeigat Abbala in North Darfur:

“Hilal also oversaw a series of tribal reconciliation conferences, most prominently that between his own Abbala tribesmen (camel herders of North Darfur) and the Beni Hussein. A conflict between the two groups in 2013 over control of newly discovered gold mines in Jebel Amer, falling under the control of the Beni Hussein, led to 1,500 fighters and civilians being killed, mostly among the semi-sedimentary Beni Hussein, and displaced tens of thousands of artisanal gold miners.” (Sudan Tribune, 22 April 2015)

A further Sudan Tribune article of January 2017 speaks of a government allied militia of the Beni Hussayn and indicates that former Beni Hussayn territory is now under the control of Abbala Rizeigat militias:

“Sudanese Interior Minister, Ismat Abdel Rahman Zein al-Abdin, Wednesday has called for the intervention of the army to end the control of armed militias over gold mines in North Darfur State. [...] Fighting between two government allied Arab militias of Bani Hussein and Abbala Rizeigat tribes during the year 2013 resulted in the death of over 800 people and displaced 105,000 others. Since, the Abbala militiamen control the area. In their report of July 2016, UN experts said Abbala militiamen under the control of Musa Hilal control at least 400 mines.” (Sudan Tribune, 5 January 2017)

The Small Arms Survey report of April 2017 notes that the Beni Hussayn have reformed their militia as part of the Border Guards:

“In Sireif Beni Hussein, Beni Hussein Arab Border Guards who fought and were defeated by various Rizeigat militias in 2013 have since reformed. They are reportedly under the command of retired SAF major general al-Hadi Adam Hamid, a Beni Hussein, who intermittently commanded the Border Guards between 2003 and 2010.” (Small Arms Survey, April 2017, p. 7)

2.1.3 *Ma’aliya*

In their 2007 article, Jérôme Tubiana and R. S. O’Fahey state the following concerning the Ma’aliya:

“The Ma’aliyya have their centre at Adila, east of al-Da’ayn. They have broken away from the Rizayqat and now have their own nazir, Adam Sharif. There is still a continuing feud between the Ma’aliyya and the Rizayqat.” (O’Fahey, R.S./Tubiana, 2007, p. 37)

Sudan Tribune mentions in an August 2013 article that “[b]oth the Rezeigat and the Maalia are pastoralist tribes, based in East Darfur. The centre of Rezeigat territory is in Al Da’ain town, the capital of East Darfur, while the Maalia centre is in Adila, the second largest town after Al Da’ain”. (Sudan Tribune, 15 August 2013)

Following clashes between the Rizeigat and the Ma’aliya, the Sudan Tribune reports in May 2015 that the Ma’aliya tribe accuses the Sudanese government of backing the Rizeigat attack:

“A Ma’alia tribal leader pointed fingers at high-level officials in the Sudanese government and held them responsible for deadly clashes that took place this week with the Rezeigat tribe on Monday which killed hundreds from both sides. [...]

The speaker of the Ma’alia Shura Council Mardas Guma’a demanded the abolition of East Darfur state stressing that this is a key condition for any peace agreement with the Rezeigat. [...]

He said that they informed authorities of the imminent attack via letter sent to the minister of state at the Ministry of Justice May 7th but to no avail. ‘On the contrary, the aggressors received protection from the state and its government and they used government assault

weapons including Dushka guns, machine guns, rocket launchers, mortars and incendiary shells,' the Ma'alia tribal figure asserted." (Sudan Tribune, 14 May 2015)

According to the April 2017 Small Arms Survey, the Rizeigat and the Ma'aliya tribes have both used their government-allied militias to fight one another in East Darfur:

"East Darfur [...] Rizeigat militias have resumed their conflict with the Ma'aliya tribe, which has similarly mobilized its PDF against the Rizeigat. [...] Since 2013 East Darfur militias have largely been engaged in inter-tribal conflict and have not been under government control." (Small Arms Survey, April 2017, p. 8)

2.1.4 *Beni Halba*

Several sources list the Beni Halba (also: Bani Halba) among Darfur's Arab tribes (Böcker, 2009, p. 37; BZ, 11 May 2010, pp. 5-6; Flint/de Waal, 2008, p. 8; Jenkins, 11 May 2006; USF, undated) and refer to them as Baggara (Böcker, 2009, p. 37; Flint/de Waal, 2008, p. 8; BZ, 11 May 2010, pp. 5-6; Jenkins, 11 May 2006). As indicated by Böcker, the Beni Halba live in southern Darfur (Böcker, 2009, p. 37).

The 2007 article by Jérôme Tubiana and R. S. O'Fahey states the following concerning the Beni Halba:

"Their tribal territory is in Idd al-Fursan. In the rainy season they nomadize northwards towards northern Darfur and Geneina and in the dry season southwards towards the Central African Republic and western Bahr al-Ghazal." (O'Fahey, R.S./Tubiana, 2007, p. 37)

The March 2017 US Department of State (USDOS) report on human rights practices in Sudan (covering 2016) refers to the participation of the Beni Halba in units of the Sudanese Border Guards:

"On January 8, the body of a shepherd for the Arab Bani Halba tribe was found near the Massalit village of Moli, approximately six to 12 miles south of El Geneina. According to UNAMID, the Bani Halba demanded compensation, but the Massalit denied involvement and refused. On January 9, Bani Halba tribesmen, many or all of whom served as border guards--supported by fellow border guards from the Arab tribes of Maharia, Awlad Janoub, Awlad Marni, and Sheigerat--attacked Moli with up to 200 men and 20 Toyota Land Cruisers in retaliation." (USDOS, 3 March 2017, section 1g)

2.1.5 *Misseriya*

The 2007 article by Jérôme Tubiana and R. S. O'Fahey contains information on the area of settlement and subclans of the Arab Misseriya:

"The main centres of the Misiriyya are in Chad and Kordofan; in Darfur they are to be found in Kas and Nutayqa under the leadership of nazir al-Tijani Abd al- Qadir. A number of other smaller Arab groups —Hotiyya, Taalba, Saada and Tarjam — are associated with the Misiriyya." (O'Fahey, R.S./Tubiana, 2007, p. 37)

The United States Institute of Peace (USIP) notes in its 2012 report:

“The Missiriya Arabs are mostly present in Kordofan and Chad, with only small pockets in Darfur around Niteiga, north of Nyala. The area had been part of the magdumiya, but is now the center of an independent Missiriya nazirate. A number of small Arab groups claim a Missiriya connection, particularly in southern and western Darfur — the Ta’alba (Kas area), the Hotiya (Kas and Zalingei), the Sa’ada (Gardud, north of Nyala), the Nei’mat (Kas), and others. To these must be added the Missiriya Jebel of Jebel Mun, north of Geneina; they speak their own language (Milerinkiya) and are traditionally considered non-Arab, but some of their leaders have of late begun to stress a link with the Missiriya Arabs. Some Missiriya leaders claim that united, the Missiriya would be the most powerful Arab group in Darfur, more numerous even than the Rizeigat.” (USIP, 2012, p. 24)

In a statement to the U.S. House of Representatives Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights and International Organizations, David Dettoni, Director of Operations for the Sudan Relief Fund, describes the Misseriya as a “nomadic pastoralist tribe that historically grazed its cattle for a few months a year”. (U.S. House of Representatives, 26 April 2017, p. 4)

Sources indicate that the Misseriya are allied with the Ta’aisha (Sudan Tribune, 21 February 2014; Radio Dabanga, 12 November 2013).

The International Crisis Group (ICG) in a Briefing of April 2015 provides details on the conflict between the Salamat on the one hand and the Misseriya and Ta’aisha on the other, stating that all three tribes dispose of government-affiliated militias that intermittently fight each other:

“The Ta’aisha, long in dispute with the Salamat, sided with the Misseriya, and fighting expanded over central Darfur. By June [2013], Salamat and Misseriya had an estimated 300 casualties each. Some 50,000 civilians, largely Salamat, took refuge in Chad. All sides called on members or ex-members of paramilitary forces, reportedly including Misseriya Border Guards from Nateiqa, South Darfur. Ta’aisha Central Reserve Police (CRP) forces allegedly were led by the International Criminal Court (ICC)-indicted Ali ‘Kosheib’. In July 2013, during unrest in South Darfur’s capital, Nyala, he was wounded by a Salamat Border Guard, who was then arrested and reportedly died after torture. The Ta’aisha were said to enjoy political backing from Finance Minister Ali Mahmoud, a kinsman.” (ICG, 22 April 2015, pp. 7-8)

The April 2017 Small Arms Survey report provides information on the mobilisation of government-affiliated militia by the Misseriya in inter-tribal conflicts:

“In the other new state of Central Darfur inter-tribal conflict is similarly prominent. Since 2013 the main conflict has involved three Arab tribes: the Salamat against the Missiriya and Ta’aisha. All of them have mobilized their government-linked militias, including the Ta’aisha CRP forces under Ali Mohammed Ali ‘Kosheib’, and Salamat and Missiriya Border Guard units, including Missiriya forces from Nateiqa, South Darfur. (Kosheib is the only militia leader who has been indicted by the International Criminal Court.)” (Small Arms Survey, April 2017, p. 8)

2.1.6 *Ta'aisha*

Several sources mention the Ta'aisha as an Arab Baggara tribe (BZ, 11 May 2010, pp. 5-6; Böcker, 2009, p. 37; Jenkins, 11 May 2006).

The 2007 article by Jérôme Tubiana and R. S. O'Fahey contains the following information on the Ta'aisha and their connection to the Salamat:

“They have their centre at Rihayd al-Birdi in southwestern Darfur. In the rainy season they nomadize northwards towards northern Darfur and Geneina and in the dry season southwards towards the Central African Republic and western Bahr al-Ghazal. Their chief is nazir Sanusi. Attached to the Ta'aisha are the Salamat, whose main body is in the region called Salamat in eastern Chad. In Darfur they live around Idd al-Fursan.” (O'Fahey, R.S./Tubiana, 2007, p. 37)

Sources indicate that the Ta'aisha are allied with the Misseriya (Sudan Tribune, 21 February 2014; Radio Dabanga, 12 November 2013).

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2.1.7 *Salamat*

A March 2014 Amnesty International (AI) report gives an overview of the Salamat tribe:

“The Salamat are a Baggara (cattle herder) Arab tribe found in Chad and in West, Central and South Darfur. For decades, the Salamat had been living under the administrative authority of the Ta’aisha, an Arab tribe located in South Darfur. In January 2012, President Omar Al Bashir issued a presidential decree creating two new states, Central and East Darfur in line with the power-sharing agreements set out in the Doha Document for Peace in Darfur (DDPD). Creating Central Darfur State was perceived as a move consolidating the administrative powers of the Salamat tribe. Leaders of the Salamat community told Amnesty International obtaining their own administrative unit strained their relations with the Ta’aisha. Local sources said that other Arab tribes living in the area, such as the Misseriya and the Ta’aisha, were unhappy with the decision and did not attend the ceremony and festivities to celebrate the newly gained administrative powers. These local sources believe that the root cause of the current conflict lies in the feud over traditional land rights that has long existed in Darfur.” (AI, 14 March 2014, p. 11)

The International Crisis Group (ICG) in its Briefing of April 2015 provides details on the conflict between the Salamat on the one hand and the Misseriya and Ta’aisha on the other, stating that all three tribes dispose of government-affiliated militias that intermittently fight each other. It also explains how the Salamat joined paramilitary forces in order to garner government support:

“Communities of the Salamat, a large tribe in Chad, have migrated since the 1970s to Darfur, where they gained mid-level chieftaincies (omodiyā) under Arab paramount chiefs, including the Ta’aisha, one of four baggara (cattle herding) tribes holding a dar (traditional administrative unit) and a nazir (paramount chief). In Um Dukhun area, they co-existed with other guests, in particular Misseriya, a large Arab people with land in Chad and West Kordofan. The Salamat sought government support by joining paramilitaries to obtain land rights and paramount chieftaincies. [...]

The Ta’aisha, long in dispute with the Salamat, sided with the Misseriya, and fighting expanded over central Darfur. By June [2013], Salamat and Misseriya had an estimated 300 casualties each. Some 50,000 civilians, largely Salamat, took refuge in Chad. All sides called on members or ex-members of paramilitary forces, reportedly including Misseriya Border Guards from Nateiqā, South Darfur. Ta’aisha Central Reserve Police (CRP) forces allegedly were led by the International Criminal Court (ICC)-indicted Ali ‘Kosheib’. In July 2013, during unrest in South Darfur’s capital, Nyala, he was wounded by a Salamat Border Guard, who was then arrested and reportedly died after torture. The Ta’aisha were said to enjoy political backing from Finance Minister Ali Mahmoud, a kinsman.” (ICG, 22 April 2015, pp. 7-8)

The April 2017 Small Arms Survey report provides information on the mobilisation of government-affiliated militia by the Salamat in inter-tribal conflicts:

“In the other new state of Central Darfur inter-tribal conflict is similarly prominent. Since 2013 the main conflict has involved three Arab tribes: the Salamat against the Missiriya and Ta’aisha. All of them have mobilized their government-linked militias, including the Ta’aisha CRP forces under Ali Mohammed Ali ‘Kosheib’, and Salamat and Missiriya Border Guard units, including Missiriya forces from Nateiqā, South Darfur. (Kosheib is the only

militia leader who has been indicted by the International Criminal Court.)” (Small Arms Survey, April 2017, p. 8)

2.2 Non-Arab ethnic groups

The undated online exhibition of the University of South Florida (USF) Libraries includes the following list of non-Arab tribes in Darfur:

“Tribes considered non-Arabs include the Fur, Masalit, Zaghawa, Bideyat, Tama, Mima, Berti, Bargo, Kanein, Birgid, Dajo, Tunjur, Berti, Kuraan, Erenga, Kanein, Barno, Mararit, Fellata, Jebel, Sambat, Hadahid, Gimir among others. The major tribes in Darfur are the Zaghawa, Fur and Masalit.” (USF, undated)

The Dutch Ministry of Foreign Affairs (Ministerie van Buitenlandse Zaken, BZ) identifies the main non-Arab tribes of Darfur as being the Fur (including Keira, Kunjara), the Zaghawa (including Tuer, Galla, Kabja and Bedeyat), the Meidob, the Massaleit, the Dajo, the Berti, the Kanein, the Birgid, the Beigo, the Erenga, the Fellata (including Housa, Fulani and Um Bororo), the Fertit (including Kara, Binga), the Mima, the Bargo, the Barno, the Gimir, the Tama, the Mararit, the Fellata, the Jebel, the Sambat and the Tunjur (BZ, 11 May 2010, p. 5).

2.2.1 Berti

Jérôme Tubiana and R. S. O’Fahey in their 2007 article mention the areas in Darfur inhabited by the Berti:

“The Berti are a major ethnic group with their centre at Mellit, who used to speak a language distantly related to Zaghawa. Their current ruler is malik Husayn Ahmaday Adam Tamim from an old and well-established ruling family, the Baasanga; he is the eighteenth ruler of his lineage. He controls 22 omdas of whom 20 are Berti, 1 Zaghawa and 1 Arab Bani Hamran. There are three other Berti rulers in Eastern Darfur, — the malik of Dar Simiyat, between al-Fashir and al- Kuma, — the shartay of Umm Keddada, — the shartay of al-Tuwaysha belongs to a traditional ruling family, the Daw al-Bayt.” (O’Fahey/Tubiana, 2007, pp. 32-33)

An independent researcher with expert knowledge on the conflict in Sudan who has asked not to be quoted by name wrote in an email response of December 2016 regarding the relationship of the Berti with the Sudanese government:

„Many Darfurians from all tribes have been living in Khartoum for a long time. Some would even say they constitute the first group, by origin. They were suspected of being pro-rebels since the beginning of the war in 2003, and even more since the JEM [Justice and Equality Movement] rebel raid on Khartoum in 2008. Yet, in terms of ethnicity, only the Zaghawa were specifically persecuted. Much less the Berti, who have people working in various government forces (including security services) and institutions (in particular Osman Kibir, a main Darfurian figure in the ruling party, was North Darfur governor for more than a decade).“ (Independent researcher, 5 December 2016)

Jérôme Tubiana, an independent researcher with expertise on conflict and armed movements in Darfur in his email response of 18 July 2017 remarked the following on the Berti and their

recruitment into government-affiliated militia as well as the rebel Justice and Equality Movement:

“Some of the Berti from Um Kaddada/Taweisha (not Mellit) were recruited into non-Arab PDF [Public Defence Forces] militias since 2011, specifically targeting the Zaghawa. This was mostly made under the auspices of then North Darfur Governor Osman Kibir, himself a Berti. Yet those militias were not that strong and were sometimes defeated by rebels. Since Kibir is not governor anymore, those militias are less important, and more generally the Berti are less important within the local administration in Darfur. Some of the Berti elite are with the government like Kibir but other are important members of JEM [Justice and Equality Movement].” (Tubiana, 18 July 2017)

Afia Darfur, a radio programme produced by Middle East Broadcasting Networks with a focus on news in Darfur, reports in November 2015 that a peace agreement was signed between the Northern Rizeigat and the Berti under the auspices of the commissioner in Mellit. Clashes had previously broken out between the two tribes after members of the Berti tribe had killed a member of the Rizeigat north of Mellit. (Afia Darfur, 16 November 2015)

In her testimony to the U.S. House of Representatives Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights and International Organizations, Aicha Elbasri, former spokesperson of UNAMID mentions the recruitment of Berti into the government-affiliated Public Defense Forces (PDF) which targeted the Zaghawa community:

“Ethnic targeting of Zaghawa tribes: the Popular Defense Forces (PDF) are paramilitary forces established around 1989. They used to be recruited from Arab and non-Arab Darfuris. But since late 2010, the Sudanese government changed the ethnic make-up of the PDF by limiting the recruitment to non Arab tribes, mostly Berti and Birgit, who held feuds and grievances against the Zaghawa tribes. UNAMID code cables spoke in length about the government political calculations behind the militarization of these two tribes and how they launched them against the Zaghawa, in a clear ethnic targeting campaign.” (U.S. House of Representatives, 13 April 2016)

An article by the Guardian of June 2015 notes the displacement caused by clashes between Zayadiyya and Berti militias:

“In North Darfur state, a series of deadly attacks this year has fomented tensions between the Berti and Zayadia tribes and displaced thousands more people. Berti student leaders reportedly suspect Musa Hilal, a prominent Arab militia chief, of stirring trouble. Hilal is a political rival to North Darfur’s Berti governor, Osman Mohamed Yousif Kibir, who is accused of recruiting an ethnic militia of his own.” (The Guardian, 5 June 2015)

The April 2017 Sudan Issue Brief published by the Small Arms Survey also mentions the militias mobilised by the Berti leader Osman Kibir, noting that these militias risked losing government support in 2015:

“Starting in 2011, former North Darfur governor Osman Kibir, whose power base lay mostly among non- Arab tribes of north-eastern Darfur, actively mobilized militias among these communities, which were known as milishiyat Kibir or ‘Kibir’s militias’. Among the

communities that were mobilized were the Berti, Tunjur, Mima, and Bergid. These militias targeted the Zaghawa, who were accused of supporting local insurgents and seen as newcomers in this part of Darfur. More recently, some of Kibir's militias were also involved in fighting the Zeyadiya Arabs, who are also seen as newcomers. After Kibir lost his governor's position in 2015, these militias risked losing government backing." (Small Arms Survey, April 2017)

Stichting Vrouwen Organisatie Nederland-Darfur (VOND), a Dutch NGO which aims at empowering Darfuri women to engage in peaceful conflict resolution, in a 2016 account of Darfuri women telling their stories of peace building refers to clashes between the Berti and Zayadiyya tribes in 2015:

"Unfortunately, on March 2015 a violent conflict started between two tribes (the Berti and the Zayadiya). However, while the Berti live in a town called Milliet and the Zayadia live in Kuma, many members of each tribe live in the county of the other tribe. For example, Zayadi live in 8 out of the 21 neighbourhoods of Milliet while many Berti tribes have been living in Kuma for centuries and in fact intermarriage is a common feature of their relationship. Despite the peace agreement which was signed to end the violence, families from both cities were harassed or forced to leave their homes." (VOND, 2016, p. 29)

The Sudan Tribune in an article of July 2016 provides information on the return of a defected militia to North Darfur where it is said to have been reintegrated into the Border Guards. Among its tasks will be to protect the Berti and Ziyadiyya tribes in the Mellit area, which according to the article have fallen victim to rebel attacks:

"The governor of North Darfur state Abdel-Wahid Youssef announced on Saturday the return of a Border Guards militia officer Musab al-Ahmed Mohamed Mahmoud, who defected in October 2013, with his troops and weapons. The defected group members were discharged from the service upon their movement to Mellit area during an attack by the rebels in October 2013. First Lieutenant Mahmoud who defected with his 700 militiamen, is now integrated in the Rapid Support Forces (RSF). [...]

The commander of the sixth infantry division Major General Ashraf Al-Rifa'ai has meanwhile announced the end of differences with the renegade group, and praised them for their cooperation. Al-Rifa'ai also appreciated the role of the mediators who managed to solve the crisis, saying that 'it is easy to defect, but it is difficult to join peace'. He further affirmed that Mahmoud has become safe after his return, stating that 'we welcome him inside the army'. 'We would like to tell Ziyadia and Berti that Mahmoud is not keener than us to protect you', he added. Mahmoud and his soldiers deserted their military unit in South Kordofan and returned to Mallit to protect the tribes of Berti and Ziyadia after rebel attacks on the area." (Sudan Tribune, 17 July 2016)

In June 2017 Afia Darfur reports armed clashes between the Berti and the Hamar on the borders between the two federal states North Darfur and West Kurdufan, leaving at least four people dead and several wounded. According to a press spokesperson of the Government of West Kurdufan, there has been a long-standing conflict between the two tribes which has broken out anew over the issue of agricultural land. (Afia Darfur, 2 June 2017)

2.2.2 *Fur*

Jérôme Tubiana and R. S. O’Fahey in their 2007 article write about the number and areas of settlement of the Fur, also mentioning that some Fur leaders aligned themselves to the ruling National Congress Party in 2006:

“The Fur are the largest ethnic group in Darfur, numbering some 2 million out of 6 million. Their homeland comprises the mountain range of Jabal Marra and the lands around the mountains to the west, southwest and southeast; their traditions imply a process of systematic expansion away from the mountains, especially towards the southwest. They speak a language seemingly unrelated to any other spoken in Darfur. [...]

Recently (July 2006) a group of Fur leaders aligned to the National Congress Party (NCP) proclaimed Ibrahim Yusuf Ali Dinar, a grandson of the last sultan of Darfur, Ali Dinar (r. 1898-1916), as sultan of the Fur.” (O’Fahey/Tubiana, 2007, pp. 26-27)

The weekly US magazine Newsweek points out in an article of August 2016 that the rebel group SLM-AW consists mainly of Fur:

“Sudan Liberation Movement (SLM): A rebel group drawing its membership mainly from the three largest non-Arab tribes in Darfur—the Fur, Zaghawa and Masalit—the SLM was, along with the JEM, one of the original opposition movements in the conflict-torn region. The SLM has since split into two ethnic factions: one led by Abdel Wahid Mohamed al-Nur and consisting mainly of Fur, and the other commanded by Minni Arkou Minnawi and composed largely of Zaghawa. The faction led by Minnawi have signed up to the AU [African Union] agreement, according to the Sudan Tribune, while the Wahid faction have not yet committed.” (Newsweek, 10 August 2016)

An October 2014 report by the Small Arms Survey on rebel movements in Darfur further details the split of rebel groups along ethnic lines:

“The Sudan Liberation Army (SLA) announced its existence in February 2003, followed one month later by JEM. Most of their members came from the Fur, Zaghawa, and Masalit groups, who felt that local Arab groups and the Khartoum government were conspiring against them.” (Small Arms Survey, October 2014, p. 10)

“SLA-AW is led by Fur lawyer Abdul Wahid al Nur, a secularist, albeit one without a particularly well-defined political vision. He has lived outside Darfur for many years, initially in Asmara, then Paris and Kampala. In the first years of the Darfur conflict he was very popular among the Fur, and among non-Fur in the IDP and refugee camps. However, this support has declined over the years. [...] Most of its fighters are Fur.” (Small Arms Survey, October 2014, p. 15)

2.2.3 *Masalit*

In their 2007 article, Jérôme Tubiana and R. S. O’Fahey write the following concerning the Masalit:

“The Masalit live on both sides of the Sudan/Chad border, but mainly in the Sudan, speaking their own language. [...]

There is also a Masalit community (sometimes called Masalat) in southern Darfur, around Qereida, under a leader sometimes called malik, sometimes sultan, but with much less power than the sultan of Dar Masalit in Western Darfur. (O'Fahey/Tubiana, 2007, p. 29)

As indicated by Böcker, the Masalit live in western Darfur and are Maba speakers (Böcker, 2009, p. 38).

The United States Institute of Peace (USIP) writes that “[t]he Masalit are a farming people who live in the fertile lands of western Darfur, traditionally at the fringes of the Darfur sultanate” (USIP, 2012, p. 17).

Cultural Survival, a US-based NGO working in the field of indigenous rights, provides an undated overview of the Masalit tribe:

“The majority of Masalit live in villages. Like other sedentary African farmers in Darfur, conflict with pastoral Arab groups over land and resources has been ongoing for generations. During the last few decades, severe drought, competition for scarce resources, easy access to firearms, and the lack of a democratic atmosphere in which such disagreements could be settled openly and fairly, have eroded the peace. Many Masalit whose lands were destroyed by the Janjaweed were former soldiers and policemen of the Sudanese government. Knowing that the government works in conjunction with the Arab militias, many of these men have quit their jobs and joined the SLA [Sudan Liberation Army] and the JEM [Justice and Equality Movement].” (Cultural Survival, undated)

Human Rights Watch (HRW) mentions in its September 2015 report on armed rebel groups that rebel fighters were recruited among the Masalit:

“Throughout most of the Darfur conflict, the three largest rebel factions have been the Sudan Liberation Army faction led by Abdul Wahid Mohammed Ahmed el-Nur (SLA/AW), the Sudan Liberation Army faction led by Minni Arko Minnawi (SLA/MM), and the Justice and Equality Movement led by Gibril Ibrahim (JEM). Rebel fighters have come primarily from three ethnic groups: the Zaghawa, the Fur, and the Massalit; however, many other tribes are also represented, including some members of Arab tribes. Beginning in 2006, perhaps earlier, the three factions began splintering into dozens of smaller groups, often divided along ethnic lines.” (HRW, 9 September 2015)

2.2.4 Zaghawa/Beri

Jérôme Tubiana and R. S. O'Fahey in their 2007 article refer to the Zaghawa in the following terms:

“As a ‘named’ group in the central Sudanic region, the Zaghawa go back to the 9th century. The history of the name is not necessarily the same as that of the present day Zaghawa and Bideyat, who call themselves collectively Beri. Their language, the Beria, is distantly related to the Teda/Daza (Tubu) language group of northern Chad. The Zaghawa are divided into a number of groups straddling the Sudan/Chad border.” (O'Fahey/Tubiana, 2007, p. 30)

The January 2009 report of Tufts University's Feinstein International Center refers to the Zaghawa as "a group speaking a Central Saharan language unrelated to any other in the Sudan" and "whose homeland lies to the northwest of Darfur, extending far into Chad and Libya" (Feinstein International Center, January 2009, p. 30).

An undated overview of the Zaghawa is provided by Cultural Survival:

"Scattered throughout Sudan, Chad, and Niger, the roughly 171,000 Zaghawa live primarily along the border between Sudan and Chad in the northern Darfur region. The Zaghawa, who also call themselves Beri, are a semi-nomadic ethnic group who rely on camel and cattle herding. [...] Competition for access to pasture and water often creates conflict either with settled farmers or among themselves." (Cultural Survival, undated)

The March 2017 US Department of State (USDOS) report on human rights practices in Sudan (covering 2016) states that "[t]he Zaghawa ethnic group in Darfur maintained a caste system that discriminated against persons of lower castes". (USDOS, 3 March 2017, section 6)

The International Crisis Group (ICG) reports in January 2014:

"Since 2010, fighting has broken out between non-Arab tribes, with new, government-backed non-Arab militias targeting Zaghawa communities, the tribe most represented within the rebel groups in eastern Darfur." (ICG, 27 January 2014, p. 1)

An October 2014 report by the Small Arms Survey on rebel movements in Darfur further details the split of rebel groups along ethnic lines, creating the Zaghawa group SLA-MM. Furthermore, the leadership of the JEM is said to be of a Zaghawa subgroup:

"The Sudan Liberation Army (SLA) announced its existence in February 2003, followed one month later by JEM. Most of their members came from the Fur, Zaghawa, and Masalit groups, who felt that local Arab groups and the Khartoum government were conspiring against them." (Small Arms Survey, October 2014, p. 10)

"SLA-MM is led by Minni Minawi, a Zaghawa trader and teacher who worked in northern Nigeria before the war. He broke away from the SLA to form his own Zaghawa-dominated faction at the October–November 2005 Haskanita conference (Tanner and Tubiana, 2007). Minawi's political vision is not dissimilar to Abdul Wahid's, and the split was driven by personal ambition and ethnic tensions between the Fur and Zaghawa. [...]

JEM's first leader, Khalil Ibrahim, had been an Islamist and an organizer of the paramilitary Popular Defence Forces (PDF). Like most of the initial leaders and soldiers in his movement, he was from the Zaghawa Kobe sub-group. Khalil was killed in December 2011 by an airstrike while travelling in Kordofan. He was replaced by his brother, Gibril." (Small Arms Survey, October 2014, p. 15)

The weekly US magazine Newsweek points out in an article of August 2016 that the rebel group SLM-MM consists mainly of Zaghawa:

“Sudan Liberation Movement (SLM): A rebel group drawing its membership mainly from the three largest non-Arab tribes in Darfur—the Fur, Zaghawa and Masalit—the SLM was, along with the JEM, one of the original opposition movements in the conflict-torn region. The SLM has since split into two ethnic factions: one led by Abdel Wahid Mohamed al-Nur and consisting mainly of Fur, and the other commanded by Minni Arkou Minnawi and composed largely of Zaghawa. The faction led by Minnawi have signed up to the AU [African Union] agreement, according to the Sudan Tribune, while the Wahid faction have not yet committed.” (Newsweek, 10 August 2016)

The April 2017 Sudan Issue Brief published by the Small Arms Survey states that in North Darfur, Zaghawa were targeted due to perceived affiliation with insurgent groups:

“Among the communities that were mobilized were the Berti, Tunjur, Mima, and Bergid. These militias targeted the Zaghawa, who were accused of supporting local insurgents and seen as newcomers in this part of Darfur.” (Small Arms Survey, April 2017, p. 7)

In an article of May 2017 Sudan Tribune quotes an RSF commander as saying that there are Zaghawa within the ranks of the RSF:

“The Sudan liberation Movement-Minni Minnawi (SLM-MM) has accused the Sudanese government forces of killing rebel fighters captured following recent clashes in North and East Darfur, but the Rapid Support Forces (RSF) denied the claim. The Sudanese army and the RSF militiamen clashed during four days from 19 to 22 with the SLM-MM and the SLM Transitional Council (SLM-TC) in North and East Darfur. The government army killed several leading rebel commanders and arrested the SLM-TC leader and other commanders. Speaking to his troops in Wadi Hawar, North Darfur, on Tuesday, RSF Commander Mohamed Hamdan Daglo, (aka Hametti) denied claims the killing or mistreatment of rebels arrested in the recent fighting. He went further to accuse the SLM-MM of circulating reports saying the RSF killed the Zaghawa rebel fighters as ‘a lie’. ‘More than 50 officers of different military ranks in the RSF are Zaghawa and participated in all the battles and hunted the rebels fleeing from the field for more than thirty kilometres,’ he stressed.” (Sudan Tribune; 24 May 2017)

2.3 Conflict between tribes since August 2015

The Dutch Ministry of Foreign Affairs (Ministerie van Buitenlandse Zaken, BZ) in its general report on Sudan of June 2017 (reporting period July 2015 until May 2017) remarks on the role of tribal conflicts within the general security situation in Darfur. According to BZ, Darfur has long been characterised by a contrast between Arab and non-Arab ethnic groups. However, it is not always possible to make a clear distinction between “Arab” and “African” ethnicities. In addition, there are increasingly tensions among Arab tribes. During the reporting period, these tensions repeatedly led to fierce intertribal fights, such as between the Rizeigat and the Ma’aliya and between the Beni Hussayn and the Rizeigat. (BZ, 20 June 2017, pp. 14-15)

The BZ further notes that in recent years the original conflict dynamic of rebels versus government has evolved into a multitude of actors in a variety of conflicts. In addition to the army and paramilitaries there are rebel groups, armed tribes and also “ordinary” criminals

(banditry) and criminal gangs. The security situation is therefore unstable. Most of the fighting does no longer take place between government forces and rebels but is instead related to tribal conflicts. Despite the government's attempt to curb this violence, tribal conflicts, violence against civilians by criminal groups and militias, as well as banditry resulted in many deaths in Darfur. In 2016, at least 80,000 civilians from Darfur were displaced as a result of continuing violence. In the years before 2016, West Darfur was relatively calm and stable compared to the other Darfur states. However, in 2016 there were several reports of tribal violence in West Darfur, leading to dozens of deaths and wounded as well as thousands of displaced persons. In early 2017, armed confrontations took place throughout Darfur. There were no major fights between the Sudanese government army and the rebel groups. There were also fewer clashes between communities than in 2015 and 2016, although tribal militias still carried out attacks in conflicts regarding land, water and natural resources. (BZ, 20 June 2017, p. 24)

According to the BZ, there have always been tribal conflicts over access to and use of land, water, pasture and natural resources in Darfur, mostly between sedentary farmers and nomadic shepherds or livestock herders. The tribal conflicts have, however, increased in recent years due to increased competition for fertile land and lucrative resources such as oil and gold. As the BZ reports, most tribal conflicts are now taking place between Arab tribes. In the second half of 2015, 20 incidents occurred, claiming 202 deaths. Over the year 2015, tribal conflicts were responsible for about one third of the conflict-related fatalities and 40 percent of displaced persons in Darfur. The authorities often tried to actively intervene by deploying security forces, creating buffer zones, imposing curfews and restrictions on the carrying of weapons in public, carrying out arrests and facilitating solutions (including the payment of blood money). UNAMID also actively participated in facilitating consultation and mediation. Although government policy led to a decline in the number of tribal conflicts, intermittent intercommunal violence occurred throughout Darfur during the reporting period [July 2015 until May 2017]. Hundreds were killed or injured by this violence and thousands were displaced. The BZ points out that the sporadic armed confrontations in East Darfur between the Ma'aliya and the Southern Rizeigat about land ownership - in which Rizeigat fighters attacked the governor's residence in Ed Daein (East Darfur) in April 2016 - illustrate how much the state authorities are challenged. The tribal conflicts are accompanied by a proliferation of tribal armed militia involved in setting up illegal checkpoints, carrying out abductions and carjacking as well as illegally occupying land. (BZ, 20 June 2017, pp. 27-28)

2.3.1 North Darfur

The July 2016 report by the UN Secretary-General mentions clashes between Masalit and Rizeigat near Sereif in North Darfur:

“In North Darfur, a clash between an unidentified armed group and cattle herders between 24 and 25 April claimed 28 lives in total, and Massalit attacked Northern Rezeigat near Sereif and killed two of them in an armed robbery.” (UN Security Council, 1 July 2016, p. 2)

The UN Secretary-General report of September 2016 mentions attacks on Zaghawa herders:

“In North Darfur, on 14 August, Arab militias attacked Zaghawa herders in Ba’ashim, north-west of Mellit, killing three of them, injuring two, abducting five and stealing livestock.” (UN Security Council, 27 September 2016, p. 3)

A further report by the UN Secretary-General of December 2016 contains information on tensions between IDPs of the Fur and Rizeigat:

“In North Darfur, tensions continued between internally displaced Fur and Northern Rizeigat tribespeople in Sortony in the aftermath of Northern Rizeigat attacks on internally displaced persons, including at the gathering site for such persons, in May and amid accusations of cattle-rustling and destruction of crops by the Fur, including SLA/AW elements. On 27 October, local nomad leaders prevented internally displaced persons from having access to the water point in the area. The blockade was lifted on 13 November following engagement by UNAMID with local leaders in Kabkabiyah and Sortony. The nomads continue to block commercial traffic along the Kabkabiyah-Sortony road. The government-led reconciliation process organized through the Kabkabiyah harvest prevention and conflict management committee is yet to reach a successful conclusion.” (UN Security Council, 23 December 2016, p. 4)

Another tribal conflict in Northern Darfur involving the Rizeigat and the Bani Hussayn is mentioned by the UN Secretary-General in his March 2017 report:

“Notwithstanding their 2014 peace agreement, tensions were revived between the Beni Hussein and Northern Rezeigat communities in North Darfur, particularly in El Sereif, where the former community continued to face access restrictions around the Jebel Amer gold mines, which are controlled by the latter. The relationship between the two communities also deteriorated in the village of Jemeza owing to the refusal by the Northern Rezeigat to vacate land that had been occupied by the Beni Hussein until the latter fled in 2013, following intensive intercommunal fighting over access to the gold mines. On 11 January 2017, disputes relating to cattle theft between the Beni Hussein and the Awlad Zaid clan of the Northern Rezeigat in El Sireaf led to the abduction of two Beni Hussein. The two groups reached an agreement on 18 January 2017, and on 13 February the Sudanese Minister of Mineral Resources visited the area and held discussions with both groups.” (UN Security Council, 23 March 2017, p. 3)

2.3.2 East Darfur

The July 2016 UN Secretary-General report on Darfur gives an overview of tribal clashes between several farming and cattle herding tribes in East Darfur in April 2016:

“Following the theft of camels by Southern Rezeigat from Ma’alia in the village of Tortahan on 15 April, Rezeigat attacked Ma’alia community leaders on 17 April who had gathered at a police station to discuss the issue. In the exchange of fire, seven Ma’alia, four government security personnel and nine Rezeigat were killed. The following day, Rezeigat attacked the residence of the governor in Ed Daein, who was absent at the time, and four of his guards and two assailants were killed in the ensuing firefight. Sudanese Armed Forces reinforcements were deployed to contain the situation.” (UN Security Council, 1 July 2016, p. 2)

“In East Darfur, a fight over cattle between Habaniya and Rezeigat on 23 April resulted in the death of two Habaniya, disputes over access to farmland between Ma’alia and Zaghawa led to the death of a Zaghawa on 7 April, and a clash over farmland between Birgid and Rezeigat resulted in the death of three Rezeigat and two Birgid between 28 and 29 April.” (UN Security Council, 1 July 2016, p. 3)

In September 2016 the UN Secretary-General further details the conflict between the Southern Rizeigat and the Ma’aliya which he says has intermittently turned violent since April 2016. He also notes that an attempted government intervention led to even more tribal tension:

“In East Darfur, the conflict over land ownership between the Southern Rezeigat and the Ma’alia remains unresolved. However, notwithstanding the continuation of security incidents between the two communities relating to cattle-rustling, the swift intervention of their local leadership, as well as the presence of government forces in the area, prevented a further escalation of violence. On 1 and 2 August, cattle-rustling-related fighting between the Agarba subgroup of the Ma’alia and the Southern Rezeigat in the Keil Keili area, East Darfur, led to five fatalities and seven injuries. Under the facilitation of the Government, the two groups signed a peace agreement in Muglad, West Kordofan, on 27 August to end the fighting. On 3 September, however, representatives of all the Ma’alia subclans protested against the agreement in Adilla, claiming that it was not inclusive of the entire Ma’alia community and that it had not been signed by the actual representatives of the Agarba. Moreover, the Government’s attempts to impose security measures and address the consequences of the fighting in April in East Darfur resulted in an increase in tensions with both groups. On 28 June, after the fatal shooting of a soldier in Ed Daein, the army aborted an attempt to apprehend Southern Rezeigat militiamen suspected of involvement in the attack on the Governor’s residence. On 4 July, nine army personnel were killed in heavy exchanges of fire with Southern Rezeigat militiamen in the area between Um Waragat and Jawazat, west of Ed Daein. Amid reports of the further mobilization of Southern Rezeigat militias in the area, the Governor of East Darfur announced on 6 July that those involved in the attacks in April would not be prosecuted. On 10 July, Ma’alia young people held a protest in Adilla without incident against the Governor’s decision and to demand the release of their own kin being held by state authorities for various offences.” (UN Security Council, 27 September 2016, pp. 3-4)

The UN Secretary-General reports in December 2016 that despite government-organised dispute resolution, October 2016 still saw tensions between the Ma’aliya and the Rizeigat, before finally an agreement on compensation was reached:

“With regard to intercommunal fighting in East Darfur, the government-organized separate talks with the Southern Rizeigat and Ma’aliya tribespeople in Khartoum from 4 to 6 October resulted in no further progress in resolving their dispute over land and resources in Adilla and Abu Karinka. Accordingly, tensions remained high. On 14 and 15 October, two Ma’aliya tribespeople were killed following a series of cattle-rustling incidents in Abu Karinka. A further escalation was prevented thanks to the expedient intervention of the state government and the leaders of the two communities, which resulted in an agreement on compensation on 17 October.” (UN Security Council, 23 December 2016, p. 4)

In February 2017, according to the UN Secretary-General report of March 2017, renewed clashes between the Rizeigat and the Ma'alia have occurred. Additionally, fighting between the Ma'aliya and the Berti is reported in East Darfur:

“In East Darfur, the Southern Rezeigat and Ma'alia tribes clashed near Abu Karinka on 1 and 18 February 2017 over disputes relating to cattle theft. On 19 February, a firefight following the destruction of a Berti farm by the Agarba subclan of the Ma'alia in Al Naair, east of Abu Karinka, resulted in the death of seven Berti. Government forces were deployed to the area, but on 20 February, members of the Berti community attacked and burned two Ma'alia villages outside Abu Karinka. In total, 17 Berti and 3 Ma'alia were reported to have been killed in the series of incidents. A UNAMID verification patrol reached Abu Karinka on 21 February, but the National Intelligence and Security Services and police personnel prevented it from proceeding further, citing the lack of prior coordination with the Government. The Security Service also delayed endorsement of another patrol, planned for 23 February, resulting in its cancellation.” (UN Security Council, 23 March 2017, p. 3)

The June 2017 report by the UN Secretary-General refers to continuing clashes between the Rizeigat and the Ma'aliya, along with the involvement of government soldiers:

“In East Darfur, tensions between Ma'aliya and Southern Rizeigat persisted. No further progress was reported in efforts to resolve their dispute over the ownership of land and oil in Abu Karinka and Adilla localities, with Ma'aliya maintaining their rejection of the draft Marawie agreement presented to the parties by the Government in 2015 and which grants land rights to the Southern Rizeigat, as the framework for the process. In this context, a series of cattle-rustling-related criminal incidents resulted in 21 fatalities and threatened to reignite the conflict. On 9 April, five Southern Rizeigat and four Ma'aliya, as well as two Government soldiers, were killed during clashes in Sabah al-Nima, south-west of Abu Karinka. Further clashes took place in Sabah al-Nima on 18 April, and in Okus, north-east of Muhajiriyah, on 7 May, resulting in four Ma'aliya and three Southern Rizeigat fatalities. In an effort to maintain security, government forces enforced the buffer zone established by the State Government in the wake of the fighting in 2015. Government police investigated but failed to apprehend the perpetrators, while community leaders urged both sides to treat these incidents as crimes and not an escalation of the broader conflict.” (UN Security Council, 14 June 2017, p. 4)

Radio Dabanga in June 2017 reports the fighting between sheep owners and gunmen in East Darfur, probably involving the Ma'aliya of East Darfur and the Hamar tribe of the neighbouring state West Kurdufan:

“Ten people were killed and five others wounded in a clash between sheep owners and gunmen in East Darfur's Adila locality on Tuesday. Speaking to Radio Dabanga from Sharef, a listener reported that a group of gunmen robbed a herd of more than 100 sheep from the area of El Tiboun and Umdeiboun in West Kordofan, south of the East Darfur town, on Tuesday morning. ‘When the search team tried to retrieve the sheep, fighting broke out. Ten people, including a woman, were fatally hit by bullets. Five others were injured,’ he said. [...] Adila locality is the stronghold of the Maaliya tribe to which the sheep thieves

belong. The Hamar lives in West Kordofan, in the area where the sheep were stolen.” (Radio Dabanga, 28 June 2017)

The Qatar-based TV news network Al Jazeera in an article of July 2017 reports on yet another case of fighting between the Rizeigat and the Ma’aliya:

“Clashes between two Arab tribes in Sudan’s war-torn state of East Darfur have killed up to 10 people this weekend, tribal leaders told AFP news agency on Sunday. The fighting that began on Saturday comes as the United Nations and African Union prepare to downsize their peacekeeping mission in Darfur, saying that overall violence there has diminished. The clashes between the Arab Maaliya and Rizeigat tribes came months after a similar clash left at least nine dead. The two tribes have a history of violence over land ownership rights and allegations of cattle theft. ‘A group of tribesmen from Maaliya were ambushed by members of Rizeigat when they tried to chase thieves who had stolen livestock belonging to Maaliya tribesmen,’ said Ahmed Nour, a Maaliya leader.” (Al Jazeera, 24 July 2017)

Afia Darfur in an article of July 2017 also features news regarding the aforementioned clashes between the Rizeigat and the Ma’aliya, writing that two days of continued fighting led to more than 50 people dead or wounded on both sides. (Afia Darfur, 23 July 2017)

2.3.3 South Darfur

A February 2016 article by Radio Tamazuj, a radio station which focuses primarily on Sudan/South Sudan border issues and is run by journalists from both countries, reports armed clashes between the Fallata and the Salamat in Buram:

“Tribal clashes between the Fallata and Salamat tribes near al-Nadif area in Buram locality of Sudan’s South Darfur State resulted in more than a dozen people killed and wounded, al-Tariq newspaper reported. One of the wounded from the Salamat tribe said that about eight people were killed and six others injured from their side, while Younis Daud from the Fallata tribe admitted that 13 people were killed and eight others sustained injuries from their side. For his part, Yusuf al-Samani, the nazir (paramount chief) of the Fallata tribe, told Radio Tamazuj on Tuesday that preliminary reports confirmed that 13 people were killed from both sides. He accused members of the Salamat tribe of stealing cattle from them. He also blamed recent clashes on the failure of a peace committees previously tasked to follow up on resolutions developed by the two tribes. A peace and reconciliation conference was convened between the two sides in Buram in September 2015 but the two sides did not adhere resolutions reach during the meeting, he said.” (Radio Tamazuj, 17 February 2016)

According to news by Afia Darfur of May 2016, fighting broke out between the Salamat and the Beni Halba, killing three persons and wounding four others. According to an eyewitness report to Afia Darfur, Salamat tribesmen entered a Beni Halba village, firing rounds that killed one person and wounded two more who later died in the hospital. Later, joint civil and governmental efforts are said to have put a halt to the hostilities by ordering the payment of blood money (diya) and compensation. Members of both tribes had already engaged in fighting

mid-2015. According to Afia Darfur, both tribes mutually accuse each other of stealing cattle in the area. (Afia Darfur, 16 May 2016)

In his September 2016 report, the UN Secretary-General recounts attacks by Fallata and Rizeigat herders on Masalit farmers in Gereida in July and August 2016:

“In South Darfur, Fallata herders, aided by the Rezeigat, attacked Massalit farmers in Um Assal, west of Graidā, South Darfur, killing three of the latter group and preventing other farmers from gaining access to farmland. Government forces were immediately deployed to the area to contain the tension and arrested seven suspects. On 20 July, under the facilitation of the Governor of South Darfur, the leaders of the two groups signed another cessation of hostilities agreement, committing themselves to implementing the terms of their previous accords from September 2015 and May 2016 and the state authorities’ decrees aimed at facilitating a peaceful migration and farming season. On 22 and 27 August, however, the situation deteriorated once again, with Fallata herders attacking Massalit farmers in the Towiel and Nabbagaya areas located, respectively, east and west of Graidā, resulting in the death of 9 Massalit and 2 government police personnel and injuries to 12 people.” (UN Security Council, 27 September 2016, p. 3)

The December 2016 report by the UN Secretary-General features information on continuing clashes between the Fallata and the Salamat as well as between the Habbaniya and the Salamat in Buram, with government forces intervening in order to contain further clashes. Furthermore, Rizeigat and Masalit engaged in fighting in Gereida throughout November:

“In South Darfur, with the continuing migration and farming seasons, significant tensions were reported in Buram and Graidā. On 9 October and 5 November, members of the Fallata and Salamat tribes clashed as a result of cattle-rustling in Wad Hagam and Nadhif, near Buram, resulting in 10 fatalities. In addition to the deployment of troops to these locations by the Government to prevent a further escalation of the fighting, a peace committee was established, comprising the native administrations of both communities and local authorities, in attempt to address their disputes over access to resources and ensure the implementation of the agreement that they signed in September 2015. On 9 November, clashes between Habbaniya, reportedly with support from Fallata, and Salamat nomads triggered by cattle theft in Merifin, south-west of Buram, left six Habbaniya and four Salamat tribespeople dead. The violence did not spread further following the deployment of additional government forces and the commitment by local leaders that the incidents in question would be treated as criminal acts. In Graidā, following the attempted rape of Masalit girls by armed Rizeigat tribespeople in Um Sharanah, clashes between the two groups on 8 November left four Rizeigat and two Masalit tribespeople dead. The paramount chief of the Rizeigat visited the area from Ed Daein to defuse tensions and prevent the further mobilization of his community, while local authorities engaged with the Masalit for the same purpose. Nonetheless, on 16 November, Masalit farmers killed two Rizeigat nomads who allegedly grazed their cattle on their farm in Dimasoya, south of Graidā. On 17 and 18 November, Rizeigat retaliatory attacks in Joghana and Dimasoya resulted in the further killing of 21 Rizeigat and 10 Masalit tribespeople, bringing the total number of fatalities to 27 Rizeigat and 12 Masalit tribespeople. Following a

meeting of local authorities and native administrations on the same day, it was agreed that all Rizeigat herders would leave the locality until the end of the farming season in mid-January 2017 and that a reconciliation meeting would be held in December 2016.” (UN Security Council, 23 December 2016, p. 3)

For the month of December 2016, the March 2017 UN Secretary-General report on Darfur mentions tribal clashes between the Awlad Rashid and the Berno community:

“In South Darfur, on 23 December 2016, a clash triggered by the Awlad Rashid subclan of the Ta’aisha tribe destroyed farms belonging to the Berno community in the area east of Rehade El Berdit, leaving 8 Berno and 1 Awlad Rashid dead. Government forces were deployed to the area, and the two parties signed a reconciliation agreement on 28 December 2016.” (UN Security Council, 23 March 2017, p. 3)

Radio Tamazuj in a May 2017 article covers clashes between the Salamat and the Habbaniya following an incident of cattle rustling:

“At least people from the Habania tribe were killed and 18 others wounded in fresh clashes with Salamat tribe in Burma locality in Sudan’s South Darfur State. A medical source told Radio Tamazuj that the dead bodies were taken to the hospital’s mortuary, while the wounded are receiving treatment. The same source pointed out that the incident happened after a group of cattle herders from the Salamat tribe raided hundreds of heads of cattle from Miter area on Friday. He noted several people were also killed from the other side.” (Radio Tamazuj, 1 May 2017)

The International Crisis Group (ICG) in its Sudan Crisis Watch of May 2017 notes further fighting between the Habbaniya and the Salamat:

“Communal violence rose in South Darfur state: ethnic Salamat late April reportedly stole cattle from ethnic Habbaniya leading to clashes that killed nineteen; Habbaniya attacked Salamat in At-Tys area, Buram locality 9 May, thirteen killed.” (ICG, May 2017)

Radio Dabanga in May 2017 provides more detail regarding the fighting between the two tribes:

“The clashes between two tribes in Buram, South Darfur this week have left dozens of people dead or wounded, according to several witnesses in the area. Most victims are reported to be women and children, witnesses informed Radio Dabanga, who reported that more than 100 people were killed or injured. Sporadic clashes continued on Wednesday after incidents of cattle theft sparked fighting between Salamat and Habbaniya tribesmen on Monday. A ‘large number of people’ have been displaced from the area, sources added. Yesterday saw the arrival of a delegation of the native administration leaders headed by the chairman of the South Darfur legislative council, Saleh Abdeljabbar. In Buram they met with leaders and notables of the Habbaniya and Salamat tribes separately.” (Radio Dabanga, 12 May 2017)

The UN Secretary-General in his report of June 2017 gives an overview of the previous fighting between the Salamat and Habbaniya in South Darfur, mentioning joint reconciliation efforts undertaken by state, community and UNAMID representatives:

“In South Darfur, fighting between Salamat and Habbaniya over the sharing of migration routes led to 28 deaths. Following a cattle-rustling incident, on 29 April, Salamat launched an attack on the Habbaniya village of Um Sial, west of Buram, to recover the stolen animals, to which Habbaniya responded in Nadeif on 8 May and in Sakhara on 10 May, west and south-west of Buram. Following the engagement of the State-level mediation committee, community leaders and UNAMID on 12 May in the presence of the Governor of South Darfur, the two communities agreed to cease hostilities and to convene a reconciliation conference in August 2017. The conference is expected to build on the previous agreement of 2009, which did not fully address the issue of land ownership and access in Al Nadeif.” (UN Security Council, 14 June 2017, p. 3)

In June 2017, Radio Dabanga mentions an agreement on cessation of hostilities, following clashes between the Gimir and Rizeigat tribes near Katila in South Darfur:

“Leaders of the Gimir and Rizeigat tribes signed an agreement at Sesabana, south of Katila in South Darfur, stipulating a cessation of hostilities, opening of grazing tracks, pastures, water sources for livestock, and markets until a reconciliation conference is convened within the next few days. A source told Radio Dabanga that incidents on Friday between the two tribes, which claimed the lives of five people and wounded others, broke out because of the theft of two herds of sheep, which led to the clash between a rescue team and thieves. The clash resulted in the death of one of the members of the rescue team and two of the thieves.” (Radio Dabanga, 14 June 2017)

2.3.4 Central Darfur

In his September 2016 report, the UN Secretary-General refers to incidents of tribal fighting between the Fur and the Nuwaiba in July 2016:

“In Central Darfur, following an alleged cattle-rustling incident by armed militiamen on 20 and 21 June, 17,000 persons fled Thur and Thur East and sought refuge near an army base in the area. Ten people were reportedly killed and many others injured. Relative calm returned after the native administration returned most of the cattle to their owners. On 4 July, following a cattle-rustling incident involving suspected SLA/AW members, armed Nawaiba abducted five Fur in Kude Mara, north-east of Nertiti. The kidnapped persons were released on 18 July following the intervention of a local conflict resolution committee, the traditional leadership and state authorities. The Fur and Nawaiba agreed that local farmers would have unrestricted access to land in the area.” (UN Security Council, 27 September 2016, p. 3)

Afia Darfur in an August 2016 article provides the information that the local administration and tribal leaders managed to contain tensions between the Beni Halba and the Misseriya which arose over accusations of theft. According to the leader (nazir) of the Beni Halba in Central Darfur, the matter has been settled. (Afia Darfur, 23 August 2016)

According to the March 2017 report by the UN Secretary-General on conflict developments in Darfur, the state of Central Darfur witnessed fighting between the Fur and Misseriya in December 2016 and between the Misseriya and Rizeigat in January 2017:

“In Central Darfur, a series of fights between the Fur and Misseriya tribes in Mukjar, originating in an interpersonal dispute at the local market, resulted in the deaths of three Fur between 22 and 24 December 2016. Subsequently, SAF and police personnel enhanced their presence, and a peace agreement was signed on 28 January 2017. In the Um Dukhun area, following clashes between the Misseriya and Rezeigat over personal disputes, two Misseriya and one Rezeigat were killed on 25 January 2017, and on 29 January the Rezeigat community agreed to compensate the Misseriya for the loss of the member of its community.” (UN Security Council, 23 March 2017, p. 2)

In May 2017, Radio Dabanga reports clashes between the Salamat and the Misseriya tribes in Bindisi, Central Darfur:

“Renewed fighting erupted between members of the Salamat and Misseriya tribes on Friday, southwest of Bindisi in Central Darfur. [...] Majali, Amar Hadid, Urang, and Bir Bakar were the scene of new fighting between tribesmen. Several eye-witnesses reported to Radio Dabanga from Bindisi that the number of dead and wounded has not been ascertained yet. Some of the wounded were transferred to the hospitals in Foro Baranga and Jagma.” (Radio Dabanga, 19 May 2017)

The June 2017 report by the UN Secretary-General contains a chronological account of the fighting between the Salamat and Misseriya throughout April and May 2017:

“In Central Darfur, following a cattle-rustling incident, Salamat and Misseriya clashed near Kabar, north of Um Dukhun, on 9 April, resulting in three fatalities. Despite Government efforts to stabilize the security situation, clashes over cattle-rustling and other crimes ensued in Umm Sory, south of Um Dukhun, on 16 May; in Magula, north-east of Um Dukhun, on 17 May; in Bir Bagara and Mogali, west of Bindisi, on 19 May; in Sure, north-east of Um Dukhun, on 20 May; in Murraya, east of Um Dukhun, on 21 May; and Salayle, south of Kabar, on 22 May. A total of 15 Misseriya and 24 Salamat were killed, with reports that the Misseriya burned down 10 Salamat-inhabited villages and that 716 households were displaced to Um Dukhun. Government forces reinforced their presence in the area, and the two communities agreed to cease hostilities at a meeting in Um Dukhun on 27 May. Meanwhile, a peaceful co-existence committee engaged both sides with a view to initiating a reconciliation process.” (UN Security Council, 14 June 2017, p. 4)

In July 2017 Radio Dabanga mentions renewed tension between the Misseriya and Salamat near Um Dukhun:

“On Saturday afternoon, people in Um Dukhun appealed to the Central Darfur authorities to act immediately to contain the growing tension between Misseriya and Salamat tribesmen in the area. The relative calm between the two tribes was disturbed when two Misseriya on motorcycles went to Souri ‘to observe the movements of the Salamat’ in the area. ‘The Salamat captured the two scouts and when they did not respond to demands to release them, militant Misseriya began to gather in the area,’ a listener reported. ‘We requested the Central Darfur Peaceful Coexistence Committee to immediately intervene to prevent new clashes.’ In end May, at least 50 people were killed in clashes between the

two rival tribes in Um Dukhun. More than 750 families fled their homes.” (Radio Dabanga, 3 July 2017a)

2.3.5 *West Darfur*

The July 2016 report by the UN Secretary-General features information on tribal clashes in West Darfur between the Northern Rizeigat and the Masalit in May 2016 as well as the Masalit and the Dago in April 2016:

“In West Darfur, tensions between Northern Rezeigat and Massalit originating in disputes over diya (blood money) culminated into an exchange of fire in Azerni on 22 May, which claimed 10 lives, including that of a Sudanese soldier. The government offices in El Geneina, including those of the State Governor (Wali), were closed until military and police forces were deployed to contain the situation. UNAMID recorded six other clashes, which resulted in 36 fatalities. In West Darfur, a dispute over land between Massalit and Dago on 21 April resulted in the death of a Dago.” (UN Security Council, 1 July 2016, p. 3)

The September 2016 report by the UN Secretary-General covers fighting between the Awlad Janoub, a subclan of the Northern Rizeigat, and the Mahadi tribe which led to fatalities and mass displacement near El Geneina in June 2016. Also in June, fighting is reported between the Misseriya and the Awlad Zaid, another subclan of the Northern Rizeigat:

“In West Darfur, on 22 June, the Awlad Janoub subclan of the nomadic Northern Rezeigat clashed with the sedentary Mahadi over land ownership in the Um Tajok area, east of El Geneina, resulting in 23 fatalities, including one soldier, the destruction of 12 Mahadi villages and the displacement of some 7,000 to 8,000 people. Army and police personnel were deployed to the area to contain the situation. Notwithstanding the signing of a peace agreement between the two sides on 22 July, the Mahadi tribal leadership expressed dissatisfaction because of the absence of provisions on compensation (diya) and the continued occupation of their land by the Awlad Janoub. On 25 June, Misseriya Jebel and the Awlad Zaid subclan of the Northern Rezeigat clashed over a farming and grazing dispute in Seleah, West Darfur, resulting in three fatalities. Government forces arrested two persons in relation to the incidents.” (UN Security Council, 27 September 2016, pp. 2-3)

In December 2016, the UN Secretary-General reports on an armed dispute between Zaghawa and Awlad Zaid tribespeople near the border with Chad in October 2016, with fighting resuming in November 2016 despite a reconciliation conference:

“In West Darfur, an outstanding dispute over compensation for killings in previous cattle-rustling incidents resulted in clashes between Zaghawa tribespeople and the Awlad Zaid subclan of the Northern Rizeigat in Kulbus, on the Sudanese border with Chad, on 30 and 31 October and led to 16 fatalities and abductions on both sides. The Governor of West Darfur and joint Sudanese-Chadian forces responded swiftly to halt the violence. On 13 November, together with the local Chadian authorities, they facilitated a reconciliation conference between the two groups in which the parties agreed to exchange abductees. Fighting nevertheless resumed on 25 November, when Awlad Zaid tribespeople attacked Zaghawa tribespeople near Birak, across the border in Chad, resulting in four fatalities, including a Chadian soldier. Amid calls for revenge and reports of mobilization by the

communities, the situation in the Jebel Moon area remains tense.” (UN Security Council, 23 December 2016, pp. 3-4)

In his March 2017 report on conflict developments in Darfur, the UN Secretary-General relates further fighting between the Awlad Zaid and the Masalit in El Geneina in January 2017. Furthermore, tribal conflict between the Zaghawa and Rizeigat is reported for the same month:

“In West Darfur, on 5 January 2017, the Awlad Zaid subclan of the Northern Rezeigat clashed with Massalit farmers in El Geneina over livestock disputes, and six Massalit were killed. Massalit farmers were also attacked, and 11 injured, by armed Arabs in the Arara area on 19 January, reportedly in retaliation for their involvement in the arrest of an Arab nomad by the Sudanese police. In the vicinity of Sileah, a group of Rezeigat ambushed Zaghawa tribesmen over allegations of theft on 29 January, despite an agreement on the cessation of hostilities reached in December 2016, and two Zaghawa and two Rezeigat were reportedly killed. As the two sides continued to mobilize, joint forces of the Sudan and Chad were deployed to contain the situation.” (UN Security Council, 23 March 2017, pp. 2-3)

According to news by Afia Darfur of April 2017, six people were killed and several wounded in clashes between the Nuwaiba and the Beni Halba in West Darfur following an unresolved killing. (Afia Darfur, 25 April 2017)

2.3.6 Village defence committees

Jérôme Tubiana, an independent researcher with expertise on conflict and armed movements in Darfur argues in his email response of 18 July 2017 that “[t]alking of village committees (or self-defence militias) was more relevant before the conflict, since then those were largely trapped into the larger war and absorbed in either janjawid militias or rebel groups.” (Tubiana, 18 July 2017)

Eric Reeves, Sudan researcher and analyst, explains in his email response of 21 August 2017 that village defence committees “were common in the run-up to the fighting that began in 2002-2003, and were the first elements of the SLA. Very few villages have significant weapons now, and the camps are almost completely disarmed. The current effort at weapons collection in Darfur will focus on non-Arab/Africans.” (Reeves, 21 August 2017)

The senior researcher at HRW on 19 July notes the following regarding “local defence forces”:

“Local defence forces are a phenomenon throughout Sudan and South Sudan and a part of society, however, in Darfur such community defence forces tend to be organised along tribal lines, such as among the Salamat who have been fighting the Misseriya and Tama over land disputes in West Darfur for many years. These are not necessarily community defence forces but an entire community fighting other communities, therefore some people use the term ‘ethnic militias’. Such militias would not refer to themselves as ‘village defence committees’.” (HRW senior researcher, 19 July 2017)

The Sudanese contact of Bread for the World explains in the email correspondence of August 2017 that “village committees” were an idea proposed by foreign mediators during the early

times of the government's attacks on the villages of African Darfuris. However, according to the contact, this idea did not work because the government-led attacks were very intensive, with heavy weapons and artillery as well as air bombardment followed by Arab militias on the ground. Darfur villagers, being simple settled farmers, were unarmed, untrained and therefore unable to confront such severe and intensive sudden attacks. The contact did not hear any current news of village defence committees. The only option for village youth seemed to be to join the rebel movements, which many of them did. (Sudanese contact of Bread for the World, 30 August 2017)

2.3.7 Blood feuds and state protection

Jérôme Tubiana in his email response of 18 July 2017 states that blood feuds are "very common". According to the researcher, the state is "only involved when it's between pro-government tribes (sp. Arabs), else they are indifferent or even fuel the conflicts." (Tubiana, 18 July 2017)

Eric Reeves points out with regards to blood feuds, that these "are more common among Arab tribal groups, but also occur in non-Arab tribal groups. The Khartoum regime is much more likely to become involved if the feuding parties are Arab." (Reeves, 21 August 2017)

According to the senior researcher at HRW, "within Darfur society, disputes can simmer for a long time, however, the local informal legal system represented by the sheikhs and omdas as well as the formal legal system exist to deal with such disputes. The concept of 'diya' (bloodmoney) is part of the criminal code and a means of compensation that resolves killings or murders. If a person is killed, the perpetrator must pay blood money to the family of the victim, otherwise the family has the right to take revenge. Inter-communal disputes tend to have multiple causes, and sometimes a dispute can be triggered by a killing. However, the tribal disputes that are prevalent in the region are often not about an unresolved killing that triggered a blood feud but rather about land ownership and other resources." (HRW senior researcher, 19 July 2017)

The Sudanese contact of Bread for the World in the email correspondence of August 2017 details the mechanism of conflict resolution between tribes. In case of a killing involving two tribes, there is a traditional custom or convention among the tribes of Darfur called "Rakoba", which literally means an awning built out of straw for people to rest in the shade. In a "Rakoba", the leaders of the two tribes convene in order to settle the problem peacefully. They agree on a minimum sum of blood money (usually paid in kind, such as a number of cows or camels) to be paid to the family of the victim. Such an agreement can be reached many years after the killing has taken place. If the two tribes reach such a Rakoba-agreement, then government authorities accept it as a tribal settlement and release the perpetrator. According to the contact, Rakoba was a widely-spread phenomenon in Darfur and used to consolidate peaceful coexistence among tribes. However, against the backdrop of the current conflict in the region, Rakoba is no longer a viable option for settlement. The contact also distinguished Rakoba from blood money as stipulated by Islamic sharia-law, which is determined by the authorities and not negotiated by the people. (Sudanese contact of Bread for the World, 30 August 2017)

The Heidelberg Institute for International Conflict Research in its Conflict Barometer of 2016 states regarding intercommunal violence in Darfur that „[a]ttacks frequently occurred in the context of cattle rustling and competition over grazing-lands and often involved blood vengeance”. (HIIK, February 2017, p. 93)

Afia Darfur reports in April 2016, that the majority of residents of Abu Khadoura in East Darfur have been evacuated by the local authorities, after four villagers had been killed by relatives. Anticipating the break out of a feud between the immediate relatives of the victims and the perpetrators, the evacuation has been carried out. (Afia Darfur, 5 April 2016)

Afia Darfur writes in February 2017, that members of the Rizeigat and the Masalit signed a document of reconciliation in Gereida in order to put an end to the skirmishes between the two tribes that have caused many deaths on both sides since November 2016. According to the article, the implementation of reconciliation agreements is generally difficult in Darfur, because there are delays in the payment of blood money (diya). This in turn encourages the families of the victim to take revenge. (Afia Darfur, 8 February 2017)

In May 2016, Radio Dabanga covers the reconciliation between the Fellata and the Salamat, ending a feud between the two tribes. The article further details arrangements for the payment of blood money:

“The feuding Fellata and Salamat tribes have signed a reconciliation agreement under the auspices of the Darfur Regional Authority in Kass, South Darfur. The delegations committed to the deployment of military forces in the areas of tribal conflict and the financial compensation for men and women who were killed during tribal fighting. [...]

Osman El Tom, member of the Ajaweed committee (tribal mediators), explained to Radio Dabanga that the conference agreed on the amounts of financial compensation for victims of tribal conflicts. ‘The Ajaweed and the two tribes agreed that the blood money for a killed man is SDG 10,000 (\$1,630), for a woman it is SDG 5,000 (\$813). In addition, the compensation for a killed camel is 3,000 pounds (\$488), a horse 2,500 pounds (\$407), and a cow 1,500 pounds (\$244).’” (Radio Dabanga, 20 May 2016)

The following sources contain information on the involvement or absence of state authorities in tribal feuds, as well as on the general presence of law enforcement agencies in Darfur:

The aforementioned report by the Dutch Ministry of Foreign Affairs (BZ) of June 2017 (reporting period: July 2015 until May 2017) mentions with regard to tribal clashes that the authorities often tried to actively intervene by deploying security forces, creating buffer zones, imposing curfews and restrictions on the carrying of weapons in public, carrying out arrests and facilitating solutions (including the payment of blood money). UNAMID also actively participated in facilitating consultation and mediation. (BZ, 20 June 2017, p. 27)

The March 2017 USDOS report on human rights practices in Sudan in 2016 deals with the performance of state authorities regarding the prevention of interethnic and societal violence:

“The government attempted to respond to some interethnic fighting, and, in a few instances, was effective in mediating peaceful solutions. The government had a poor record, however, in preventing societal violence. Numerous residents in Darfur, for example, routinely complained of a lack of governing presence or authority that could prevent or deter violent crime.” (USDOS, 3 March 2017, section 1d)

According to an October 2016 article of Radio Tamazuj, the Deputy Governor of East Darfur himself pledged to pay blood money to the Ma’aliya tribe as compensation for a killing committed by a group of raiders allegedly belonging to the Rizeigat:

“Local authorities in Sudan’s East Darfur State have agreed to pay 220,000 SDG as blood compensation for the killing of a Ma’alia tribesman who was trying to recover stolen cattle from a group of raiders on Sunday. Yusuf Ali, a member of the Ma’alia peace committee, told Radio Tamazuj yesterday that the Deputy Governor Mohamed Al-Hassan pledged to pay the blood compensation within a week. He pointed out that the government also pledged to pay 400,000 SDG to compensate the Ma’alia tribe whose cattle have been stolen recently. Ali blamed incidents of cattle thefts on the Rizeiget tribe.” (Radio Tamazuj, 20 October 2016)

The joint report of the Chairperson of the African Union Commission and the UN Secretary-General of May 2017 states that “the overall security situation in Darfur remains precarious. This is due mainly to the activities of the militia groups, the prevalence of weapons among the population and acts of banditry and criminality, coupled with the absence of an efficient police force and the rule of law”. (UN Security Council, 18 May 2017, p. 3)

Radio Tamazuj writes in February 2017 that civil society activists in East Darfur have called on the state government to apprehend persons involved in tribal fighting:

“Civil society activists in Sudan’s East Darfur State called on the state government to arrest people directly or indirectly involved in the recent clashes between farmers and pastoralists in Al Nair and Abu Karinka areas. The clashes between the Ma’alia farmers and herders from Al Barti tribe in the two areas led to the killing and wounded of dozens of people. Speaking to Radio Tamazuj on Thursday, Mustafa Bakhit, a local activist, appealed to the state government to apprehend anyone involved in the incident to face justice.” (Radio Tamazuj, 24 February 2017)

In February 2017 the Swedish Ministry of Foreign Affairs (Utrikesdepartementet, UD) publishes a report by the Swedish embassy in Khartoum summarising the findings of a visit to West and North Darfur. During the visit, the embassy consulted representatives of UNAMID, the World Food Programme (WFP), Unicef, UN OCHA as well as officials and locals in El Geneina und Al Fashir. According to the brief report by the embassy, the local police in West and North Darfur are very weak and unable to cope with everyday crime and clashes between different groups. Both the governor of West Darfur and the UNAMID leadership confirmed that the root causes of the conflict were not sufficiently addressed. The report further states that the justice system is fragile. Militia groups act with impunity and the people see no value in a legal system. There are a total of 2,000 local police officers in an area of 23,000 square kilometers. (UD, 15 February 2017)

Sudan Elite writes in July 2017 that the security authorities in East Darfur had detained two tribal leaders of the Rizeigat and the Ma'aliya as well as many men of the local administration following the latest violent clashes between the two tribes that claimed dozens of lives on both sides. 73 armed fighters of both tribes were arrested by military forces during raids on their strongholds. The security forces called the two tribal leaders as well as 32 village chiefs to an urgent meeting, where they informed them of their detainment until further notice. The two tribal chiefs were subsequently released, however, fearing a power vacuum in the two tribal areas. Meanwhile, the 32 village chiefs (20 Rizeigat and 12 Ma'aliya) were transported to detention centers in Khartoum following presidential orders. (Sudan Elite, 31 July 2017)

2.3.8 Possibility for a Darfuri to move to another village/region and being identified/found by non-state actors from their previous place of residence

The Danish Immigration Service and the UK Home Office in their joint report on a fact-finding-mission to Khartoum, Kampala and Nairobi conducted in February and March 2016 cite several sources talking about the situation for a person in Khartoum who has fled the conflict in Darfur:

“Several sources indicated that it would be possible to hide in Khartoum if a person was seeking to move from Darfur or the Two Areas due to a private dispute, although qualified that this would depend on the individual circumstances, including whether the dispute was with authorities or someone with connection to the government. The two human rights lawyers from Khartoum noted that a person fleeing a conflict in Darfur or the Two Areas would still be in danger in Khartoum if the other party in the conflict was connected to pro-government militias, i.e. Janjaweed.” (DIS/UK Home Office, August 2016, p. 12)

In his email response of 18 July 2017, Jérôme Tubiana states in view of tribal and community networks, that if a Darfuri person moves to one of the bigger cities in Darfur, it is possible that this person can be found by non-state actors who persecuted him at his previous place of residence. (Tubiana, 18 July 2017)

No further information could be found on this subject.

2.4 Treatment of Arab ethnic groups

Jérôme Tubiana in his email response of 18 July 2017 states that there is “[s]ome discrimination against Arabs by rebel groups, and the state may discriminate some particular communities if they are at conflict with a more prominent Arab group (the state will take the side of the tribe that is more important to it, or that has more members within government, which is often the same).” (Tubiana, 18 July 2017)

Eric Reeves mentioned in his email response of 21 August 2017 that there is “not really” any discrimination against Arab ethnic groups by state or non-state actors in Darfur (Reeves, 21 August 2017). The Sudanese contact of German relief organisation Bread for the World strongly denied there being any form of discrimination against Arab ethnic groups in Darfur (Sudanese contact of Bread for the World, 30 August 2017).

The Dutch Ministry of Foreign Affairs (BZ) states in its June 2017 official report on Sudan that during the reporting period of July 2015 until May 2017, members of Arab tribes were targeted in tribal fighting - especially at the beginning of the reporting period – due to the rise in conflicts among Arab tribes over land and resources. According to the Ministry, the number of those conflicts declined towards the end of the reporting period. Conflicts between Arab and non-Arab tribes were also regularly reported, however to a lesser extent. (BZ, 20 June 2017, pp. 24-25)

No further information could be found on this subject.

2.5 Treatment of non-Arab ethnic groups

The report by the UK-based Equal Rights Trust in partnership with the Sudanese Organisation for Research and Development of October 2014 mentions that “[t]he ethno-regional conflict in Darfur, rooted in decades of discriminatory policies targeting the region’s non-Arabs, formally came to an end with a ceasefire in 2011, though inter-ethnic violence continues to this day”. (Equal Rights Trust, October 2014)

Eric Reeves mentioned in his email response of 21 August 2017 that there is “massive” discrimination against non-Arab ethnic groups by state and non-state actors in Darfur. (Reeves, 21 August 2017)

2.5.1 Treatment by state actors

Jérôme Tubiana mentions in his email response of 18 July 2017 that “generally speaking non-Arabs are discriminated against by the state and affiliated Arab militias. They are less likely to be recruited in government forces”. (Tubiana, 18 July 2017)

The senior researcher at HRW on 19 July points out that “there is official discrimination against non-Arab ethnic groups, for example regarding Darfuri students who have been protesting against discriminatory university policies.” Furthermore, “regarding the Fur, the Masalit and the Zaghawa, the government may be more inclined to conflate them with rebels, since rebel groups drew many members from these three tribes. The RSF on the other hand mostly but not exclusively recruited among Arab tribes, especially the Rizeigat.” (HRW senior researcher, 19 July 2017)

The report by the UK-based Equal Rights Trust in partnership with the Sudanese Organisation for Research and Development of October 2014 points out the following:

“It should be reiterated that the racially discriminatory nature of Sudan’s conflicts cannot be isolated from their political underpinnings, i.e. the Arabisation and Islamisation policies of the Nimeiry and al-Bashir regimes. Still, while the role of ethnicity (as opposed to religion, politics or economics) in causing these conflicts is open to question, the discriminatory effects on the ethnic/tribal communities in each conflict area are not. In each of the conflict areas, the Sudanese army has engaged in direct armed conflict against rebel forces which are largely composed of members of ethnic/tribal populations constituting majorities within the respective conflict regions. It appears, from numerous expressions of concern by many parties over the last decade, that attacks on rebel-held

positions have had little regard for limiting the number of civilian casualties from the local communities. In addition, the government has supported tribal militias in South Sudan and Darfur throughout the conflicts there, and is continuing to do so today in South Kordofan and Blue Nile states, exploiting existing tribal differences to fuel conflict.” (Equal Rights Trust, October 2014, p. 54)

“In view of the foregoing, the Equal Rights Trust reiterates that the root cause of the conflicts in Sudan’s periphery is inequality, in particular the systemic discriminatory practices of the regime based on multiple grounds, among which ethnicity is the pivotal one.” (Equal Rights Trust, October 2014, p. 67)

The report contains further information on discrimination and inequality based on race and ethnicity, with sources reporting specific targeting by the National Intelligence and Security Service (NISS), and provides information mostly gathered in 2013. The full report is available via the following link:

- Equal Rights Trust (in partnership with Sudanese Organisation for Research and Development): In Search of Confluence – Addressing Discrimination and Inequality in Sudan, October 2014

<http://www.equalrightstrust.org/ertdocumentbank/Sudan%20-%20In%20Search%20of%20Confluence%20-%20Full%20Report.pdf>

The Dutch Ministry of Foreign Affairs (BZ) writes in its June 2017 report that especially non-Arab tribes, among them mostly the Zaghawa, the Fur and to a lesser extent the Masalit, have for a long time been suspected of being linked to Darfuri rebel groups and have therefore been the target of violence. Within the reporting period of July 2015 until May 2017 non-Arab tribes were violently targeted by government forces. (BZ, 20 June 2017, p. 24)

The Danish Immigration Service (DIS) and the UK Home Office in a joint report on a fact-finding-mission to Khartoum, Kampala and Nairobi conducted in February and March 2016, report the following on discrimination of non-Arabs in Khartoum after having consulted different organisations on the matter:

„ACPJS [African Centre for Justice and Peace Studies] did not have any specific evidence about the mistreatment of ordinary civilians from Darfur and the Two Areas, but commented that persons travelling from one of these conflict areas to Khartoum could experience harassment or intimidation by the authorities, especially if they were from one of the main tribes commonly affiliated to the rebel groups. According to ACPJS, this included the Fur, Masalit or Zaghawa from Darfur, or Nuba from Southern Kordofan.” (DIS/UK Home Office, August 2016, p. 34)

„Crisis Group clarified that they did not have any evidence to specifically demonstrate mistreatment or human rights violations against ordinary civilians from Darfur or the Two Areas. Most of the cases Crisis Group were aware of involved political figures or activists who were usually from so-called ‘African’ tribes. However, Crisis Group considered that non-political persons from the Fur and Zaghawa (‘African’) tribes risked being perceived as

‘rebel sympathisers’ because these tribes were still commonly associated with Darfuri insurgent groups.” (DIS/UK Home Office, August 2016, p. 37)

In May 2017, Sudan Tribune publishes an opinion piece by Hussien Arko Menay, in which the author comments on a campaign of forced demographic change implemented by the government, resulting in the targeting of non-Arab communities in Darfur:

“The racial oriented ideology is the destructive weapon used by Omer Al Basheer to dislocate the deep-rooted ethnic community of Darfur to replace them by Arab nomads imported from across the border of Sudan, namely from Mali, Niger and Chad. This policy of demographic engineering started early in 1982 last century and triggered to a very sensitive point in 1991 when Al Basheer appointed one of his Generals called Mustafa El-Dabi to oversee the operation of demographic change in the West Darfur against the Indigenous Masaleet in favour of newcomers from nomadic Arabs and since then the plan has exponentially increased. [...] Another catastrophic phenomenon resulted from this demographic engineering policy is the systematic targeting of the young generation of particular ethnic groups (Zaghawa, Fur and Masaleet and black ethnicities) flee the country to nowhere.” (Sudan Tribune, 31 May 2017)

A further article published in June 2017 by Sudan Tribune features a comment and analysis by Ahmed H Adam, researcher at the School of Oriental and African Studies in London, mentioning the targeting of non-Arab groups in Darfur by government allied militias:

“The notorious Janjaweed militia – reconstituted as the Rapid Support Forces (RSF) – is currently carrying out fresh scorched-earth campaigns targeting non-Arab groups in the western Sudanese region. On 19 May, government forces alongside the RSF clashed with armed rebel movements. Witnesses and statements issued by area representatives claim that, in the aftermath of that battle and amidst ongoing fighting, the RSF and other tribal militias launched a retributive campaign against civilians. They describe the killings of dozens of people, the burning of more than 50 villages, the looting of thousands of livestock, and mass displacements in north, south and east Darfur. Radio Dabanga also reported indiscriminate bombardment by the regime’s air forces around Jebel Marra and Taweela localities. [...] In the past few weeks, the RSF and other tribal militias have indiscriminately attacked Zaghawa and Fur villages. In Marla, Muzbad, Um Baru, and Adoala and Ain Siro localities, they have rounded up civilians suspected of supporting the armed movements and triggered a new wave of displacement.” (Sudan Tribune, 7 June 2017)

The African Centre for Justice and Peace Studies (ACJPS) in a press statement of November 2016 mentions attacks of Rizegat herders on members of the Masalit community, pointing out that Sudan’s National Intelligence and Security Services (NISS) arrested members of the Masalit after they had demanded state protection in a protest:

“Since 8 November, ten civilians from the Masalit ethnic group have been killed, and 14 injured, following armed attacks on Masalit communities by Rizegat pastoralists in Gereida locality, South Darfur. The armed attacks were instigated over access to land to areas traditionally claimed by the Masalit ethnic group. Following clashes between the two ethnic

groups, Sudan's National Intelligence and Security Services (NISS) on 10 November began arresting members of the Masalit ethnic group who had called for peaceful demonstrations to condemn the clashes between the two groups and call for state protection. A series of arrests took place from 10 – 17 November, with eight members of the Masalit ethnic group currently detained incommunicado without charge or access to their families or lawyers by the NISS." (ACJPS, 29 November 2016)

Another press statement by ACJPS released in June 2017 in the wake of an attack on a Zaghawa village refers to the targeting of Fur and Zaghawa throughout the conflict:

"From 28 May – 15 June 2017, a number of attacks were perpetrated against civilian targets in North and Central Darfur by the Rapid Support Forces and other government sponsored militias. The attacks took place from 28 May – 6 June 2017 in Ain Siro locality, North Darfur, and from 14 – 15 June in Tor and Nertiti, Jebel Marra. At least 35,000 civilians have been displaced to the neighbouring hills in each area and Kutum, North Darfur. [...]

The majority of individuals from Ain Siro are from the Zaghawa ethnic group, and the majority of civilians in Jebel Marra are from the Fur ethnic group, both of whom been particularly targeted by the Sudanese government since the outbreak of the conflict in 2003." (ACJPS, 22 June 2017)

2.5.2 Treatment by non-state actors

In his September 2016 report, the UN Secretary-General refers to an incident in which armed members of the Nuwaiba tribe abducted five members of the non-Arab Fur, conflating them with persons involved in cattle-rustling and suspected of belonging to the rebel group SLA-AW:

"On 4 July, following a cattle-rustling incident involving suspected SLA/AW members, armed Nawaiba abducted five Fur in Kude Mara, north-east of Nertiti. The kidnapped persons were released on 18 July following the intervention of a local conflict resolution committee, the traditional leadership and state authorities. The Fur and Nawaiba agreed that local farmers would have unrestricted access to land in the area." (UN Security Council, 27 September 2016, p. 3)

The Overseas Security Advisory Council with regards to interethnic violence mentions in its May 2017 report, that in January 2016 during clashes between Arab nomads and the non-Arab Tama, villages inhabited by Masalit were burnt:

"The African Union-United Nations hybrid operation in Darfur (UNAMID) consistently reports on incidents of religious/ethnic violence throughout the five Darfur states. In early January 2016, UNAMID reported that clashes between Arab nomads and Tama tribesmen left four Masalit tribe villages burnt and an undetermined number of casualties." (OSAC, 10 May 2017)

3 Civil and Political Rights

3.1 Freedom of expression, association, and assembly

With regard to freedom of expression, Article 39, Section 1 of the Interim National Constitution of the Republic of the Sudan of 2005 states that “[e]very citizen shall have an unrestricted right to the freedom of expression, reception and dissemination of information [...] without prejudice to order, safety or public morals as determined by law” (Interim National Constitution of the Republic of the Sudan, 2005, Article 39, Section 1). Section 2 of the same article provides that “[t]he State shall guarantee the freedom of the press and other media as shall be regulated by law in a democratic society” (Interim National Constitution of the Republic of the Sudan, 2005, Article 39, Section 2). Meanwhile, Section 3 of the same article contains the following prohibitions with regard to the activities of media workers:

“All media shall abide by professional ethics, shall refrain from inciting religious, ethnic, racial or cultural hatred and shall not agitate for violence or war.” (Interim National Constitution of the Republic of the Sudan, Article 39, Section 3)

As regards freedom of assembly and association, Article 40, Section 1 of the 2005 Interim National Constitution states that “[t]he right to peaceful assembly shall be guaranteed” and that “every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade or professional unions for the protection of his/her interests.” (Interim National Constitution of the Republic of the Sudan, 2005, Article 40, Section 1). Section 2 of the same article meanwhile provides that “[f]ormation and registration of political parties, associations and trade unions shall be regulated by law as is necessary in a democratic society” while Section 3 prohibits associations from functioning as political parties unless they have “a programme that does not contradict the provisions of this Constitution”. (Interim National Constitution of the Republic of the Sudan, 2005, Article 40, Section 2 and Section 3(a))

The Freedom of the Press 2016 report by Freedom House, a US-based US-Government-funded NGO that conducts research and advocacy on democracy, political freedom, and human rights, states that the 2009 Press and Publications Act “allows for restrictions on the press in the interests of national security and public order, contains loosely defined provisions related to bans on the encouragement of ethnic and religious disturbances and the incitement of violence, and holds editors in chief criminally liable for all content published in their newspapers” (Freedom House, 27 April 2016).

The same report also notes that “[s]everal other laws have been used against the press, including elements of the 1991 penal code, the 2010 National Security Forces Act, and emergency measures that have been enacted in the restive regions of Darfur and Kordofan” (Freedom House, 27 April 2016).

The US Department of State (USDOS) notes in its March 2017 country report on human rights practices, which covers events of 2016:

“The Interim National Constitution provides for freedom of thought, expression, and of the press ‘as regulated by law,’ but the government heavily restricted these rights. [...]

Individuals who criticized the government publicly or privately were subject to reprisal, including arrest. The government attempted to impede such criticism and monitored political meetings and the press.” (USDOS, 3 March 2017, section 2a)

3.1.1 Treatment of Darfuris who demonstrate or protest against the (national or local) government

A March 2016 report by Human Rights Watch (HRW), a New York-based human rights organisation, provides an overview of the treatment of anti-government protesters since 2011, referring (amongst others) to government crackdowns and abuses in Darfur and against Darfuri students and (student) political activists elsewhere in Sudan:

“A major trend in the past five years – since January 2011, when Sudanese youth, inspired by the Arab Spring protests, took to the streets in large numbers demonstrating for regime change – has been violent crackdowns on, and abuses against, peaceful protesters in Sudan’s main towns, such as Khartoum, Wad Medani, in Darfur, and other locations. These crackdowns violate basic freedoms of assembly and expression. [...]

The government has also repeatedly used violence against protesters inside universities, a longstanding pattern that appears to have intensified in recent years and often involves violence between pro-government students and other groups. In one example, security forces reportedly shot dead Darfuri student Ali Abaker in Khartoum University in March 2014, and in another example they sexually harassed, beat and detained female students protesting eviction from the university’s dormitories in October 2014.

NISS [National Intelligence and Security Service] officers have also continued to target specific individuals and groups of activists for harassment, interrogation, and detention at various times. While student political activists from Darfur have been especially vulnerable to arrest, others were targeted because of their work on sensitive topics or in the wake of key events, such as the outbreak of armed conflict in Southern Kordofan in 2011, and at Heglig oil fields in 2012, or various political meetings.” (HRW, March 2016, pp. 10-12)

Darfuri student protesters

According to the US Department of State (USDOS), “[t]he government [...] arbitrarily detained and otherwise targeted numerous Darfuri students on university campuses” (USDOS, 3 March 2017, section 1e).

The DIS/UK Home Office report notes with regard to the treatment of student activists from Darfur and the “Two Areas” (South Kordofan and Blue Nile):

“Several sources identified student activists from Darfur and the Two Areas as being at risk of being targeted. Different sources provided examples demonstrating extra-judicial killings, mistreatment in detention as well as cases of harassment and intimidation by the NISS and their affiliated militias. Sources noted that one of the main reasons why the student population was targeted was because they were the most active politically and

intent in voicing their criticism of the government. Such a trend had become more prevalent in recent years.” (DIS/UK Home Office, August 2016, p. 19)

Radio Dabanga reports that five students from Darfur were arrested in Omdurman in May 2017 on charges of property damage after Darfuri students held a protest against the expulsion of eight students from university in April 2017 (Radio Dabanga, 25 May 2017a; on the expulsions see Radio Dabanga, 4 April 2017).

Earlier in May 2017, at least seven Darfuri students were arrested in Omdurman as student affiliates of the ruling National Congress Party (NCP) and security forces violently disrupted a protest meeting of Darfuri students calling for exemption of Darfuri students from tuition fees. In a similar sit-in protest held a few days earlier in Bahri, 20 Darfuri students were arrested (Radio Dabanga, 18 May 2017).

An April 2017 Radio Dabanga article quotes a student as saying that numerous students at Bahri university, most of them Darfuris, were prevented from entering the campus after the university administration issued a ban on students who had not paid their fees. This resulted in a riot in which at least 20 students were detained. (Radio Dabanga, 11 April 2017)

As Radio Dabanga reported in March 2017, a criminal court charged 16 Darfuri university students in El Gezira to 40 lashes and a fine each for holding a protest against their university’s decision to not to grant students from Darfur an exemption from paying tuition fees. The students did not have access to legal counsel (Radio Dabanga, 24 March 2017; see also Radio Dabanga, 23 March 2017).

As Radio Dabanga reported in January 2017, “Security agents and police officers evicted a number of medical university students from their boarding houses in El Fasher, the capital of North Darfur” after the students had been dismissed from university in November 2016 (Radio Dabanga, 13 January 2017).

In November 2016, Radio Dabanga reported about arrests of Darfuri students in Khartoum and Omdurman in response to student protests relating to tuition fees for Darfuri students:

“Six Darfuri students were detained by security agents for questioning on Tuesday morning at the Shambat Compound of Khartoum University. The six were released late on Tuesday evening, reportedly after a beating at the hands of the agents. The arrests are in response to a strike by Darfuri students since Sunday, in a protest against the decision repealing the fee-exemption granted to Darfuri students according to the Doha Document Peace in Darfur. [...]

On Tuesday police and security services arrested a large number of Darfuri students at Omdurman Islamic University campus and dispersing a strike organised by the students in protest against refusal of by the University to register new Darfuri students without tuition.” (Radio Dabanga, 23 November 2016)

The Paris-based Sudan Tribune news website reported in November 2016:

“Students at four high schools in El-Fasher, North Darfur capital on Sunday have staged a demonstration to protest against the high cost of living and recent increase in drug price. [...] [A]n eyewitness told Sudan Tribune that the police used tear gas and fired shots in the air to disperse the demonstrators, pointing to cases of fainting and light injuries among the students. He added that some of the students were arrested by the police and security services. For its part, the pro-government North Darfur Students Union (NDSU) said the protesters sought to destabilize the security situation.” (Sudan Tribune, 28 November 2016)

In October 2016, Radio Dabanga reported that “[t]hree students were injured in an attempt by the guards of the University of El Fasher to break up a sit-in at the Faculty of Medicine” (Radio Dabanga, 30 October 2016). The students had been protesting against high tuition fees for five weeks (Sudan Tribune, 31 October 2016).

An October 2016 article of the same source notes the death of a Darfuri student at the Islamic University of Omdurman. The hospital that examined his body issued a death certificate stating that it showed signs of torture (Radio Dabanga, 28 October 2016).

The same source states that in September 2016, “[a]t least one student was arrested, and others beaten and subject to tear gas when security agents and police raided the campus of El Fasher University in the North Darfur capital [...] to prevent a demonstration by students protesting the visit to El Fasher by Sudan’s President Omar Al Bashir” (Radio Dabanga, 8 September 2016).

Without specifically referring to Darfuri students, a May 2016 Human Rights Watch (HRW) press release states that “[s]tarting in mid-April 2016, government security forces, including national security and riot police, clamped down on student demonstrations against the sale of Khartoum University buildings, as well as earlier detention of protesters and a range of other issues at other campuses across Sudan.” The source indicates that it “received credible reports that many of those detained have been beaten and subjected to other forms of ill-treatment”. (HRW, 25 May 2016)

A January 2017 Amnesty International (AI) report based on 84 interviews conducted between October 2015 and October 2016 provides extensive documentation of human rights issues concerning Darfuri students in Darfur and other parts of Sudan. In an overview of the treatment of Darfuri students, the report indicates that “[s]ince the conflict started in Darfur in 2003, the police and the security services have arbitrarily arrested and detained at least 10,000 students from Darfur”, specifying that “[i]n 2015 alone, the police and the security services arbitrarily arrested and detained at least 200 students from Darfur”. The same source also notes that since 2003, it “documented at least 13 students from Darfur killed in various universities across Sudan, possibly by police officers, National Intelligence and Security Service (NISS) agents and/or ruling party affiliated students” (AI, 18 January 2017, p. 5). With regard to the actors of these forms of treatment of Darfuri students, the same source states:

“Most of these violations were committed by Sudanese security forces, who repeatedly used excessive force to break up assemblies of Darfuri students, violating their rights to

freedom of expression, association and peaceful assembly. Security agents demonstrated bias in their policing of student protests, appearing to target only Darfuri students for arrests, while ruling party affiliated students were not held to account. Ruling party affiliated students also perpetrated abuses against Darfuri students and university professors, including through beatings and threats. Although these are criminal offenses, the state failed to prosecute the ruling party affiliated students who committed these abuses.” (AI, 18 January 2017, p. 5)

The AI report notes that in October 2015, a peaceful sit-in protest was organised by Darfur Students’ Association after Holy Quran University (in Omdurman) decided to retroactively impose tuition fees for students from Darfur. Some 500 students took part in the sit-in which was “attacked by 70 to 100 individuals composed of ruling party affiliated students, the police and NISS agents”. A subsequent sit-in was also “violently disrupted”, with ensuing violence resulting “in the injury of 15 students, mostly from Darfur”. Police then arrested 12 students from Darfur. Nine of them were charged with “participating in a ‘riot,’ causing ‘disturbance of public peace’ and ‘public nuisance’ under Articles 68, 69, and 77 of the 1991 Criminal Act”. These charges, which can be punished by imprisonment and flogging, were “all dropped in November 2015 for lack of evidence and the nine students were released”. According to the Darfur Student Association, “two students were expelled from the university on 22 December 2015 and another two suspended for two years”. (AI, 18 January 2017, pp. 20-21)

The same report states that in April 2015, a cultural day meeting held at the University College of Sharq Al Niel’s Economic campus in North Khartoum by members of the Darfur Students’ Association was violently disrupted by students affiliated to the ruling party. In the fighting that ensued, “one of the ruling party affiliated students, Mohamed Awadelkarim, was stabbed and killed” and at least five Darfuri students injured. Darfuri student Mohamed Abdallah Al Baqari was later arrested and charged with murdering Awadelkarim. Al Baqari eventually had his initial death sentence for murder overturned to manslaughter in December 2016. AI reports that some 200 Darfuri students in Khartoum State were arrested after violence that erupted as a reaction to the death of Awadelkarim:

“The tragic death of Mohammed Awadelkarim triggered violent clashes between Darfuri and ruling party affiliated students in five universities in Khartoum. In the following weeks, 200 students from Darfur were reportedly arrested from universities in Khartoum State by the NISS and the police. According to the Darfur Bar Association, no investigations into, nor arrests of ruling party supporters’ involvement in the incident have taken place. [...]

While Amnesty International is unable to confirm if any ruling party affiliated students were arrested for this violence, all available information suggests that the security forces prioritised only Darfuri students for investigation and arrest. The police must investigate and bring criminal charges against all those students involved in incidents of violence, including ruling party affiliated students.” (AI, 18 January 2017, pp. 23-24)

Radio Dabanga reports that in October 2016, student Mubarak Abdel Hakam El Khair was sentenced to one year in prison and a fine for stabbing and injuring a member of the security

forces as the NISS “stormed the campus of the University of El Geneina” nine months previously. He was transferred to prison to serve his term (Radio Dabanga, 5 October 2016).

The March 2017 US Department of State (USDOS) notes with regard to the treatment of members of the Darfur Students Association during the 2016 reporting year:

“Government authorities detained members of the Darfur Students Association during the year. Upon release, numerous students showed visible signs of severe physical abuse. Government forces reportedly used live bullets to disperse crowds of protesting Darfuri students. There were numerous reports of violence against student activists’ family members.” (USDOS, 3 March 2017, section 1c)

In November 2015, the administration of Holy Quran University (in Omdurman) and the Ministry of Interior accused Darfuri students of setting a fire to the university administration building. The Darfur Students’ Association denied these allegations. After investigations, eight students were arrested by the NISS and charged with criminal damage. Charges against all but two of the eight students later dropped, while the two remaining students were released on bail pending trial. As AI notes, “[t]he students arrested on 14 November 2015 reported they had been severely beaten while in the custody of the NISS”. AI quotes a one of the students who were arrested as saying that following their release, “he and his colleagues have found it difficult to attend university because they have been under surveillance and threatened with re-arrest by the NISS agents”. (AI, 18 January 2017, pp. 29-30)

In April 2015, 20 student protesters were arrested by the NISS at El Fasher University in North Darfur State. They arrested students were beaten and “subsequently charged with: calling for opposition to public authority by use of violence or criminal force; disturbance of public peace; rioting; obstructing a public servant from performing the duties of his office; and criminal damage”. All of the arrested were released ten days later on bail pending trial. (AI, 18 January 2017, pp. 31-32)

An April 2016 Radio Dabanga article reports about arrests of student protesters in Nyala (South Darfur):

“A number of students were arrested and injured in the demonstrations that broke out on Tuesday morning at the University of Nyala in the capital of South Darfur against the increase of transportation tariffs and prices of meals at student boarding houses. A student told Radio Dabanga that police and the Rapid Support Forces (RSF) stormed the headquarters of the university and arrested and injured dozens of students.” (Radio Dabanga, 27 April 2016)

Radio Dabanga reports in April 2016 that police and NISS members “dispersed the crowd by using large amounts of teargas and beating students with batons” as students of El Fasher University (North Darfur) demonstrated against the referendum on the future administrative status of Darfur (Radio Dabanga, 11 April 2016).

The same source notes the following incidents in Khartoum and El Fasher surrounding the April 2016 Darfur referendum:

“On Tuesday, the NISS detained two demonstrators in downtown Khartoum during a demonstration against the voting. Three students were detained by the NISS at El Fasher University during a protest against the referendum on Monday.” (Radio Dabanga, 15 April 2016)

In May 2016, Radio Dabanga reported about arrests of dozens of students across the country including 40 students of South Darfur’s University of Nyala, according to a local student (Radio Dabanga, 1 May 2016).

A May 2016 Human Rights Watch (HRW) press release mentions the following case:

“Abdelmonim Abdelmowla, a Darfuri graduate, was arrested in December 2015 with a Darfuri student, Ali Omar Musa. While Musa was released in May 2016, Abdelmowla remains in NISS detention without charge, his lawyers told Human Rights Watch.” (HRW, 25 May 2016)

The March 2017 USDOS report mentions two further cases from 2016 relating to students that occurred in El Geneina (West Darfur) and Nyala (South Darfur):

“[O]n March 24 [2016], NISS agents reportedly arrested a female student on her way to the University of El Geneina and assaulted her. Seven students from Nyala University who were arrested on April 26 for demonstrating against the increase in public transport fees reported having been similarly beaten in detention. Neither case had been investigated by year’s end.” (USDOS, 3 March 2017, section 1g)

A December 2015 Sudan Tribune article states that two protesters were killed and eleven wounded in El Geneina as anti-riot police intervened in a student demonstration against “a government decision banning the use of firewood and charcoal in bakeries, that resulted in a sharp hike in the price of bread” (Sudan Tribune, 28 December 2015). Referring to the same events, Radio Dabanga reported six school pupils were injured (Radio Dabanga, 28 December 2015).

In November 2015, Radio Dabanga reported that 12 or 13 (presumably Darfuri) students were arrested following protests in Khartoum (Radio Dabanga, 27 November 2015).

Earlier in November 2015, Radio Dabanga stated that “[a]t least thirteen students at the University of Zalingei in Central Darfur were arrested [...] when they participated in a protest against the expulsion of nineteen other students” from the university (Radio Dabanga, 20 November 2015).

Other Darfuri protesters

A June 2017 Radio Dabanga article reports that three young activists were arrested in late May 2017 after leading “a peaceful protest in the locality against the deficit of basic services, in

particular a shortage of clean drinking water and electricity”. They were held incommunicado and without charges in Nyala. (Radio Dabanga, 18 June 2017; see also Radio Dabanga, 7 June 2017 and Radio Dabanga, 25 May 2017b). The three activists and two other detained activists were released in late June 2017 (Radio Dabanga, 26 June 2017b).

As Radio Dabanga reported in April 2017, “[t]wo women and a child were shot dead and nine others were wounded in Kerending camp for the displaced in El Geneina locality in West Darfur” as residents of the camp protested against a decision by the Commissioner of El Geneina to relocate a market from inside the camp to a place outside the camp’s premises (Radio Dabanga, 9 April 2017).

In November 2015, Radio Dabanga reported about the arrest of six farmers from Gireida locality in South Darfur. They were “participating in a protest against the destruction and damage of farms in the area by marauding militia herdsman” and called for the Commissioner to step down (Radio Dabanga, 19 November 2015).

USDOS notes that in January 2016, at least 13 people, most of them ethnic Massalit, were killed and many others injured as security forces opened fire at Massalit demonstrators in front of the governor’s offices in El Geneina (West Darfur) after protests turned violent and later fired shots at a funeral procession for Massalit killed in the protest (USDOS, 3 March 2017, section 1g).

The annual AI Report of 2016/17 says that “[i]n Central Darfur state, on 31 July [2016], NISS agents arrested 10 people who had attended a meeting with the US Special Envoy for Sudan and South Sudan during his visit to the region”, noting that “[o]f the 10, seven were internally displaced persons”. The arrestees were “all released in September [2016]”. (AI, 22 February 2017)

In its March 2017 country report on human rights practices, the US Department of State (USDOS) notes the following West Darfur case from July 2016:

“In July [2016] the government arrested Imam Yousif Abdullah Abaker following an Eid al-Fitr sermon in Aljenina in West Darfur, during which he criticized the central and state governments and blamed them for deaths in Darfur and throughout the country. He was reportedly transferred to Khartoum and sentenced to nine months in prison.” (USDOS, 3 March 2017, section 2a)

As regards the issue of accountability of the security forces including the NISS, the January 2017 AI report provides the following assessment:

“Despite numerous reports on and evidence of arbitrary arrests, excessive and unlawful use of force, unlawful killings, torture and other ill-treatment by security forces or police, the Sudanese government does not appear to have: conducted prompt, independent and effective investigations into the reports; brought charges to bear against those reasonably suspected of criminal responsibility; or prosecuted them in criminal trials. It also does not

appear to have taken any positive action to prevent further human rights violations such as reforms to the national security agency, the police and policing practice.

Instead, the legal framework governing the security services guarantees impunity for human rights violations, thereby institutionalising policing practices detrimental to human rights. Sudanese laws that govern the armed forces, the police and the NISS all contain provisions conferring immunity on perpetrators of human rights violations. The National Security Act 2010, the Police Act, and the Armed Forces Act all include immunities for acts committed 'in good faith' and 'in the course of duty.' Immunities can only be waived by the relevant governing bodies of the Ministry of Interior, Defence or the Director of the NISS.

The Government of Sudan 'has repeatedly stated the immunities are 'procedural rather than substantive' and that the practice is to waive a person's immunity whenever there is prima facie evidence to justify the laying of charges against the person.' Sudan's Constitutional Court has also held that immunities provided for NISS personnel are not in conflict with the Constitution. However, the Minister of Justice, Awad Elhassan Elnour Khalifa, on 29 June 2015, acknowledged the immunities granted for members of the regular forces [armed forces, police and the NISS] 'represent [an] impediment to justice.' Despite this acknowledgement, neither the Minister, nor other relevant ministries, have taken any action to remedy the problem, and security agents continue to perpetrate human rights violations with impunity.

The provisions providing immunity make it impossible for members of the public to enforce their right to an effective remedy for human rights violations perpetrated by the security forces. They are unable to pursue criminal and civil procedures against any member of the security forces. The National Security Act, in particular, has created a culture of impunity in which NISS agents can commit human rights violations without any judicial oversight or accountability. The constitutional amendments passed by Parliament on 5 January 2015 that accorded sweeping powers to the NISS have exacerbated the situation." (AI, 18 January 2017, pp. 41-42)

The March 2017 USDOS country report on human rights practices notes on the same issue:

"While the law provides NISS officials with legal protection for acts committed in their official capacity, the government reported NISS maintained an internal court system to address internal discipline and investigate and prosecute violations of the National Security Act, including abuse of power under the act. Penalties included up to 10 years in prison, a fine, or both for NISS officers found in violation. During the year, however, the government gave no access to information regarding how many cases it had closed." (USDOS, 3 March 2017, section 1d)

The August 2016 DIS/UK Home Office report states with regard to the treatment in detention of persons arrested by the NISS, including students and other political activists:

"DBA [Darfur Bar Association] (Khartoum) noted that there were many NISS detention facilities across Khartoum and that most persons detained by the NISS would likely be taken

to such a facility, rather than an unofficial place of detention, although such ‘ghost houses’ did still exist.

Two sources noted that the NISS headquarters was located in Khartoum North (Bahri), where the NISS political section detained and interrogated political activists, including students. [...]

Two sources noted that conditions in the NISS headquarters were harsh with reports of torture and physical mistreatment of detainees. The two human rights lawyers from Khartoum indicated that there were NISS interrogation cells in the basement of the NISS headquarters, commonly referred to as ‘the fridge’. DBA (Khartoum) noted that persons held at the NISS headquarters (Bahri) detention centre were usually on remand and had not been formally charged. According to the source in some cases a person could be held at the NISS headquarters for three to five months without charge.” (DIS/UK Home Office, August 2016, pp. 22-23)

The USDOS country report on human rights practices notes that “[t]he government severely restricted international humanitarian organizations’ and human rights monitors’ access to political detainees”, granting the African Union/United Nations Hybrid operation in Darfur (UNAMID) “extremely limited access to Darfuri political detainees in Khartoum and Darfur” (USDOS, 3 March 2017, section 1e).

3.1.2 Treatment of critical journalists, citizen-journalists, bloggers, etc.

The Freedom House Freedom on the Net 2016 report notes a significant rise in numbers of people arrested for online activities in Sudan in 2015-2016, adding that “[i]n an alarming change from previous years, the government kept several individuals in arbitrary detention for lengthy periods of time due to their online activities, denying them the right to a fair trial”. (Freedom House, November 2016)

As for methods of online surveillance, the same report states that “[i]n a growing trend, critical WhatsApp messages frequently implicated users in alleged cybercrimes, which were often leaked to the authorities by the members of group chats”, adding that Facebook posts also led to several arrests” (Freedom House, November 2016).

A March 2016 Human Rights Watch (HRW) report notes that “authorities have tightened restrictions on the media and civil society, limiting freedoms of expression and association”, specifying that:

“NISS has regularly suspended newspapers, confiscated print runs, and instructed editors not to publish articles that cross ‘red lines.’ These topics have included stories about conflict in Darfur, Southern Kordofan and Blue Nile; and on the economy, protests, corruption, and sexual violence broadly – an extremely sensitive topic, as evidenced by government denials of specific cases and patterns of sexual violence by government forces in Darfur. A Sudanese media watchdog, Journalists Association for Human Rights, reported 66 incidents of newspaper confiscations in 2014-2015.” (HRW, March 2016, pp. 12-13)

Freedom House reports that North Darfur digital journalist and online activist Ibrahim Baggal was arrested and detained in 2016, with multiple charges levelled against him:

“In February 2016, Ibrahim Baggal, a digital journalist and online activist, was arrested for criticizing the governor of North Darfur in a Facebook post and charged under the IT Crime Act. Baggal spent 55 days in detention before his release on bail, but was detained again days later and held for another week, for seemingly arbitrary reasons. The public prosecutor later dropped some of the charges leveled against Baggal, namely undermining the constitutional order, waging war against the state, and contempt for authority; however, Baggal still faces charges of spreading false information, disclosing military information, and breaching public safety.” (Freedom House, November 2016)

Radio Dabanga quotes journalist Ibrahim Baggal as saying that he had written “several articles about the Governor of North Darfur, Abdel Wahid Yousif, criticising his political, organisational, and administrative performance, and other state issues”, which led to his arrest (Radio Dabanga, 8 April 2016).

An April 2017 Amnesty International (AI) press release notes that British journalist Phil Cox and Darfuri translator and author Daoud Hari were abducted, tortured and imprisoned by government forces in Darfur as they were trying to “investigate reports by Amnesty International that Sudanese security forces had used chemical weapons against civilians in Jebel Marra” in 2016 (AI, 5 April 2017).

As Radio Dabanga reported in June 2017, prosecutors in West Darfur charged Adam Abdelrahim Dungos, editor of Sout El Shaab newspaper with “defamation of character and publishing false news” after the newspaper published an article “about 330 pieces of land in El Geneina which are apparently not registered in the names of the rightful owners” and the “Director of the West Darfur Land Administration [...] filed a complaint” against him (Radio Dabanga, 8 June 2017b).

A July 2017 article of the same source reports about the following case:

“Journalist Ezzeldin Dahab has been released on personal bail following his arrest on charges of defamation of character, filed by the Finance Minister of South Darfur. Sudan's Information Crimes Prosecution released Dahab on Monday. He told Radio Dabanga that his arrest followed charges laid after a report he published in El Jareeda newspaper investigating and documenting corruption in the state.” (Radio Dabanga, 13 July 2017)

A November 2016 Radio Dabanga article states that a journalist working for the El Sayha newspaper was arrested that the Omdurman Islamic University while “covering the protests of Darfuri students against the payment of tuition fees” (Radio Dabanga, 17 November 2016).

A May 2016 Radio Dabanga article reports about the arrest and detention of Alaludin Babikir, journalist of the El Raiulam (El Rai Elam) newspaper, by the NISS:

“Agents of Sudan’s National Intelligence and Security Service (NISS) arrested journalist Alaludin Babikir of El Raiulam newspaper on Wednesday, and fined him for inciting a bread

riot. The NISS held Babikir on charges of incitement of a bread demonstration that erupted in El Geneina in West Darfur several months ago.” (Radio Dabanga, 15 May 2016)

An earlier article of the same source provides the following details about the Alaludin Babikir (Aladdin Babiker) case:

“A correspondent for a West Darfur newspaper was interrogated by agents of Sudan’s National Intelligence and Security Service (NISS) on Sunday. [...] According to a statement by the Journalists Network for Human Rights, yesterday, agents of the NISS interrogated Aladdin Babiker, a correspondent of El Rai Elam newspaper in El Geneina, for two hours. ‘The interrogation included personal threats, threats to his profession, and political information. It stemmed from Babiker’s coverage of protests in El Geneina against the cooking gas crisis that has continued since December.’ The Network explained in its statement that after the interrogation, Babiker was taken to the police station, and then to the NISS building.” (Radio Dabanga, 9 May 2016)

In April 2016, Radio Dabanga reported that a man was arrested by the NISS for drawing caricatures about low voter turnout at polling stations during the April 2016 Darfur referendum and for mocking the authorities’ move to close a local market to compel people to vote (Radio Dabanga, 15 April 2016).

3.2 Political opposition parties and activists

3.2.1 *Treatment of members of political opposition parties, as well as (perceived) supporters of such parties, political activists, students, and lawyers who are perceived to oppose the government*

Incidents of detention, ill treatment and torture of Darfuri individuals who are (perceived to be) political opponents

The March 2017 USDOS country report on human rights practices mentions that while laws and regulations in Sudan do “prohibit discrimination regarding race, sex, gender, disability, tribe, and language”, they “do not protect classes according to sexual orientation or gender identity, HIV-positive status or other communicable diseases, political opinion, social or national origin, age, or social status” (USDOS, 3 March 2017, section 7).

The Amnesty International (AI) Report 2016/17, which covers developments of 2016, states that “across Sudan, NISS officials and members of other security forces targeted opposition political party members, human rights defenders, students and political activists for arbitrary arrest, detention and other violations” (AI, 22 February 2017). The March 2017 USDOS country report on human rights practices notes that a state of emergency in Darfur (and Blue Nile and South Kordofan) “allowed for arrest and detention without trial” and that “authorities detained Darfuri students and political opponents throughout the year, often subjecting them to torture” (USDOS, 3 March 2017, section 1e).

A joint report of the Danish Immigration Service (DIS) and the UK Home Office that is based on fact finding missions to Khartoum, Kampala and Nairobi in February/March 2016 and was published in August of the same year, notes:

“A majority of sources observed that those from Darfur or the Two Areas who were critical of the government and/or had a political profile may be monitored and targeted by the NISS in Khartoum. This could include many different forms of activism.” (DIS/UK Home Office, August 2016, p. 19)

The same report indicates that besides Darfuri student activists, “groups targeted by the NISS included: persons affiliated with rebel groups; lawyers and journalists; civil society leaders; human rights activists, including women activists” (DIS/UK Home Office, August 2016, p. 20).

The same report notes that National Intelligence and Security Service (NISS) monitors Darfuri communities in Khartoum and that Darfuris in Khartoum who have a “political profile”, especially “student activists and persons with an affiliation to rebel groups”, are vulnerable to being targeted by the NISS and its attached militia groups. The report notes that activists in Khartoum who are most at risk of being targeted are likely to include “those from the Darfuri African tribes of Fur, Masalit and Zaghawa”. (DIS/UK Home Office, August 2016, p. 10).

The same report refers to several sources as indicating that security operations such as arrest and detention by government units including the NISS were not uniform but subject to change over time (DIS/UK Home Office, August 2016, p. 20).

The same report states that the African Centre for Justice and Peace Studies (ACJPS), a Sudanese human rights organisation, noted that “any political opposition parties were at risk and there were no ‘safe’ parties outside the NCP [National Congress Party]” (DIS/UK Home Office, August 2016, p. 21).

The US Department of State (USDOS) indicates that the Sudanese “government continued to arrest or temporarily detain opposition members” (USDOS, 3 March 2017, section 1e; see also USDOS, 13 April 2016, section 1e), noting further that:

“Security forces detained political opponents incommunicado, without charge, and tortured them. Some political detainees were held in isolation cells in regular prisons, and many were held without access to family or medical treatment. Human rights organizations asserted NISS ran ‘ghost houses,’ where it detained opposition and human rights figures without acknowledging they were being held. Such detentions at times were prolonged.” (USDOS, 3 March 2017, section 1c)

Freedom House notes that “[o]pposition leaders and activists are routinely arrested and held without charge, often for extended periods” (Freedom House, 27 January 2016). According to Amnesty International (AI), “[t]he authorities continued to prevent opposition political parties from organizing peaceful public activities” (AI, 22 February 2017).

The USDOS specifies that during the reporting year 2016, the “NISS detained more than 41 opposition party members, in some cases following meetings or symposiums during which attendees discussed politics” (USDOS, 3 March 2017, section 2a), noting that “[i]n November and December, authorities arrested the entire senior leadership of the Sudan Congress Party, and detained them without charges” before releasing them “in late December with no charges” (USDOS, 3 March 2017, section 2b). The same source also states:

“Authorities monitored and impeded political party meetings and activities, restricted political party demonstrations, used excessive force to break them up, and arrested opposition party members.” (USDOS, 3 March 2017, section 3)

Several articles report about arrests of opposition party members outside Darfur without making reference to any activities related to Darfur (Radio Dabanga, 9 January 2017; Radio Dabanga, 6 December 2016; ACJPS, 1 December 2016; Radio Dabanga, 17 November 2016; Radio Dabanga, 27 November 2015).

Only few reports could be found on incidents regarding opposition party activists in Darfur or opposition parties’ activities linked to Darfur:

Radio Dabanga reported in December 2016:

“Two members of the opposition Sudanese Congress Party were detained by agents of the National Intelligence and Security Service (NISS) at the police headquarters in the West Darfur capital of El Geneina on Monday.

An activist from El Geneina told Radio Dabanga that both men were initially arrested and criminal charges were filed against them for writing slogans on walls demanding toppling of the regime, denouncing the economic hardship, and supporting civil disobedience. The NISS agents released them on bail, but have now taken them to an unknown location.

The security apparatus is still holding the leaders of the Sudanese Congress Party, including the President, the Former President, the Deputy President and the Secretary General of the party for more than a month because of opposing the increases on medicine, fuel and electricity prices.

Four leaders of the national consensus forces including Siddig Yousif and Mohammed Dia, and four leaders of the Reform Now Movement led by Dr. Ghazi Salahuldin Atabani are also still in detention.” (Radio Dabanga, 14 December 2016)

In November 2015, Radio Dabanga reported that the spokesperson for the opposition Arab Socialist Ba’ath Party, which he says is supporting Darfuri students, was detained by the security service who “transferred him to the headquarters” where “lawyers were assigned to him”. He was subsequently released (Radio Dabanga, 27 November 2015).

Human Rights Watch (HRW) reported in August 2015:

“On the evening of August 22 [2015], about 15 security agents armed with pistols and Kalashnikovs arrested eight Congress party members, four of them from Darfur, after they

participated in a symposium at the party headquarters in Khartoum north. Witnesses told Human Rights Watch and ACJPS that the officers forced the men to stop their car, beat them with sticks and water pipes, and punched and stomped on them while arresting them and taking them to the intelligence agency office. Two detainees suffered head injuries. Five were released after a few hours, at around 3 a.m., and the others the following afternoon. [...]

Intelligence agents also arrested three members of the Liberal Democratic Party on August 17, 2015, following an event at the Haq party headquarters in Khartoum. One of the detainees told Human Rights Watch that the officers questioned them for several hours about the party's activities and work in Darfur, while beating them and forcing them to endure very cold temperatures or stand under the hot sun. The three were released after two days and ordered to return for more questioning over the following days." (HRW, 28 August 2015)

A March 2016 Human Rights Watch (HRW) report notes that in 2015, two female legal aid lawyers in North Darfur reportedly "assaulted and harassed by police in a police station in El Fasher while defending a group of 20 university students arrested for protesting the elections in April 2015" (HRW, March 2016, p. 28). No further information could be found on the treatment of lawyers who may be perceived to be opposed to the government.

For information on the treatment of Darfuri student activists, please see [section 3.1.1](#) of this compilation.

3.2.2 Treatment of family members of (perceived) political opponents

No specific information could be found on this issue with regard to Darfur or Darfuris elsewhere in Sudan. The following passages refer to the treatment of family members of (perceived) political opponents in Sudan in general:

The US Department of State (USDOS) notes that during 2016, "[t]here were numerous reports of violence against student activists' family members" (USDOS, 3 March 2017, section 1c).

Referring to government crackdowns on student protesters at Khartoum University and elsewhere in Sudan which began in mid-April 2016 (see [section 3.1.1](#) and [section 3.2.1](#) above), HRW mentions that those arrested during a May 2016 raid on the offices of Khartoum-based lawyer Nabil Adeeb included family members of a group of students who were receiving "legal advice on appealing a May 3 [2016] university decision to suspend or dismiss the students" (HRW, 25 May 2016).

Referring to a statement issued by the Centre for Training and Human Development (TRACKS) in Khartoum informing about recent arrests and harassment of members of the organisation by the NISS, an August 2016 Radio Dabanga article mentions that "[s]ome of the TRACKS activists' family members have also been targeted by NISS" (Radio Dabanga, 24 August 2016).

The Sudan Tribune reported in a June 2016 article:

“Sudanese police forces and security men dressed in plain clothes on Saturday dispersed dozens of families of detainees gathered outside the premises of the National Intelligence and Security Service (NISS) in Khartoum. Since several days, the protesters gather in front of the NISS headquarters in Khartoum holding pictures of the detained university students, and placards calling for their immediate release. The protesters denounced the prolonged arrest of the students, and requested freedoms for the detainees. NISS agents called on the anti-riot police to disperse the protesters, but the demonstrators showed remarkable determination and refused to leave. Last May, the security authorities arrested 10 students from the University of Khartoum following protests against the purported sale of its historical building.” (Sudan Tribune, 12 June 2016)

3.2.3 Treatment of individuals (perceived to be) associated with or supportive of armed opposition groups

The August 2016 joint fact-finding-mission report of the Danish Immigration Service (DIS) and the UK Home Office indicates that groups targeted by the NISS included Darfuri student activists, persons associated with armed anti-government groups, lawyers and journalists, and civil society activists, adding that “[f]rom these groups, three sources highlighted those with an affiliation to rebel groups as being particularly at risk” (DIS/UK Home Office, August 2016, pp. 19-20).

A May 2017 Radio Dabanga article states that the government-affiliated “Rapid Support Forces (RSF) militia has arrested at least seven people at the areas of Muzbad and Arori in Um Baru and Karnoi localities on charges of communicating with the armed movements, as part of a campaign of ongoing arrests”. The article refers to “informed sources from North Darfur” as saying that those detained, mostly herders, were “beaten and tortured by the RSF” (Radio Dabanga, 25 May 2017c).

As Radio Dabanga reported in January 2017, the governor of Central Darfur, Jaafar Abdelhakam, “has accused the Sudan Liberation Movement-Abdel Wahid (SLM-AW) of involvement in what he called “the riots in Nierteti” which [...] led to the killing of a soldier at Kombo Ghabat, and the subsequent death of two children, with 47 more people injured.” The governor is quoted as saying that “a joint force from the army, police, and security moved [...] to Kombo Ghabat area to hunt-down six perpetrators who started opening fire first, and incited people to face the joint forces with a riot” and that “the joint force managed to arrest the suspects”. SLM-AW leader Abdel Wahid Mohammed El Nur is quoted as saying that his group had nothing to do with what he refers to as the “Nierteti bloody massacre” and that the government was responsible for the violence (Radio Dabanga, 3 January 2017). As for the unfolding of the events, Radio Dabanga states with reference to eye-witness accounts:

“Witnesses, including some of the wounded, told Radio Dabanga that the incident occurred when an army force, driving four Land Cruisers mounted with machine guns, stormed the town and opened fire. The attack was in response to the killing of one of the army personnel by unknown assailants in Nierteti on Friday.” (Radio Dabanga, 4 January 2017)

The same source further noted with regard to the above-mentioned arrests:

“On Monday, Military Intelligence released ten people who were arrested following the violence. Witnesses say that Military Intelligence also handed higher secondary school student Adam Bashar Adam to Nierteti police on charges of stabbing an army soldier. They said the student was in poor health and both hands were broken.” (Radio Dabanga, 4 January 2017)

A January 2017 Amnesty International (AI) report notes that senior officials have on several occasions accused Darfuri student protesters of being supportive of armed anti-government groups:

“Senior government officials have also made public statements against Darfuri students’ political activities. For example, in September 2013, following the violent suppression of protests against the government’ sending of fuel subsidies, during which around 200 people were killed, the government branded the protesters, including Darfuri students, as supporters of armed rebel groups. Two months later, in November 2013, the then Vice-President, Al-Haj Adam Youssef, told NCP [National Congress Party]-affiliated students that they should ban the activities of Darfuri students. He added: ‘the state will not allow the tails of the armed groups to operate inside the country.’ Following the death of a Darfuri student during a protest at the University of Khartoum in March 2014, an official from the security coordination committee of Khartoum State said: ‘Any student supporters of the armed movements are prohibited from exercising any activity or gatherings or demonstrations. As they are supporters of movements that [are] waging a war on the government, their activity in Khartoum is an extension of what they do in field of war, looting and burning.’ He stressed that ‘the security services will deal by force [with] and resolve...any activities of any groups that belong to the armed movements.’” (AI, 18 January 2017, pp. 14-15)

The same report quotes a Darfuri student as saying that the government views students from Darfur as “part of the armed rebel movements” and that it seeks “by any means to suppress” them, regardless of whether they “belong to a political party or not” (AI, 18 January 2017, p. 19).

The same report notes that in January 2016, a student (Salah al Din Qamar Ibrahim) was killed and a number of others seriously injured as members of the NISS and students affiliated to the ruling party “violently disrupted a public seminar at El Geneina University organized by a student organization from the opposition United Popular Front (UPF)”, a group affiliated with the Sudan Liberation Movement-Abdul Wahid Al Nour (SLM/AW). The meeting, which had not been authorized by the university administration, was held by the UPF to “discuss the situation in Jebel Marra, where a government offensive against the SLA/AW was underway”. AI quotes an eyewitness as saying that “[i]n total, 25-27 students were arrested and taken to the NISS headquarters in El Geneina” where they were “[badly] beaten”. According to the eyewitness, who was among those who were arrested, the NISS agents took the detainees’ personal details and recorded their voices (to be able to identify those who might speak to the media), “took photographs, confiscated mobile phones and other personal items”, and interrogated the students about their political and tribal affiliation. As the source noted, the NISS interrogators focused on the Fur, Masalit, and Zaghawa tribes and on UPF affiliates. After three days of harsh

treatment, all but two of the students were released without charges. According to reports from local human rights observers, the two remaining students were “released on bail pending trial after one week” and subsequently charged with “causing intentional wounds” and “providing false information”. A court in El Geneina dismissed all charges against one of the two students, while the other student was given one-year prison term. (AI, 18 January 2017, p. 28)

The March 2017 USDOS country report on human rights practices elaborates on the death of Darfuri student Salah al Din Qamar Ibrahim (referred to here as “Salah Gamar Ibrahim”) in El Geneina:

“On January 31, NISS agents detained Salah Gamar Ibrahim, a Darfuri student aligned with a Sudan Liberation Army-Abdel Wahid (SLA/AW)-affiliated student political organization, following a political forum. According to family members, NISS agents ‘dumped [him] in a critical state’ outside his family’s home that same day. His family immediately took him to the hospital, where the next day a doctor recommended transferring him from Darfur to Khartoum for further treatment. NISS rejected the request, and Ibrahim died the same day. As of year’s end, the government had not released results of an investigation. [...]

In 2014 security forces used force and live ammunition to disperse students at the University of Khartoum protesting escalating violence in Darfur. One student, Ali Abakar Musa Idris, died of injuries. As of year’s end, the government had not released any report on the incident.” (USDOS, 3 March 2017, section 1a)

The January 2017 AI report notes that several students were arrested and beaten by the NISS following a fire at Holy Quran University in Omdurman in November 2015. One of the students who were detained is later quoted as saying that NISS officers wanted to know what his “relation was with the armed rebel movements in Darfur” and who was funding and supporting them. The student provided the following account of his and his colleagues’ treatment by the NISS:

“I was in my apartment in Khartoum, around 12 pm on Saturday, 14 November. Around 25 armed men kicked in the apartment door and stormed in shouting my name. They were from the NISS. We were five people inside the apartment at the time. They had a photo of me with them. The arresting unit was headed by a Lieutenant-Colonel. Under his instruction, they beat me and kicked me in the head and all over my body. This lasted for about 30 minutes. Then they handcuffed me and took me and my other colleagues [four students] in a white Toyota pick-up with tinted windows to the NISS’s headquarters in Khartoum North. Inside the NISS, we were made to stand up in a yard and raise our hands and face the wall. They continued beating me all over my body with a black plastic water pipe. After that, I was taken inside to an office where there were five officers. They told me that they recorded a conversation with my mother. They threatened me that they will hurt her and my brother if I did not cooperate with them. They wanted to know what my relation was with the armed rebel movements in Darfur; who funds and supports us? They accused me of burning the university building. They told me that they can kill me and no one will know about it. I was racially insulted and they told me that we, Darfuri people, are

malevolent people and Abeed [slaves]. Then, they took me to the fourth floor. I was tortured by another NISS agent from the afternoon till 3 am. I was kicked and whipped mercilessly on my bare back and my feet.” (AI, 18 January 2017, p. 29)

The same report states that in May 2015, NISS officers arrested two Darfuri students after they and other students had set an appointment with the UN Special Rapporteur on violence against women. One of the students who were arrested is later quoted as saying that they were beaten, insulted and accused of being “rebel supporters” (AI, 18 January 2017, p. 31).

Also, the same report quotes a Darfuri student as saying that police officers accused student protesters arrested at El Fasher University in North Darfur in April 2015 of being “Tora Bora [rebels]” and of receiving rebel support “to attack people” (AI, 18 January 2017, pp. 31-32).

Radio Dabanga reported in a November 2015 article:

“At least thirteen students at the University of Zalingei in Central Darfur were arrested on Thursday, when they participated in a protest against the expulsion of nineteen other students earlier this week. [...] The spokesman for the Zalingei University, Mahdi Tajeldin, claimed that the angry students are affiliated with the United Popular Front (UPF) of Darfuri rebel leader Abdel Wahid El Nur.” (Radio Dabanga, November 2015)

3.2.4 Information about other (profiles of) individuals who are perceived to be opposed to the government

Human Rights Watch (HRW) states in its January 2017 World Report that “[i]n July [2016], security officers detained around 20 displaced community members who spoke to the United States special envoy in Niertiti, South Darfur” (HRW, 12 January 2017).

Amnesty International (AI) reports that in May 2015, two students were detained, beaten, and accused of espionage after they had scheduled an appointment with the UN Special Rapporteur on violence against women to discuss human rights violations against Darfuri students. The students were released without charge. (AI, 18 January 2017, pp. 30-31)

No specific information could be found with regard to the question whether Darfuris are in general perceived to be opposed to the government. For information on ethnic and tribal groups and their connection with the government, please see [chapter 2](#) of this compilation. Referring to information obtained from several sources consulted, the August 2016 joint fact-finding mission report of the Danish Immigration Service (DIS) and the UK Home Office only refers to the impact of ethnic and tribal affiliation with regard to the treatment of persons from Darfur and the Two Areas by the authorities. Some sources consulted by the DIS and the UK Home Office refer to the the tribal and ethnic affiliation of different Darfuri communities with regard to their relationship with the Sudanese government:

“Four sources observed that all communities from Darfur or the Two Areas in Khartoum could be at risk of mistreatment by the NISS or indicated that persons from these communities may be targeted by the authorities due to their ethnicity alone. However, none of the sources provided specific information indicating that persons from Darfur or

the Two Areas were being subjected to mistreatment by the authorities exclusively due to their ethnic background.

Faisal Elbagir (JHR [Journalists for Human Rights]) noted that whilst there was no official report on ordinary civilians (that is persons who were not involved in political activities) from Darfur or the Two Areas being targeted by the authorities merely due to their ethnic affiliation, such cases could be found on social media. However, the source could not give examples of such cases which had been verified. Elbagir also remarked that due to media restrictions in Sudan, it was often difficult to obtain accurate news reports about cases of detention.

Khartoum based journalist (1) noted that it was the type and level of political activity rather than one's ethnic background which was the determining factor behind who was monitored and targeted by the NISS. ACPJS [African Centre for Justice and Peace Studies] explained that ethnicity was complicated and that ethnic disputes were often exploited by the government to pursue political goals. ACPJS highlighted that in general anyone who was suspected of political opposition against the government could be targeted, including persons from Arab tribes. [...]

A number of sources, however, noted that those from Darfur and the Two Areas, and in particular those of African ethnicity, were more likely to be viewed with greater suspicion and treated worse in detention than other tribes from Darfur and the Two Areas if they did come to the attention of the NISS due to their political activity. Some sources also mentioned Ingessana from the Two Areas among the tribes being suspected by the authorities for political activity. Several sources noted that the Darfuri and the Two Area communities were perceived by the NISS to be 'rebel sympathisers' and consequently these communities would be more closely monitored by the NISS, for example through the use of informants. Khartoum based journalist (3) held the view that it was only those communities arriving in Khartoum post 2003 who would be monitored.

DBA [Darfur Bar Association] (Kampala) and ACPJS observed that those from other Darfuri tribes (i.e. not the Fur, Masalit and Zaghawa), would not generally be perceived as opposed to the regime or commonly associated with rebel groups and hence not being monitored by the NISS. However DBA [Darfur Bar Association] (Khartoum) noted, in the context of how persons from Darfur and the Two Areas were treated on arrest, that other African Darfuri tribes, including the Tunjur, Meidob, Tama, Mima, Gimir and Dago tribes, were treated more harshly than Arab-origin tribes because the authorities assumed that these groups supported armed rebel groups. DBA (Kampala) also observed that activists of Arab origin may experience harsh treatment for advocating in favour of the rights of non-Arab tribes.

EHAHRDP commented that it was difficult to be prescriptive about which tribes would be at greater risk, although considered those from Arab Baggara tribes as less likely to experience mistreatment because these tribes were commonly associated with the pro-government Janjaweed militia.

UNHCR noted, however, that it was difficult in practice to treat persons differently on the basis of their tribal affiliation. The source explained that it was difficult to say which group would be targeted and which would not due to the sheer number of different tribes in Darfur (over 400), and the fact that mixed parentage occurred.” (DIS/UK Home Office, August 2016, pp. 21-22)

No information could be found with regard to the question whether Darfuris who seek asylum abroad are perceived to be opposed to the government. For information on treatment of Darfuri individuals upon arrival to Khartoum Airport, please see [section 6.1.1](#) of this compilation.

3.2.5 Treatment of civil society organisations and civil society activists, including women’s rights activists, humanitarian workers as well as peacekeepers

The June 2017 report of the UN Secretary-General to the UN Security Council, which covers events documented by UNAMID between mid-March and early June 2017, notes a decrease in security incidents affecting persons working for the UN in Darfur during the reporting period, “with 18 criminal incidents recorded, compared with 50 in the previous period”. The report details on these incidents as follows:

“These incidents included break-ins and theft (2), trespassing (2), carjacking (3), attempted carjacking (2), property damage (2), shooting (3) and other incidents (4). On 20 and 30 April [2017], Military Intelligence detained three peacekeepers for allegedly taking pictures of the local SAF [Sudanese Armed Forces] headquarters and being present in a restricted military area. All three peacekeepers were released immediately. On 28 May [2017], a UNAMID national staff member was arrested by the National Intelligence and Security Services in Ed Daein for alleged corruption, while the Mission’s national staff members arrested on 23 November 2016 remain in custody in Khartoum without charges. [...]

On 31 May, unidentified armed gunmen carjacked a UNAMID vehicle with two peacekeepers in Nyala, South Darfur, killing one of them. The perpetrators fled the scene with the vehicle. The incident was the first UNAMID fatality since March 2016, and followed two similar carjacking incidents against humanitarian actors in the Nyala area in April and May 2017, as described below. [...]

On 19 April [2017], armed men carjacked a United Nations Humanitarian Air Service minibus driven by a national staff member in the Hay al-Muglis area of Nyala, South Darfur. The driver was released by the perpetrators on the Nyala - El Fasher road after being robbed of his personal belongings. On 3 May, armed men in military attire on board a Toyota Land Cruiser vehicle attempted to carjack a minibus belonging to the Office of the United Nations High Commissioner for Refugees near the World Food Programme warehouse in Nyala. The perpetrators fled the scene following the intervention of UNAMID troops escorting the vehicle. No casualties were reported.” (UN Security Council, 14 June 2017, pp. 7-8)

The previous report of the UN Secretary-General, which was published in March 2017 and covers events documented by UNAMID between mid-December 2016 and mid-March 2017, notes the following:

“During the reporting period, the level of security incidents affecting United Nations personnel and property increased modestly over the previous period, with 50 criminal incidents reported (in comparison to 32 in the previous period) in cases of: arrest/detention (2 cases), threat (1 case), assault/injury (2 cases), trespassing (8 cases), theft (8 cases), theft attempts (5 cases), harassment/intimidation (2 cases), carjacking (1 case) damage/stone throwing (19 cases), and damage to United Nations property (2 cases). [...]

Several incidents involved locally recruited personnel of UNAMID. On 28 and 29 December 2016, a total of four UNAMID national staff members were arrested by the National Intelligence and Security Services in El Fasher, accused of illegally exchanging currency, but were subsequently released. On 6 January 2017, unidentified armed men assaulted and injured a UNAMID national staff member at the Alardeeba market, west of El Geneina. UNAMID has not been granted access to a national staff member arrested on 23 November 2016 by the National Intelligence and Security Services in Nyala, South Darfur, for an alleged security violation. The staff member remains in Government custody as of 15 March.” (UN Security Council, 23 March 2017, p. 7)

“On 17 January 2016, SLA/AW elements detained three local staff members subcontracted by an international aid organization and seized their vehicle at a construction site near Sortony, North Darfur, accusing them of being in possession of a firearm. The subcontractors were released several hours later, following negotiations led by UNAMID.” (UN Security Council, 23 March 2017, p. 7)

Referring to the UN secretary general, the March 2017 USDOS country report on human rights practices provides an overview of security incidents affecting humanitarian workers that occurred during 2016:

“Fighting, insecurity, bureaucratic obstacles, and government and rebel restrictions reduced the ability of peacekeepers and humanitarian workers to access conflict-affected areas. Armed persons attacked, killed, injured, and kidnapped peacekeepers and aid workers. [...] According to the UN secretary-general’s report on UNAMID on March 22 [2016], the SLA/AW faction attacked UNAMID forces with heavy weapons near Kutum on January 1, injuring one South African peacekeeper. In November [2016] armed men abducted three staffers of the Office of the UN High Commissioner for Refugees (UNHCR): two Nepalese and one a Sudanese national. During the same week, five armed masked men in a Land Cruiser without license plates abducted three Sudanese employees of UNAMID in Nyala, the capital of South Darfur, while they were traveling to the mission’s headquarters, which is 13 miles southeast of Nyala. [...]

Attacks on humanitarian and UNAMID convoys continued. Bandits obstructed humanitarian assistance, regularly attacked the compounds of humanitarian organizations, and seized humanitarian aid and other assets, including vehicles. Instability forced many

international aid organizations to reduce their operations in Darfur. The UN secretary-general stated, however, that the number of attacks against UN agencies and humanitarian organizations continued to decline. On March 27 [2016], a national staff member of the WFP was robbed in Nyala, South Darfur. On April 5 [2016], three local staff members of an international nongovernmental organization were robbed near El Geneina, West Darfur.” (USDOS, 3 March 2017, section 1g)

The same report also states:

“According to international NGOs, government agents consistently monitored, threatened, prosecuted, and occasionally physically assaulted civil society activists. The government arrested NGO-affiliated international human rights and humanitarian workers, including in Darfur [...].

NGOs must register with the HAC [Humanitarian Aid Commission], the government entity for regulating humanitarian efforts. The HAC obstructed the work of NGOs including in Darfur, the Two Areas, White Nile State, and Abyei. The HAC often changed its rules and regulations without prior notification.” (USDOS, 3 March 2017, section 5)

A March 2016 HRW report states that “[b]oth the NISS and the government’s regulatory agency for nongovernmental organizations, the Humanitarian Aid Commission (HAC), restrict civil society”, noting that “[t]hey have raided many organizations’ offices, including those working on broad human rights and other issues not directly related to women” and that “[t]hey have harassed and detained staff members, seized valuable equipment and funds, and interfered in their work, denied registration and closed organizations without stating reasons” (HRW, March 2016, p. 14).

The same HRW report notes with regard to the treatment of female human rights activists in Sudan:

“Almost all the female activists Human Rights Watch interviewed reported that they had experienced some form of gender-based violence in reprisal for their activism, ranging from rape and assault to threats of rape, attacks on their reputation and verbal harassment. In most cases, the perpetrators of the abuses were identified as national security agents or police.” (HRW, March 2016, p. 20)

The same report notes on the availability of protection for women human rights defenders in the country:

“Almost everyone we interviewed emphasized the lack of protection available in Sudan for human rights activists, especially for women. [...] Little exists to support women activists who have been sexually assaulted or otherwise abused by security personnel, and who may face ‘damaged reputations’ and other social problems if the abuses they suffered become known to others. Women also face enormous obstacles to justice. [...]

In some cases, female activists who faced abuses found assistance through family or from international organizations that provide temporary financial support. But this support is available only if the victims of abuses know where to find it, and in some cases only if they

fit an organization's definition of 'human rights defender.' Moreover, women from less privileged backgrounds, conflict zones or marginalized communities are less connected with civil society groups that have links to international organizations and are far less likely to be able to discover and access these resources." (HRW, March 2016, pp. 42-43)

Amnesty International (AI) noted that Hafiz Edris Eldoma, an IDP from Darfur, was arrested in November 2016 at the house of Ibrahim Adam Mudawi, a human rights defender and engineering professor who was arrested a few days later (AI, 25 May 2017). SUDO UK, a London-based human rights and development NGO, provides the following details on this case:

"Credible sources report that Hafiz and Mobarak were severely beaten, and that Hafiz was given electric shocks and forced to make a confession. Dr. Mudawi has been denied essential medication. All three men are currently being held in Kober prison. [...]

On March 26, the prosecutor called for Mudawi and Hafiz's release on bail, but the National Intelligence and Security Services (NISS) refused to release them. Instead, on May 11 the Attorney General charged both men with crimes under the 1991 Criminal Act: article 21 (Joint acts in execution of criminal conspiracy), article 50 (Undermining the constitutional system), article 51 (Waging war against the State), article 53 (Espionage against the country), article 64 (Provoking hatred against or amongst sects), article 65 (Criminal and terrorist organizations), and article 66 (Publication of false news). Two of the charges carry the death penalty." (SUDO UK, 7 July 2017)

The same source reports that a third person, El Fashir University student Mobarak Adam Abdalla, was arrested in March 2017 and linked to the same case. All three men were accused of assisting in producing an Amnesty International (AI) report which held that the government made use of chemical weapons in Jebel Marra. (SUDO UK, 7 July 2017)

A December 2016 Radio Dabanga article reports that North Darfur lawyer and human rights defender Tasneem Ahmed Taha was detained by the NISS:

"Agents of Sudan's National Intelligence and Security Service (NISS) on Tuesday detained lawyer and human rights activist, Tasneem Ahmed Taha, from her office in the market of El Fasher, capital of North Darfur. Taha was then transferred to NISS detention in Khartoum 'in an enforcement of high directives issued from Khartoum', according to a statement issued by the Darfur Bar Association on Thursday. [...] El Gasim said that Taha is being kept incommunicado, and her family are unsure of her whereabouts." (Radio Dabanga, 30 December 2016)

3.2.6 Attacks on schools and teachers

Radio Dabanga article notes that in February 2017, two teachers were seized and "repeatedly raped" by armed men in El Geneina (West Darfur). Several suspects were arrested and four of them were accused of rape and charged (Radio Dabanga, 7 July 2017c; see also Radio Dabanga, 2 February 2017).

In early May 2017, Radio Dabanga reported that armed militants “broke into Kushina basic school” near Tawila in North Darfur, seizing “school equipment, chairs, cupboards and other school objects” (Radio Dabanga, 3 May 2017).

In April 2017, Radio Dabanga reported that “nearly half a year after their arrest, four teachers from Gireida locality were released from the prison in Nyala, without charges or trial”. The higher secondary school teachers had been arrested in Gireida locality (South Darfur) after protesting against “frequent attacks by militias and the violations against civilians” and were detained in Kober prison in Nyala. (Radio Dabanga, 25 April 2017)

A May 2016 Radio Dabanga article states that “[t]hree people received gunshot wounds and a school was completely destroyed during a riot that broke out among school children in Murnei camp for the displaced in West Darfur” after the unannounced arrival of a medical team intending provide medication against a disease. The coordinator of the Murnei IDP camp is quoted as describing the subsequent police intervention:

“The police intervened using three vehicles. They fired tear gas and bullets into the air to disperse the crowd, which wounded three people. The gunfire also ignited a fire that destroyed the entire school, which was built of straw. The 16 classrooms, offices, teachers’ room and an entire store were all destroyed.’ The coordinator said that the three injured, including a woman, were transferred to El Geneina for treatment.” (Radio Dabanga, 6 May 2016)

A February 2016 Radio Dabanga article reported the detention of “seventeen teachers who attended a state teachers’ union meeting in El Fasher locality, North Darfur”. Several teachers were forced “to sign a declaration stating they will not participate in any gathering again”. The teachers, including six women, who have all been elected to the state teachers’ union were detained by the National Intelligence and Security Service (NISS). (Radio Dabanga, 19 February 2016)

3.3 Freedom of movement

The December 2016 United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) Humanitarian Needs Overview on Sudan provides an overview of numbers of IDPs both within Darfur and across Sudan as at the end of 2016:

“In 2016, considerable new displacement occurred and a large number of those who have fled their homes since 2004 remain displaced. In Darfur some 1.6 million displaced people are registered as living in camps. For unregistered IDPs i.e. displaced people living in rural settlements and urban areas, estimates vary considerably, especially as there is no systematic registration of displacement outside camps. The official government estimate is that an additional 0.5 million internally displaced persons live outside camps in Darfur [...]. According to the government, the overall total number of IDPs across Sudan is 2.3 million in government-controlled conflict-affected areas. The UN and partners estimate that a further half a million displaced people live in host communities and settlements in Darfur.” (UN OCHA, December 2016, p. 7)

As UN OCHA writes in its July 2017 Darfur Humanitarian Overview, some 8,200 people were newly displaced during the first half of 2017, with “[u]p to an additional 4,000 people also reportedly displaced”, although the United Nations and its partners have yet to verify these latter figures (UN OCHA, 1 July 2017).

The December 2016 UN OCHA Humanitarian Needs Overview highlights the situation of IDPS, including of women, children, elderly people and persons with disabilities:

“Protracted displacement has disrupted traditional livelihood activities and eroded community resilience to withstand shocks. Displaced people are more vulnerable due to their reduced access to natural resources such as land and water, and a chronic shortage of basic services. Conflict impacts pastoralists’ traditional migration routes and farmers’ capacity to transport their crops. Newly displaced people lose their livelihood opportunities. As a result they seek safety, food, water, shelter, healthcare, education for their children and new livelihoods.

Among displaced people, women and children are the most vulnerable and at the greatest risk of being exposed to violence during movements to markets, for water and wood collection and farming. Breakdown of the rule of law and economic hardship further compounds vulnerabilities.

Older people and people with disabilities, who may not have easy access to assistance, are also vulnerable and are exposed to risks of neglect, violence and exploitation. Limited basic services, such as social services and education, can further impact the aforementioned groups.

That is not to say that all displaced people suffer from the same levels of vulnerability, but common to all displaced people is a need for access to basic public services. Especially in camps and informal settlements, access to water, sanitation, health and education would, in the absence of humanitarian assistance, be scarce or not available at all. Access to documentation and proof of identity is another challenge for displaced people who have lost personal identification documents.” (UN OCHA, December 2016, pp. 7-8)

The August 2016 joint fact finding mission report of the Danish Immigration Service (DIS) and the UK Home Office notes with regard to the possibility of travel between Darfur and Khartoum:

“The majority of sources confirmed that travel both between Darfur and Khartoum as well as between the Two Areas and Khartoum remained possible, subject to passing various checkpoints controlled by different armed actors (government forces, rebel groups, local armed groups and militias), depending on where a person was travelling from. At some checkpoints a person may be required to pay a bribe or show ID, other checkpoints involved searching vehicles for illegal goods or unpaid customs duties; NISS officers would be present at some government checkpoints. [...]

Travel between Darfur and Khartoum was possible by air or road, including by bus. New roads to Al-Fashir and Nyala made road travel between Darfur and Khartoum easier. Western embassy (B) advised that although it was physically possible to travel to Khartoum

by road, security conditions made travel by road to Southern Kordofan (for example to Kadugli) or to Darfur inadvisable.” (DIS/UK Home Office, August 2016, p. 31)

“ACPJS [African Centre for Justice and Peace Studies] advised that travel between Darfur and Khartoum was possible by plane or road. Bus routes operated which were generally reliable. Trucks and lorries, transferring goods between Khartoum and Darfur were commonly used by IDPs as a cheap form of transport and would take between 24 and 48 hours dependent on the type of bus, safety of the road in terms of looting and other factors.” (DIS/UK Home Office, August 2016, p. 35)

With regard to the duration of travel from Khartoum to Darfur, the same report refers to an NGO in Khartoum as indicating that travelling by road from Khartoum to Darfur “could take significantly different amounts of time depending on where in Darfur a person was going”, with a journey from Khartoum to the North Darfur capital of El-Fasher “not tak[ing] more than one day, as there was a highway” linking the two cities. The report goes on to say that from El-Fasher, “one could drive on to Nyala or El-Genina (Capital of West Darfur)”. (DIS/UK Home Office, August 2016, p. 62)

Referring to a diplomatic source in Khartoum, the same report notes with regard to checkpoints between Khartoum and Darfur and within Darfur:

“When asked if there were any checkpoints on the road between Darfur and Khartoum, the source advised that there were fixed checkpoints at the state borders. In Khartoum the authorities had mobile checkpoints and in Darfur you could find both mobile and fixed checkpoints. The more you moved towards the borders, the more checkpoints you would meet.

At these checkpoints the authorities would check people’s papers, travel permit (of foreigners) and they will ask about the reason for travelling. The source added that in theory all Sudanese citizens had freedom of movement, but sometimes one had to bribe the authorities to go through these checkpoints.” (DIS/UK Home Office, August 2016, p. 47)

Referring to the above-mentioned NGO in Khartoum, the DIS/UK Home Office report states that there were checkpoints run by government units, pro-government militia, local villagers and rebel groups:

“Between Al Ubayyid [the capital of North Kordofan, remark by ACCORD] and Al-Fashir, one could find other checkpoints controlled by the Janjaweed militias, according to the source. The only purpose of the Janjaweed checkpoints was to collect money from the travellers: you pay them 5-15 Sudanese pounds (about 1-2 USD) and continue your trip, according to the source. Most of these checkpoints were fixed checkpoints, but sometimes they changed their locations. The source further explained that there were Janjaweed at the bus terminal in Khartoum to whom one could pay a certain amount of money and receive a receipt, which could be shown at the Janjaweed checkpoints on the way to Darfur. In this way, one could go through the Janjaweed checkpoints more quickly and easily. [...]

The source advised that sometimes there were checkpoints by the highway controlled by men from nearby villages. At these checkpoints, the passing cars were asked for goods the village needed, for instance sugar, water etc.

A fourth type of checkpoints was those controlled by rebel groups. At these checkpoints, armed men usually asked for fuel, as rebel groups often lacked fuel for their vehicles, and if a car did not have extra fuel to give them, they would tap the car's fuel. Sometimes people were asked for money at these checkpoints, for instance 1,000 Sudanese pounds (about 150 USD).

The source also mentioned that there were government checkpoints on the road [...] According to the source, sometimes officers at a government checkpoint held people back in order to make them pay a bribe. How much a person should pay in such cases and how long he would be held back depended on a negotiation with the officer in charge." (DIS/UK Home Office, August 2016, pp. 62-63)

As regards security during travel by road, the DIS and the UK Home Office state with reference to the same NGO source:

"Asked whether there were routes and roads that people avoided due to security reasons, the source replied that the roads between Salinji and Kabir, between Al-Fashir and Kutum, and between Nyala and Dumo were risky and people tried to avoid these roads. The source further said that if someone wanted to move from one area controlled by a tribe to another area controlled by another tribe, he had to obtain permission from the tribal chief of the area of destination or his deputies in advance, otherwise it would be dangerous and risky to make such a trip. The source advised that it was more secure to travel with a tribal deputy in such cases.

The source emphasised however that despite prevalence of all types of checkpoints mentioned above, the situation on the roads in general was not chaotic and there was regular transport of people and goods between Darfur and Khartoum." (DIS/UK Home Office, August 2016, p. 63)

The same DIS/UK Home Office report goes on to say with reference to an international consultant in Khartoum:

"The international consultant stated that there was a general freedom of movement and people could come and reside in Khartoum, providing they had their ID documents. The source mentioned that in Darfur the government had started issuing ID cards to those IDPs who had lost their ID cards due to the conflict. The source mentioned that it was difficult to say how many had been issued ID cards as the figures quoted by different authorities within the Darfur Regional Authority fluctuated between 80,000 and 800,000." (DIS/UK Home Office, August 2016, p. 69)

With regard to possible procedures at government-operated checkpoints in the event of a security-related incident, the DIS and UK Home Office refer to the same NGO source in Khartoum as noting that:

“Passengers and their ID cards could be checked at these checkpoints in the event a security incident had taken place. For instance, if there had been inter-tribal violence in the region, e.g. between Zaghawa and Masalit tribes, the officers at the checkpoint could ask passengers of a bus coming from the Zaghawa area to get off the bus in order to be checked. The source further stated that there was often someone from the NISS at the government checkpoints, and if the NISS was looking for someone, passengers of a car or a bus could be asked to come down and their ID documents would be checked.” (DIS/UK Home Office, August 2016, p. 63)

The same report refers to a Western embassy source as pointing to differences in the treatment of persons with a profile different from that of “ordinary citizens” at airports or road checkpoints:

“The source emphasised that NISS was always present at the airports and at many of the checkpoints, and would arrest a wanted person if they tried to flee. The source knew of an incident where the NISS arrested a person waiting for his flight at a local airport in Al Fashir. [...] [T]here was no problem for ordinary civilians (i.e. those who did not have a political profile) moving between Khartoum and Darfur and the Two Areas by plane; by road, conditions in many areas were at times insecure due to conflict or widespread criminality (the latter particularly in Darfur).” (DIS/UK Home Office, August 2016, p. 111)

The same report refers to a Khartoum-based journalist as reporting about practices at (government) checkpoints within Darfur:

“According to the source new roads to Al-Fashir and to Nyala had been built in recent years which had made the transport by road between Darfur and Khartoum much better and faster. Now people could travel to Darfur in one single day by bus.

Regarding the prevalence of checkpoints on the road to Darfur, the journalist advised that there were government checkpoints within the borders of Darfur state. The source explained that the government had not enough manpower in the NISS, so they only checked people moving between Nyala and Al-Fashir. It was added by the source that travellers had to pay bribe to officers at these checkpoints, however, the source highlighted that it occurred occasionally depending on the individual officer manning a checkpoint rather than a systematic, regular form of corruption.” (DIS/UK Home Office, August 2016, pp. 82-83)

3.3.1 Freedom of movement in Darfur

The Freedom House Freedom in the World 2016 report notes that “[t]he government restricts freedom of movement in conflict-affected areas, particularly in Darfur, South Kordofan, and Blue Nile, where a state of emergency is in place (Freedom House, 27 January 2016).

The March 2017 USDOS country report on human rights practices states that “[i]nternal movement was generally unhindered for citizens outside conflict areas.” (USDOS, 3 March 2017, section 2d).

Without referring to Darfur specifically, the same USDOS report indicates that:

“Outside IDP camps and towns, insecurity restricted freedom of movement, and women and girls who left the towns and camps risked sexual violence. Insecurity within IDP camps also was a problem. The government provided little assistance or protection to IDPs in Darfur. Most IDP camps had no functioning police force. International observers noted criminal gangs aligned with rebel groups operated openly in several IDP camps.” (USDOS, 3 March 2017, section 2d)

3.3.2 Ability for (Arab and non-Arab) Darfuris to relocate and integrate into areas outside Darfur

The August 2016 joint fact finding mission report of the DIS and UK Home Office addresses issues facing Darfuris living in Khartoum, including access to various types of employment, and discrimination by society and local authorities:

“Sources highlighted the improved economic conditions, including access to employment, as one of the pull factors driving migration from Darfur and the Two Areas to Khartoum. Several sources noted that persons from Darfur and the Two Areas predominantly worked in the informal sector, for example as security guards; laundry; construction or agriculture. Several sources also confirmed that persons from Darfur and the Two Areas, especially women, could also be found working illegally, for example illegal selling of tea or coffee or selling alcohol. [...]

Several sources indicated that persons from Darfur or the Two Areas experienced some degree of discrimination which was reflected in their limited access to certain types of jobs/sectors in the labour market in Khartoum. For instance, such persons would likely find it difficult to secure skilled employment; enter into certain qualified professions or sectors especially within the public sector. Several sources also pointed at the adverse economic conditions and the general shortage of jobs in Sudan as an additional factor, which made it difficult for Darfuris and persons from the Two Areas to access employment in the formal sector. [...]

The international consultant noted that those from Darfur or the Two Areas were broadly divided into two groups – those who were educated and who were professionally employed, e.g. as teachers or self-employed, and those who lacked a formal education and worked in the informal sector, such as agriculture or construction.

The Khartoum based human rights organisation noted that Darfuri African tribes, such as the Masalit, Fur and Tunjur or (African) tribes from the Nuba Mountains were more likely to experience employment discrimination. [...]

Other sources identified that Darfuris and persons from the Two Areas could be found employed in the armed forces, including the police. However, based on his experience, the international consultant considered it unlikely that the provisions in the Doha Document for Peace in Darfur (DDPD), aimed at improving representation of Darfuris in government positions and the armed forces had been met. [...]

A number of sources noted that women from Darfur and the Two Areas selling tea illegally (i.e. without required licence) or selling alcohol were at risk of being targeted by the POP

[Public Order Police] for violating Public Order laws. ACPJS observed that the POP was more prevalent in the slum areas where persons from Darfur and the Two Areas more commonly lived. Freedom House advised that any person undertaking such activities could be targeted, not just those from Darfur or the Two Areas, but explained that the marginalisation of communities from Darfur and the Two Areas limited employment opportunities and so they were commonly found in such roles. Sources advised that there were reports of bribery, extortion and harassment committed by the POP.” (DIS/UK Home Office, August 2016, pp. 28-29)

“A number of sources observed that persons from Darfur and the Two Areas, and in particular those of African descent, experienced some level of discrimination or societal harassment. To illustrate this, five sources referred to the use of derogatory phrases such as ‘slave’, especially from those belonging to Riverine Arab tribes. Crisis Group noted that despite ‘systematic’ discrimination restricting those from Darfur and the Two Areas in conducting political activities, such communities were able to live ‘day to day’ in Khartoum. The source also considered that the level of discrimination an individual may experience was linked to how politically involved a person was and how long they had lived in the city; according to the source those with established links over a longer period would likely experience less discrimination in Khartoum. Western embassy (A) remarked that there was no visible societal discrimination against the Darfuri and persons from the Two Areas, except within the student community.

DBA [Darfur Bar Association] (Kampala) noted that discrimination tended to be from the authorities, rather than the civilian populace. The source referred to cases of discrimination involving the POP who targeted illegal tea sellers; in cases of recruitment into the civil service or in the over-taxation of Darfuri businesses. Three sources considered day to day discrimination from officials working in the Sudanese authorities to be reflective of a wider ‘racist narrative’ or supremacist ideology, which placed emphasis on a person’s skin colour and was prejudicial towards those of African / non-Arab descent.

Two sources considered societal discrimination and racism against persons from Darfur and the Two Areas as a major problem in Sudan.” (DIS/UK Home Office, August 2016, pp. 30-31)

No further information could be found on this issue.

4 Forced recruitment and conscription

4.1 Incidents of forced recruitment by state and non-state actors

According to the July email response by Jérôme Tubiana, there are incidences of “forced recruitment by both regular and irregular forces.” (Tubiana, 18 July 2017)

Eric Reeves points out in his email response of 21 August 2017 that according to his understanding, there are instances of forced recruitment. He adds, however, that “the rebel movements suffer more from lack of weapons, supplies and redoubts than from lack of manpower.” (Reeves, 21 August 2017)

An independent researcher with expert knowledge on the conflict in Sudan who has asked not to be quoted by name wrote in an email response of December 2016 regarding the recruitment of non-Arab Darfuris:

“Yes non-Arab Darfuris can be recruited, forcibly or not, in both regular forces and militias. In 2011, the governor Kibir recruited a non-Arab militia to fight in North Darfur. But generally, the regular forces from Darfur will be sent to other regions, and vice versa.” (Independent researcher, 5 December 2016)

The Sudanese contact of Bread for the World in the email correspondence of August 2017 states that according to his estimation there are no longer cases of forced recruitment. Generally, those who join the rebel movements do so willingly because they are aggrieved by the injustice and inequity. The source states that whoever joins the government professional armed forces does that either by personal choice or through conscription. People who join the government-allied Janjaweed forces are motivated to do so by power and money. Only the conscripted cases involve force. (Sudanese contact of Bread for the World, 30 August 2017)

Afia Darfur reports in July 2016 that gunmen killed a person while they were chasing a group of people who refused to join camps of forced recruitment in the area Fasi, which lies between North, Central and West Darfur. Reportedly, residents of the area emphatically declined the request by one of the militia members to join a military training camp, upon which some militia members started chasing the young men in the area in order to force them to join. They started shooting live ammunition, killing a young man. (Afia Darfur, 27 July 2016)

4.2 Recruitment and use of children by government forces and armed groups

The US Department of State (USDOS) in its 2017 report on Trafficking in Persons covering April 2016 to March 2017 mentions the following regarding the recruitment of children:

“Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, children remained vulnerable to recruitment and use as combatants and in support roles by Sudanese non-governmental armed groups and militias. The Sudan Liberation Movement-Minni Minnawi and JEM actively recruit children from displacement camps in Darfur to fight in Libya. The Sudan Liberation Army-Abdul Wahid faction uses child soldiers in the conflict zones around Jebel Marra.” (USDOS, 27 June 2017)

The UN Secretary-General in his June 2017 report on developments in Darfur contains information on recruitment of IDP youth by former SLA/AW rebels:

“In Sortony, North Darfur, despite the signing of a peace agreement with the Government in January 2017, the presence of former SLA/AW elements under the leadership of ‘General’ Sadiq at the gathering site raised tensions with Fur internally displaced persons. The former rebels were reportedly engaged in the forcible recruitment of internally displaced person youth and attacks and harassment of internally displaced persons, calling for their return to their places of origin.” (UN Security Council, 14 June 2017, p. 4)

According to the USDOS report on human rights practices of March 2017 (covering 2016), there have been allegations of child recruitment regarding all conflict parties:

“The law prohibits the recruitment of children and provides criminal penalties for perpetrators. Allegations persisted, however, that armed movements, government forces, and government-aligned militias had child soldiers within their ranks. [...]

Many children lacked documents verifying their age. Children’s rights organizations believed armed groups exploited this lack of documentation to recruit or retain children. Due to problems of access, particularly in conflict zones, reports of child soldiers were limited and often difficult to verify.” (USDOS, 3 March 2017, section 1 g)

The March 2017 UN Secretary-General report on children and armed conflict features an account of cases of child recruitment that were recorded in Darfur from 2011 until 2016:

“A total of 105 cases of the recruitment and use of children were documented in Darfur, as follows: 45 in 2011, 31 in 2012, 18 in 2013, 6 in 2014, 4 in 2015 and 1 in 2016. Approximately 90 per cent of those cases occurred between 2011 and 2013. It is important to note that, in 2014, fighting declined and that armed actors were concentrated in certain areas, such as Jebel Marra, which the country task force could not access. Furthermore, JEM and SLA/MM reportedly suffered heavy losses during Operation Decisive Summer and ceased to be active in Darfur from the second half of 2015. The decline in fighting also coincided with an upsurge in the use of children in tribal clashes fuelled by disputes over land and natural resources in 2013 and 2014. It was not always possible to attribute responsibility for such recruitment and use, and approximately one third of the total cases were perpetrated by unidentified armed men.” (UN Security Council, 6 March 2017, p. 6)

The report mentions the following cases involving recruitment by government-affiliated militias:

“In cases in which perpetrators were identified, approximately half were committed by government forces with a total of 63 cases: 21 in 2011, 17 in 2012, 18 in 2013, 3 in 2014 and 4 in 2015. No cases were documented in 2016. Of the violations committed by government forces, 19 (approximately one third) were committed by the Border Guards between 2011 and 2013, 14 by the Popular Defence Forces and 9 by the Central Reserve Police, both of which were actively recruiting in 2011 and 2012, and 7 by the police, in 2011. With regard to the Sudan Armed Forces, the country task force verified 14 cases over the reporting period. It is believed that some of the children participated in military

operations while others were used in support functions, such as guarding checkpoints. For example, in July 2015, a 17-year-old boy reported that he had joined the Sudan Armed Forces in January 2014 and participated in the fighting between JEM-Abbas and the Sudan Armed Forces in June 2014. In August 2015, two armed boys in military uniforms were observed guarding checkpoints outside Nyala, which are usually guarded by the Sudan Armed Forces and the Rapid Support Forces. In addition, children were observed with the Sudan Armed Forces and other government forces, wearing uniforms and/or carrying guns. In 2014, an estimated 37 children were seen carrying guns in a market in Ed Daein, East Darfur State. In 2013, 12 boys wearing military uniforms were seen in vehicles of the Sudan Armed Forces in Jebel Moon, West Darfur State, during a handover ceremony from an outgoing to an incoming field commander of the Sudan Armed Forces. A number of allegations were also attributed to the Rapid Support Forces. For example, in March 2014, eyewitnesses reported the presence of boys between the ages of 15 and 17 during a parade of the Rapid Support Forces in Nyala. In August 2015, six armed boys dressed in Rapid Support Forces uniforms were observed in the market of Duma village, South Darfur State.” (UN Security Council, 6 March 2017, pp. 6-7)

The report mentions the following cases involving recruitment by armed rebel groups:

“With regard to armed groups, the country task force verified 11 cases (7 in 2011, 3 in 2012 and 1 in 2016) of the recruitment and use of children, 5 of which were attributed to SLA/AW, 4 to JEM, 1 to SLA/MM and 1 to the Liberation and Justice Movement (LJM). The decrease in documented cases can be explained by insecurity and access challenges. Moreover, from late 2014, JEM and SLA/MM were less active in Darfur, and JEM moved to South Sudan, where it supported SPLA. Nevertheless, allegations of child recruitment by those groups were received. For example, in Umm Barru, North Darfur State, between February and March 2015, a mobilization campaign by SLA/MM allegedly took place, during which an alleged 246 boys were recruited and transported to a military camp. The presence of JEM in South Sudan coincided with the documentation of 61 cases of the recruitment and use of children by JEM in refugee settlements in South Sudan, of which 55 occurred in 2014 and 6 in 2015. According to the Panel of Experts on the Sudan, large-scale recruitment and use of children by JEM in South Sudan took place in 2015 (see S/2016/805). These children reportedly received military training, including in combat and handling weapons, in JEM camps in South Sudan. During a visit to the Sudan in March 2016, my Special Representative for Children and Armed Conflict was given access to 21 children who had been detained by the National Intelligence Security Services since April and August 2015 for their association with JEM. The children, who had been captured by the Rapid Support Forces in South Darfur State, were recruited by JEM in Southern Kordofan State and South Sudan and used in combat in Darfur and South Sudan. Some of them reported that they had been abducted by JEM.” (UN Security Council, 6 March 2017, p. 7)

The report also mentions cases involving recruitment by tribal militias:

“In 2013, the country task force witnessed an upsurge in the use of children by communities for fighting in tribal clashes. For instance, in December 2013, a United Nations team conducted a field mission to Sereif, North Darfur State, and interviewed 25 boys who

said that they had participated in clashes between the Beni Hussein and Abbala tribes over gold mines. The trend continued in 2014 when, for example, children were observed carrying weapons alongside tribal militias in the North Darfur State localities of Kabkabiyah, Saraf Omra and Sereif. In addition, children were also reportedly armed to serve as sentinels to guard villages and deter attacks by other tribes. Such use of children decreased from late 2014, coinciding with the engagement by the African Union-United Nations Hybrid Operation in Darfur (UNAMID) with key tribal leaders.” (UN Security Council, 6 March 2017, p. 7)

In October 2016, Sudan Tribune writes about the Sudanese government implementing a planned release of captured child soldiers allegedly having fought with the JEM:

“Sudanese government has embarked on actual moves to hand over 21 child soldiers to their families after completing the legal procedures, said children official. Last month, President Omer al-Bashir announced the release of twenty one children allegedly detained during the Gouz Dango battle with the Justice and Equality Movement (JEM) in April 2014. However the rebel group denied that these children were part of its fighters reiterating its commitment to international conventions banning the use of child soldiers. In a press conference in Khartoum on Saturday, the chairperson of Sudan’s National Council on Child Welfare (NCCW) Suad Abdel-Aal, said they are working with the Disarmament, Demobilization and Reintegration Commission (DDR) to integrate the child soldiers into the society.” (Sudan Tribune, 9 October 2016)

Radio Dabanga in a February 2017 article refers to an order released by the leadership of the rebel group JEM to stop the recruitment of children:

“Unamid has welcomed the renewed Command Order issued by the Justice and Equality Movement (JEM) on 25 January 2017, prohibiting the recruitment and use of children in its ranks, along with other violations against children.

In a statement issued today by the peacekeeping Mission’s public information office, Unamid welcomes the Order, which instructs all members of JEM to continue to fully adhere to the international and local laws governing the protection of children in armed conflict and not to recruit or use child soldiers, not to associate with children, or allow children to voluntarily join.” (Radio Dabanga, 1 February 2017)

5 Internally Displaced Persons (IDPs)

The UN Office for the Coordination of Humanitarian Affairs (UN OCHA) in December 2016 gives the following figures for displaced people in Darfur:

“In Darfur some 1.6 million displaced people are registered as living in camps. For unregistered IDPs i.e. displaced people living in rural settlements and urban areas, estimates vary considerably, especially as there is no systematic registration of displacement outside camps. [...] The UN and partners estimate that a further half a million displaced people live in host communities and settlements in Darfur.” (UN OCHA, December 2016, p. 7)

A factsheet on the crisis in Darfur published by the European Commission in February 2017 contains the following information:

“Thirteen years since the start of the Darfur crisis, fighting and inter-tribal tensions still trigger conflict and population displacements. An estimated 2.6 million people have been uprooted from their homes, including 1.6 million who live scattered across 60 camps. Fighting and insecurity in Darfur has displaced at least 97 000 people in 2016. 100 000 more were reportedly displaced but could not be registered nor reached with humanitarian aid at an adequate scale. Some Sudanese displaced people and refugees are also returning to their homes in Darfur.” (European Commission, February 2017)

The Dutch Ministry of Foreign Affairs in its June 2017 official report on Sudan relates that according to estimates there are 2.6 million displaced people throughout the entire Darfur region, 760,000 in South Darfur, 700,000 in North Darfur, 450,000 in Central Darfur, 380,000 in East Darfur and 320,000 in West Darfur. Of these 2.6 million displaced, about 1.6 million IDPs are sheltered in 60 camps throughout Darfur. The remaining 1 million IDPs reside outside camps and are hosted by communities. Furthermore, an estimated 310,000 residents of Darfur have fled to neighbouring Chad. (BZ, 20 June 2017, p. 75)

The UN Secretary-General in his June 2017 report on developments in Darfur gives figures for the most recently displaced and mentions a significant decrease in numbers compared to previous years:

“In the past three months, humanitarian partners have verified 8,048 individuals newly displaced in Darfur during 2017. This included 7,554 individuals displaced as a result of intercommunal fighting in East Darfur to El Lait, North Darfur, in February and March, and 494 individuals displaced from central Jebel Marra to Hasahisa camp in Zalingei, Central Darfur, in January. In the absence of major armed hostilities during the current dry season, there was a significant decrease in displacement as compared with previous years, including 2016, during which approximately 158,000 people were newly displaced. The level of displacement following the fighting between government and rebel forces in May is currently being verified.” (UN Security Council, 14 June 2017, p. 7)

The United States Agency for International Development (USAID), a US agency for development cooperation, in a July 2017 factsheet on emergency response in Sudan also contains information on the situation in Darfur:

“Between January and July 2017, the UN and partners verified nearly 8,180 newly displaced people in the Darfur Region marking a significant decline in displacement compared to the previous year, with more than 80,000 people displaced between January and August 2016. The total includes approximately 7,680 individuals displaced from East Darfur State’s El Nair village to North Darfur State’s El Lait locality by intercommunal conflict in February and March and nearly 500 individuals displaced from Central Darfur State’s Usagai village, Central Jebel Marra locality, to Central Darfur’s Hassa Hissa internally displaced persons (IDP) camp near the state capital of Zalingei in January.” (USAID, 27 July 2017a, p. 2)

In March 2017, Radio Tamazuj reports the additional influx of South Sudanese refugees in East Darfur, leading to the establishment of two additional camps:

“The deputy governor of Sudan’s East Darfur State, Mohamed Al Hassan Al Beirag, said the number of South Sudanese citizens fleeing to his state is rising, adding that this requires more basic services. Al Beirag pointed out in an interview with Radio Tamazuj Wednesday that the influx of South Sudanese refugees is still continuing. He further said the number of South Sudanese refugees has reached 84,000 people in the state. He revealed that two refugee camps have already been established in Kario and Al Nimir area. The Sudanese official noted that the two camps accommodated the South Sudanese refugees, saying some NGOs came and helped them with food and other services.” (Radio Tamazuj, 15 March 2017)

UN OCHA in its Humanitarian Snapshot of June 2017 provides an overview of the humanitarian situation in Sudan as of 30 June 2017, using information obtained from UN agencies and partners, including the Government of Sudan. The document is available via the following link:

- UN OCHA: Sudan Humanitarian Snapshot, 30 June 2017
http://reliefweb.int/sites/reliefweb.int/files/resources/Sudan_Humanitarian_Snapshot_A3_30_Jun_2017.pdf

5.1 Security

The Heidelberg Institute for International Conflict Research (Heidelberger Institut für Internationale Konfliktforschung, HIIK) in its Conflict Barometer covering the year 2016 summarises the situation of IDPs in the following terms:

“Towards the end of the year, tens of thousands of IDPs returned home to their villages in Jebel Marra. Throughout the year, the displaced were affected by a severe food and health crisis in overfilled camps or in caves, especially during the rainy season starting in June. Armed groups and government troops alike raped civilians and IDPs. As in the past, unexploded ordnances, spread out through Darfur ever since the fighting began in 2003, remained a constant threat, killing livestock and people on a weekly basis.” (HIIK, February 2017, p. 92)

According to the USDOS report on human rights practices in 2016, members of government troops and government-affiliated militias have raided IDP camps and raped displaced people:

“Authorities often obstructed access to justice for rape victims. IDPs reported perpetrators of such violence were often government armed force or militia members. SUDO UK

reported the confirmed rape by RSF agents of 125 persons, mostly IDP's, including 32 minors, from January to August in both Darfur and the Two Areas. [...]

There were several reports of government forces, and armed militias and individuals, raiding IDP camps. On April 18, IDPs at the North camp, Central Darfur, reported that authorities had instructed them not to release any information to UNAMID. Moreover, the government did not allow civil society groups operating health-care centers to deal with cases involving conflict-related sexual and gender-based violence, especially in Central Darfur." (USDOS, 3 March 2017, section 1g)

The July 2016 report by the UN Secretary-General on developments in Darfur refers to attacks by members of the Northern Rizeigat on IDPs from Jebel Marra in May 2016:

"The flight of internally displaced persons from the Jebel Marra also changed the local dynamics. In Sortony, North Darfur, Northern Rezeigat carried out a series of attacks from 2 to 15 May against the internally displaced persons who had arrived recently from the Jebel Marra, accusing them of stealing their cattle and of being affiliated with SLA/AW. On 9 May, Rezeigat raided the camp for internally displaced persons in Sortony, killing six internally displaced persons and injuring six others, including a UNAMID peacekeeper. UNAMID apprehended two of the assailants, who were handed over to the government authorities." (UN Security Council, 1 July 2016, pp. 2-3)

A more recent report by the UN Secretary-General of December 2016 mentions frequent attacks on IDPs, mostly perpetrated by government security personnel or pro-government militias. Furthermore, a rise in arbitrary arrests and illegal detentions is noted:

"Internally displaced persons were a target in 201 crimes that led to 26 fatalities. They attributed most of the crimes to government security personnel or pro-government militias. The most affected areas were Kutum, Kabkabiyah, Korma, Shangil Tobaya, Tawilah and Sortony in North Darfur, El Geneina, Kuraynik and Murnei in West Darfur and Zalingei, Nertiti and Thur in Central Darfur. In October, the security situation in the vicinity of the Sisi camp for internally displaced persons, west of El Geneina in West Darfur, deteriorated significantly, with reports of the presence of armed Arab militias and attacks on internally displaced Masalit farmers, including women. On 18 October, the Governor of West Darfur and local leaders facilitated an agreement between the Masalit and Tama communities and committed themselves to ensuring that the perpetrators of criminal acts would be brought to justice. Also in October, a series of attacks by camel herders in the area of Thur, Central Darfur, resulted in the displacement of some 200 people to Nertiti, Kass and Nyala, South Darfur. On 19 November, many Mahariya militiamen in vehicles mounted with guns entered the Kassab camp for internally displaced persons, north-east of Kutum, North Darfur, causing widespread panic. A few days earlier, Mahariya tribespeople had blocked the road from Kutum to El Fasher in protest at the arrest of their leader by the National Intelligence and Security Service earlier in November.

The personal security of displaced communities was further affected by an increase in arbitrary arrests and illegal detentions, especially in South and West Darfur. On 19 and 20 October, for example, at least six internally displaced leaders were arrested on charges

of organizing a demonstration in El Geneina, West Darfur, the previous day. On 18 October, in Kario, west of Ed Daein, East Darfur, the police used disproportionate force while searching the refugee camp, arresting 11 South Sudanese in the process and charging them with various offences, including resisting arrest and brewing alcohol. Eight of them were sentenced in a swift trial and remanded in custody at the Ed Daein state prison. On 1 October, four of the remaining seven individuals arrested at camps for internally displaced persons in Central Darfur after a meeting with the United States Special Envoy for Sudan and South Sudan on 31 July were released from the custody of the National Intelligence and Security Service, while the remaining three have been transferred from Zalingei to Khartoum.” (UN Security Council, 23 December 2016, pp. 4-5)

In its report to the UN Security Council of January 2017, the Panel of Experts on the Sudan briefly describes the situation of displaced women and girls in Darfur:

“At camps for internally displaced persons, women and girls are regularly exposed to sexual violence, including outside the camps, for example, when collecting water or firewood or engaging in livelihood activities. Despite measures taken by the local authorities and UNAMID to improve the security situation, these crimes continue to be perpetrated with impunity.” (UN Security Council, 9 January 2017, p. 24)

As Radio Tamazuj reports in May 2016, tensions between local tribes and IDPs in North Darfur led to attacks by the locals, killing six IDPs:

“Six displaced civilians including two children were killed by armed local tribes in Sortony, North Darfur next to a site for internally displaced people in the Jebel Marra, the UN’s resident humanitarian coordinator for Sudan said. Marta Ruedas condemned the shooting, which also injured an unknown number of people including a peacekeeper from the joint AU/UN mission (UNAMID). The injured were taken to a medical clinic in Sortony for treatment. The shooting occurred amid rising tension between displaced people and local tribes, as well as cattle raids. The Sortony IDP camp is next to a UNAMID base. UNAMID is supposed to be protecting civilians in the area. The UN said that relief workers in the area depend on UNAMID to protect their convoys bringing relief to civilians in need.” (Radio Tamazuj, 10 May 2016)

Afia Darfur mentions in October 2016 that security services in West Darfur have arrested one of the elders (sheikh) of an IDP camp following demonstrations organised by the camp residents against violations perpetrated by armed militias. According to another leader of IDP camps in West Darfur, the security services in the state have since detained the elder of the Sisi camp in Kereinik for two days. Furthermore, several other elders of IDP camps as well as some teachers are being prosecuted by the state authorities after they have shown solidarity with the protesters of Sisi camp. He also added that one of the residents of Kereinik camp has reportedly been hit by a vehicle belonging to the security services. (Afia Darfur, 21 October 2016)

In his March 2017 report to the UN Security Council, the UN Secretary-General gives an overview of violent incidents affecting the IDP community in Darfur from mid December 2016 until mid March 2017:

“During the reporting period, internally displaced persons were targeted in 249 incidents, leading to 31 fatalities, most of which were perpetrated by Government forces, including the border guards and the Rapid Support Forces. They faced various forms of violence, including attacks against their camps, sexual and gender-based violence and criminal incidents. Locations with the highest number of such incidents included the areas of Kutum, Sortony, and Tawilla in North Darfur, Zalingei and Nertiti in Central Darfur, Kalma and Otash in South Darfur, and El Geneina and Kereinik in West Darfur.

In Central Darfur, on 17 December 2016, four armed men entered the Khamsadagaig camp for internally displaced persons near Zalingei and fired sporadic shots into the air. On 27 December, the Ereigat subclan of the Northern Rezeigat entered the North camp for internally displaced persons, near Nertiti, and threatened the Fur who were living there, accusing them of cattle theft. Following this event, SAF deployed to the area, but a similar incident took place on the same day in the Straha camp, also in the vicinity of Nertiti, where approximately 150 armed Arab nomads entered the camp in search of cattle and intimidated its residents. On 1 January 2017, SAF and police personnel who entered and opened fire in the Ghabat East and Straha camps, reportedly searching for suspects involved in the killing of an SAF soldier on 31 December, killed two internally displaced persons in the Ghabat East camp. The Deputy Governor of Central Darfur visited Nertiti to address the matter, but on 2 January 2017, local residents reported that SAF soldiers entered the North camp once again and robbed two internally displaced persons from the Fur community.

In North Darfur, on 18 December 2016, Arab nomads assaulted a UNAMID truck driver belonging to the Fur tribe at a water point in Kube near the Sortony camp for internally displaced persons. They subsequently warned Fur from the camp that they should not collect water in Kube. On 2 February 2017, armed Arabs stole animals from internally displaced persons and ambushed Government forces near Tawilla, which resulted in the killing of four officers. In South Darfur, on 17 January, a resident of the Kalma camp for internally displaced person was killed and another was injured while tracking the assailants. The following day, a UNAMID patrol took the wounded man to a police station, where they were surrounded by armed Arabs who fired shots in the air. In response, SAF and police personnel were dispatched to the area. Random night shooting was also reported in the Ardamata, Abu Zar, and Riyadh camps in West Darfur, and the El Neem camp in East Darfur.” (UN Security Council, 23 March 2017, pp. 3-4)

In February 2017, Afia Darfur features news that a leader of a displaced community has accused gunmen of raping a girl and beating her mother in their home in the Guldo area in Central Darfur. Two members of an armed militia are said to have raided the house of the woman in Guldo during the night and raping her 12 year old daughter before attacking the mother with a knife. (Afia Darfur, 2 February 2017)

As Radio Dabanga reports in March 2017, police and security forces stormed Kalma Camp in South Darfur, causing panic among its residents:

“A joint force of police and security has stormed Kalma camp for displaced people in South Darfur, causing unrest in the camp and a number of residents to flee this week. Three vehicles with Dushka machineguns mounted on top entered Kalma, east of Nyala, at 3.30pm on Thursday, the spokesman for a Darfuri refugee association reported to Radio Dabanga. Hussein Abu Sharati of the Association for the Displaced People and Refugees in Darfur said that another group of security agents had stormed the camp at 11am, using a tinted Land Cruiser. Their arrival caused panic among the residents. ‘They did not notify Unamid prior to their arrival,’ he said, pointing out the camp administration has therefore submitted a memorandum to the peacekeeping force to condemn the incidents. [...]

Camp El Salam in Nyala has witnessed a series of attacks by militants against the displaced people this week. Abu Sharati reported that at least eight people were attacked on the streets or inside their homes during robberies. [...]

The association considers the sudden arrival of joint security and police forces in the camps as a ‘masterminded’ incident. Last month the South Darfur authorities gave the inhabitants of Centre 4 in Kalma camp a couple of weeks to vacate the area and move to a new location allocated by the state. The number of displaced people who would be affected range between 520 families, according to the camp coordinator, and 14,000 people according to Abu Sharati.” (Radio Dabanga, 10 March 2017)

In an article published by South Sudan News Agency in March 2017, Sudan researcher and analyst Eric Reeves comments on the situation of displaced Darfuris. He explains that one element of the current critical situation in Darfur is the “[d]enial of humanitarian access (to perhaps 30 percent of the population in need according to some humanitarian estimates); the needy population is estimated to be 3 million human beings according to the most recent OCHA figures and denial of access may thus be affecting some 900,000 people”. Another element affecting IDPs are according to Reeves the “[t]hreats by Khartoum to begin dismantling camps, throwing many hundreds of thousands of people into a highly insecure environment without organized relief assistance.” (South Sudan News Agency, 19 March 2017)

The African Centre for Justice and Peace Studies (ACJPS) in April 2017 reports on a joint attack by government forces and pro-government militia on displaced people in El Geneina, West Darfur:

“On 9 April 2017 three civilians, including two children, were killed and nine injured when joint forces of the Sudanese Armed Forces (SAF), Central Reserve Forces (CRF), and Rapid Support Forces, led by the Governor of El Geneina, El Tahir Abdul Rahman Bahri Eldien, fired into a crowd of internally displaced persons (IDPs) in Rowgorgo market in Karandongo IDP camp in El Geneina, West Darfur. The IDPs had attempted to prevent the joint forces from setting the market on fire. The Karandongo marketplace was then burnt down by the joint forces. The attack came hours after the joint forces demolished homes and unlicensed shops in El Geneina market following a local order by the El Geneina Governor.” (ACJPS, 28 April 2017)

Radio Dabanga in May 2017 features news about an imminent attack on an IDP camp in Mershing and the helplessness of the local police:

“Militants have threatened to storm and torch Keila Camp in Mershing locality in South Darfur unless the inhabitants pay compensation for livestock the gunmen claim to have lost. One of the displaced residents of the camp told Radio Dabanga that they sought help of the locality police, but the militants threatened the police and gave the displaced an ultimatum until Saturday to return 40 cattle or the cash equivalent, or they would pillage and burn the camp.” (Radio Dabanga, 3 May 2017)

In their joint report of May 2017 on developments in Darfur, the UN Secretary-General and the Chairperson of the African Union Commission describe the situation of IDPs in the following terms following the visit of a review team to Darfur in March 2017:

“Internally displaced persons continue to face grave security challenges. There are reports of internally displaced persons being killed, raped or harassed as they conduct life-sustaining activities outside the camps. Government security forces and armed militias are often involved, and in some camps, such as Kalma (South Darfur), tensions with the community of internally displaced persons are persistent. Furthermore, large-scale displacement has exacerbated communal tensions, as in the case of Sortony, North Darfur.” (UN Security Council, 18 May 2017, p. 7)

Another May 2017 article by Radio Dabanga provides information on the issues preventing IDPs from returning to their place of origin:

“Representatives of the displaced community in Tawila locality called for the disarmament of militias, the expulsion of new settlers in the home areas of displaced people, and the provision of security in these areas, during the meeting with the UN delegation. Omda Mukhtar Bosh told Radio Dabanga that the delegation from the UN Security Council met with around 50 representatives of the camps in Tawila camps, as well as youth and women. Under discussion were the security situation, the voluntary return and the humanitarian situation in the camps. ‘We assured the delegation that there was no security outside the camps and that the displaced people are subjected to killing, rape, and theft when they go out to collect firewood, straw, or do shopping.’ Reasons for camp residents to refuse to participate in voluntary return programmes by the Sudanese government mostly involve the worsened security situation in their home areas, where militias roam or unknown people have settled on their lands.” (Radio Dabanga, 23 May 2017)

For the reporting period of 16 March to 7 June 2017, the UN Secretary-General refers to a decrease in violence affecting IDPs and provides details on places most affected by such violence:

“As compared with the previous reporting period, there was a decrease in reported violence against internally displaced persons, with 104 criminal incidents, resulting in 22 fatalities, compared with 249 incidents and 31 fatalities previously. These crimes included violent attacks against internally displaced persons in or near camps and gathering sites, the killing of women and children, sexual and gender-based violence and abductions. Most

often, the perpetrators were members of armed militias, the Rapid Support Forces, Border Guards and organized criminal groups.

Internally displaced persons were most vulnerable in Kutum, Tawilah, Korma, Kabkabiyah and Sortony in North Darfur, El Geneina and Kereinik in West Darfur, Zalingei and Nertiti in Central Darfur, and Nyala and Bulayl in South Darfur. In the North and Straha internally displaced person camps in Nertiti and Rwanda internally displaced person camp in Tawilah, internally displaced persons reported that attacks and harassment by armed men prevented them from farming in the area. At Otash camp in Nyala, criminality and attacks against internally displaced persons, especially women and girls, despite the presence of Government police in the camp, were reported.

In Sortony, North Darfur, despite the signing of a peace agreement with the Government in January 2017, the presence of former SLA/AW elements under the leadership of 'General' Sadiq at the gathering site raised tensions with Fur internally displaced persons. The former rebels were reportedly engaged in the forcible recruitment of internally displaced person youth and attacks and harassment of internally displaced persons, calling for their return to their places of origin. On 22 March, the former rebels abducted two internally displaced persons from the site. They were subsequently released on 30 March following the intervention of UNAMID. On 27 April, the former rebels also clashed with Arab nomads over access to the Kube water point, north-west of the gathering site, resulting in the deaths of three nomads and one former rebel. SAF deployed reinforcements and facilitated an agreement between the two communities over access to the water point. The Government has yet, however, to ensure the removal of the former rebels from the internally displaced person gathering site and integrate them into the armed forces as stipulated in the agreement." (UN Security Council, 14 June 2017, pp. 4-5)

As Radio Dabanga writes in June 2017, two IDPs from Otash camp in South Darfur were kidnapped, robbed and later released:

"Gunmen hijacked a vehicle with its owner from a camp for displaced people in South Darfur on Sunday. On the first day of Eid El Fitr, the festival marking the end the fasting month, militiamen in a Land Cruiser without number plates abducted Musa Suleiman and his companion Abdallah Basher at gunpoint from Otash camp. They released them three kilometres from Nyala, after they stole the vehicle, money and mobile phones from the victims." (Radio Dabanga, 27 June 2017a)

Another article by Radio Dabanga of July 2017 reports an attack by army troops on villages in the Golo area, following the rape of a woman by army soldiers:

"El Shafee Abdallah, the Coordinator of the Central Darfur camps, told Radio Dabanga that the leaders of the Displaced and Refugees Secretariat paid an official visit to the peacekeepers team in Zalingei on Saturday. 'We informed the mission of the poor humanitarian situation facing the people sheltering in mountain caves and in the valleys after attacks by government forces on Thursday,' he said. 'Therefore, we urged them to send a team to the area of Golo, and assess the needs for protection and humanitarian assistance of the people hiding in the neighbourhood.'

On Thursday, army soldiers of the garrison of Golo raped a group of women who were drawing water from a well near the town. People in the area came to their rescue, and beat the rapists with sticks and stones. They killed one of them, and wounded several others. In response, army troops attacked villages in the area and robbed the people of their belongings.” (Radio Dabanga, 3 July 2017b)

Regarding attacks on IDPs and the lack of police response, Radio Dabanga features another article in July 2017 about an incident in South Darfur:

“Militiamen in Rahad Zarroug, 15km west of Gireida, threatened displaced people who were farming, on Tuesday at 10 o’clock in the morning. The men rode camels and carried weapons. They abducted farmers Haidar Adam Guma and Adam Daoud from Abyei camp for displaced people.

The attackers stole a horse and cart before heading west with the abductees. People reported the incident to the police in Gireida, which did not move on the pretext of lack of fuel, a witness told Radio Dabanga. A rescue team consisting of locals then set-out to search for Guma and Daoud. They went as far as Sergeila area in Tullus before returning empty-handed.” (Radio Dabanga, 6 July 2017)

In July 2017, Afia Darfur features news that an IDP woman was killed and several others wounded in attacks by gunmen on IDPs and their homes near Zalingei, Central Darfur. According to a coordinator of IDP affairs in Central Darfur, the woman was killed while tending her field. (Afia Darfur, 24 July 2017)

Another July 2017 article by Afia Darfur mentions that at least two displaced people have been wounded in several incidences of robberies in Guldo, Jebel Marra. According to a member of the IDP and refugee committee, militia members looted livestock and several vehicles, one of which belongs to the Ministry of Health of Central Darfur. (Afia Darfur, 26 July 2017)

In a blog entry of September 2016 on the website of the UK Foreign and Commonwealth Office (FCO), the British ambassador to Khartoum, following a visit he made to Otash Camp in South Darfur, comments on the reluctance of IDPs to leave their camps:

“Speaking to a group of women leaders in Otash I heard why they do not want to return to their villages. In some cases their villages no longer exist or have been occupied by other tribes. And in any case they are understandably worried about their security if they return. In some cases IDPs are returning to their farms during the growing season to plant and harvest crops but remain in the camps the rest of the year, partly because the necessary services (schools, health centres) are not available outside the camps. I was told that for many in the camps their camp identity card is a form of security which they are very unwilling to give up.” (FCO, 1 September 2016)

5.2 Access to basic services

Lifos, a department providing country of origin information to the Swedish Immigration Authority (Migrationsverket), in a December 2016 report summarises the humanitarian situation of IDPs in Darfur in the following terms:

“IDPs in conflict areas are in a difficult situation. Those who live in IDP camps in Darfur have, even if limited, access to humanitarian assistance and is depending on it. Those who do not live in IDP camps, do not have access to humanitarian assistance. Even in a situation where the conflict has abated, and the security situation would allow people to return home, the returns could create new conflicts. Those who have appropriated resources, such as land for agriculture and grazing, do not have any interest in letting the people who previously resided in the area return. Humanitarian organisations are prevented from working in the area, which put the IDPs in a very vulnerable situation which include the risk of starvation.” (Lifos, 6 December 2016)

The March 2017 USDOS report on the human rights situation in Sudan covering the year 2016 refers to the obstruction of humanitarian access in Darfur, especially in the Jebel Marra region:

“All parties to the conflict in Darfur obstructed the work of humanitarian organizations, UNAMID, and other UN agencies, increasing the displacement of civilians and abuse of IDPs. The government also continued to deny access to humanitarian organizations and UN agencies in Darfur, the Jebel Marra region in particular, and all government-controlled areas of Southern Kordofan and Blue Nile (the SPLM-N also denied access to areas in their control), isolating an estimated 800,000 IDPs and severely limiting access to life-saving humanitarian assistance. Violence, insecurity, the delay and denial of visas and travel permits, and refusal of access to international organizations reduced the ability of humanitarian organizations to provide needed services. [...]

Humanitarian organizations often were not able to deliver humanitarian assistance in conflict areas, particularly in Jebel Marra, South Darfur. [...]

Large-scale displacement continued to be a severe problem in Darfur and the Two Areas, and government restrictions and security constraints continued to limit access to affected populations and impeded the delivery of humanitarian services.” (USDOS, 3 March 2017, section 1g)

In an article of May 2016 on the introduction of electronic vouchers for food aid in IDP camps in South Darfur, the Guardian quotes some camp residents regarding how much aid money they receive:

“The UN World Food Programme is offering electronic vouchers instead of food aid to some displaced people in Sudan’s Darfur region but, despite the success of vouchers elsewhere in Sudan, some Darfuri recipients claim the scheme leaves them worse off because high inflation keeps food prices rising. The initiative aims to help nearly 450,000 people in Darfur, about a quarter of the 1.8 million displaced people in the region. Some of the displaced not included in the voucher scheme will continue to receive food assistance. [...]

The WFP has been registering displaced people in Otash camp, South Darfur, with a view to replacing the paper vouchers they have been using since 2013 with smart cards. The move follows a successful initiative at Derage camp in the same state. E-vouchers at Otash should be ready to use by July. ‘The registration has been going smoothly for Otash camp

and we expect will be finished by the middle of June,' said Bille Khalaf, the programme policy officer for cash-based transfers at the WFP. However, with inflation pushing up food prices on a daily basis in Sudan, many people in South Darfur camps are not optimistic about the new scheme. 'The prices are really high and they only give us around \$7 [£4.77] a month for a person,' said Hwaaa Hassa, 49, who is raising 11 children and grandchildren at Otash. She added: 'It was far better for us when they used to give us direct food. It used to be a lot and we had the chance of exchanging it with other items at the markets in Nyala but the new project doesn't give us this option.'

Another woman also expressed concerns. 'I prefer the old way of distributing food at the camps, and they used to give us more food than now,' said 40-year-old Hawaa Yacoub, a mother of nine who has been living in Derage camp since 2004. Eligible Darfuri families are given cards topped up monthly with about 52 Sudanese pounds (£6; \$8.50). Recipients are able to buy food from designated shops participating in the programme." (The Guardian, 27 May 2016)

In September 2016 Radio Tamazuj reports on a postponement of food rations in Kalma Camp in South Darfur:

"Food rations in the Kalma IDP camp in Darfur were suspended for July and August after tensions between the population and the World Food Program, OCHA said. According to OCHA, the youth group rejected a WFP profiling exercise, which was accepted by the camp leadership. 'The questionnaire was perceived as containing sensitive questions considered irrelevant to the IDP situation,' OCHA said also said, and added that some believed it contained sensitive questions. 'Some community leaders also refused to participate in the data collection exercise.' It is unclear if food distributions have continued, but distributions of food for July and August were postponed, 'pending the anticipated favorable conclusion of negotiations.' There are roughly 128,000 people living in the camp, which was created in 2004. OCHA also said that more than 90,000 have fled South Sudan for Sudan this year." (Radio Tamazuj, 20 September 2016)

UN OCHA in its Humanitarian Needs Overview of December 2016 stresses the dependence of Darfuri people in protracted displacement on humanitarian assistance:

"That is not to say that all displaced people suffer from the same levels of vulnerability, but common to all displaced people is a need for access to basic public services. Especially in camps and informal settlements, access to water, sanitation, health and education would, in the absence of humanitarian assistance, be scarce or not available at all. Access to documentation and proof of identity is another challenge for displaced people who have lost personal identification documents. For example, in 18 of the 60 IDP camps in Darfur people have access to less than 7.5 litres of water per person per day, which is well below the minimum emergency standards. The absence of socio-economic opportunities to rebuild their lives means that, even after years of displacement, two thirds of displaced people struggle to fully sustain their food needs by themselves." (UN OCHA, December 2016, p. 8)

In the February 2017 brief report summarising the findings of a visit to West and North Darfur, the Swedish embassy in Khartoum describes the general state of public services there. According to the embassy, the lack of a functioning state administration, local police, healthcare, adequate education and social services makes sustainability more difficult. Humanitarian food aid continues and is the only outcome for many internally displaced persons. The embassy further states that among the factors creating instability are the lack of a functioning state administration, local police, health care, maternity care, adequate education and social services. (UD, 15 February 2017, p. 1)

In July 2017, USAID released a fact sheet on the agency's food assistance programme in Sudan containing general information on food insecurity in the entire country:

“Sudan is one of the world's least developed nations, with 4.8 million people requiring humanitarian assistance—including up to four million people who could require emergency food assistance through the lean season ending in September. Internal conflict in Darfur and South Kordofan and Blue Nile states has increased the number of internally displaced persons (IDPs) suffering from food insecurity in Sudan. Malnutrition remains prevalent. Two million Sudanese children under-5 are acutely malnourished, including 550,000 who suffer from severe acute malnutrition. An estimated three million people require humanitarian assistance in Darfur, with an additional 230,000 people in need in conflict-affected parts of South Kordofan and Blue Nile. Hunger and instability in neighboring South Sudan have also caused a major influx of South Sudanese refugees seeking humanitarian assistance, with over 410,000 arriving in Sudan since December 2013 and more refugees likely to arrive in the coming months. Beginning in October, the Famine Early Warning Systems Network (FEWS NET) anticipates an improvement in household access to food due to the onset of harvests, increased access to seasonal agricultural labor and livestock products and a decline in staple food prices.” (USAID, 27 July 2017b)

A July 2017 factsheet on emergency response in Sudan published by USAID contains information on recent displacement due to fighting in Jebel Marra as well as flooding in parts of North and South Darfur:

“Between January and July 2017, the UN and partners verified nearly 8,180 newly displaced people in the Darfur Region marking a significant decline in displacement compared to the previous year, with more than 80,000 people displaced between January and August 2016. The total includes approximately 7,680 individuals displaced from East Darfur State's El Nair village to North Darfur State's El Lait locality by intercommunal conflict in February and March and nearly 500 individuals displaced from Central Darfur State's Usagai village, Central Jebel Marra locality, to Central Darfur's Hassa Hissa internally displaced persons (IDP) camp near the state capital of Zalingei in January.

On June 21, the Sudan Humanitarian Country Team (HCT) endorsed a draft humanitarian response plan for conflict-affected populations in the Jebel Marra area. Improved humanitarian access in Jebel Marra—particularly in Central Darfur—in recent months has enabled relief actors to identify critical needs, including concerning levels of acute malnutrition and child mortality. The UN estimates that approximately 8,500 children are

experiencing severe acute malnutrition (SAM) and require emergency assistance, while nearly 17,900 children and pregnant and lactating women are facing moderate acute malnutrition. In addition, at least 157,000 IDPs, returnees, and host community members require food and livelihood assistance, according to the UN.

Heavy rains and subsequent flooding destroyed or damaged more than 2,120 houses in North Darfur and South Darfur in early July, affecting approximately 10,600 people, according to the UN. In North Darfur, rains and floods in Dar El Salam locality on July 6 damaged or destroyed more than 280 houses—affecting approximately 1,400 people—in Shangil Tobaya town and approximately 30 houses—affecting 150 people—in Um Dressy town. In addition, the rains destroyed nearly 145 latrines in Shangil Tobaya and one health facility in Um Dressy. In response, the UN and local partners are conducting water, sanitation, and hygiene (WASH) activities, including distributing soap and relief commodities and reconstructing latrines. In South Darfur, heavy rains and flash floods in Mershang locality on July 5 affected approximately 2,200 people, destroying more than 170 houses and damaging at least 240 houses, the UN reports. In addition, the rains destroyed more than 60 farms and gardens, most of which belonged to IDPs in the area. Humanitarian assistance has not yet reached the affected families.” (USAID, 27 July 2017a, p. 2)

In its Humanitarian Bulletin for Sudan covering 3-16 July 2017, UN OCHA writes about a visit to Kalma IDP camp in South Darfur following flash floods and outbreaks of Diarrhoea:

“Last week the Federal Minister of Health, accompanied by the UN Children’s Agency (UNICEF) acting Deputy Representative and the World Health Organisation (WHO) Representative, visited South Darfur’s Kalma internally displaced persons (IDP) camp to witness first-hand the response to Acute Watery Diarrhoea (AWD) in the state, where the State Ministry of Health (SMoH), local authorities, IDP communities, WHO, UNICEF and other humanitarian partners continue efforts to contain the AWD situation. Kalma IDP camp hosts about 126,000 IDPs, some of whom were affected by recent flash floods. In response to AWD—and possible effects of these floods on the spread of AWD—humanitarian actors have established isolation treatment centres, which are run by the international NGOs International Medical Corps (IMC) and American Refugee Committee (ARC) with the support of WHO and UNICEF. [...]

The Government’s Humanitarian Aid Commission (HAC) in South Darfur’s Mershang locality reported that on 5 July, heavy rains and flash floods destroyed over 170 IDP homes (affecting about 850 people) and damaging another 242 homes (affecting about 1,200 people). In addition, 62 gardens and farms in Mershang town were destroyed. According to HAC, most of the homes that were destroyed belong to IDPs living in gatherings sites and are in need of assistance. Also in South Darfur, 1,400 IDP families (about 7,200 people) were affected by heavy rains and flash floods in Kalma and Otash IDP camps (Bielel locality) on 20 June, according to IOM verification. This includes 950 homes that were destroyed (affecting about 4,700 people) and 500 that were damaged (affecting about 2,400 people). In response to these needs—as well as for AWD response—UNICEF has provided 200 latrine slabs, as well as chlorine for water treatment in both camps through the

Government's Water and Environmental Sanitation Department (WES). UNICEF has also scaled up hygiene promotion, solid waste management and water quality monitoring especially of donkey-cart water vendors. Aid organisations will soon finalise a South Darfur floods preparedness plan that will respond to this and possible future needs." (UN OCHA, 16 July 2017)

In its June 2017 report, the UN Secretary General notes problems of water shortage in Sortony area which also hosts displaced people:

"In April, the International Organization for Migration (IOM) resumed the verification of displaced persons in Tawilah and Sortony, North Darfur, which had been delayed by Government restrictions since February 2016. [...] Water shortage remained a concern in Sortony during the dry season as boreholes had dried up owing to lower water tables." (UN Security Council, 14 June 2017, p. 7)

In May 2017, Radio Dabanga similarly reports on an acute water shortage in Sortony IDP camp in North Darfur:

"Sortony camp for the displaced in Kabkabiya, North Darfur, is heading for a 'humanitarian disaster' unless a solution is found for the water crisis that has lasted more than two months. One of the camp Sheikhs told Radio Dabanga that the price of a tin of water has soared to SDG 6 (\$0.90). He pointed out that the displaced in the camp are currently receiving drinking water from Kabro and Goli areas, which entails a six-hour round trip on the backs of animals. He said there are four water tankers operating once a day for to bring water to the camp which houses more than 22,000 displaced people." (Radio Dabanga, 10 May 2017)

Radio Dabanga on a regular basis covers the situation in IDP camps in different regions of Darfur, detailing concerns of security, especially when looking to earn a livelihood outside the camp, food insecurity, shortage of medical supplies, cholera infections as well as destruction caused by flash floods. The following quotes have been taken out of Radio Dabanga articles from the end of May 2017 until the beginning of August 2017:

"The message of displaced people in Darfur's camps to the international community remains the same: they refuse to voluntarily return home. A delegation of the United Nations Security Council discussed humanitarian and security issues in North Darfur camps on Sunday. [...] The camp representatives explained that the displaced people are affected by the reduction in food rations by humanitarian organisations. The food security has deteriorated with the absence of jobs and deprivation of their daily activities of farming and cattle grazing, which is regularly impeded by armed members of militias." (Radio Dabanga, 23 May 2017)

"The situation in the camp near Korma necessitates the need for a medical convoy,' the State Minister of Health in North Darfur said following the massive fire that broke out on Friday and killed six displaced people. Yesterday the Ministry of Health said that the medical convoy should provide medical and therapeutic services to the victims in Shoba camp. The camp is situated near Korma and a base of the African Union-United Nations

Mission in Darfur (Unamid). [...] Doctor Munir Mohamed Matar, the director-general of the ministry, stated that the convoy would travel to Korma in the coming days.” (Radio Dabanga, 13 June 2017b)

“On Friday, three residents of Kalma camp for the displaced near Nyala, capital of South Darfur died of cholera. [...] Hussein Abusharati told Radio Dabanga that three other Kalma camp residents are infected as well. ‘The South Darfur health authorities and staff of health organisations working in the state rushed to the camp, and allocated two emergency sites in the camp to receive the patients,’ he said. [...] This week, Sudanese university professors have appealed to the federal cabinet and parliament to restore ‘the former health management mechanism’ in Sudan. In a press statement, they pointed to the nation’s ‘successful experience in managing the health system before the federal system came into being’. They further urged the revision of the Constitution and laws governing the health system in the country.” (Radio Dabanga, 25 June 2017)

“The Central Committee of Sudanese Doctors found that more than 200 cholera patients reported to hospitals in North Darfur in the past two weeks. The epidemic has expanded from Khartoum to the western regions. In a new report released yesterday, the Central Committee of Sudanese Doctors said it expects an increase in the rate of cholera infections with the start of the rainy season. ‘The epidemic has expanded westwards towards the states of Kordofan and Darfur. Especially at risk are the camps for displaced people.’ [...] Starting mid-June, torrential rains swept through camps, leaving the streets flooded and numbers of families homeless.” (Radio Dabanga, 7 July 2017a)

“Nine people died of cholera in Murnei camp in West Darfur this week. Three people died in Kabkabiya on Wednesday. In Murnei, nine displaced people died, and at least seventeen others were infected with cholera, the head of the camp reported on Sunday. ‘The disease begun to spread in the beginning of this month, but intensified, with four patients who died on Monday.’ On Wednesday, two people infected with cholera died in Murnei. The next day three cholera patients passed away. ‘The total number of hospitalised cholera cases amounted to seventeen people, among them patients who are in a life-threatening situation.’” (Radio Dabanga, 7 July 2017b)

“Torrential rains caused the collapse of about 1,500 homes and five schools at the camps for the displaced near Zalingei, capital of Central Darfur, on Saturday evening. El Shafee Abdallah, Coordinator of the Central Darfur camps told Radio Dabanga that torrential rains accompanied by strong winds led to the destruction of 413 shelters in the Hamidiya camp, 270 in the Hassahissa camp, and ‘hundreds of homes’ in Khamsa Dagayeg, Teiba, and El Salam camps. ‘The rains also destroyed five basic schools at the Hamidiya and Hassahissa camps,’ he said. “Large numbers of families are now surviving in the open without shelter.’ The camp leader called on the Central Darfur authorities to speed up the provision of aid to the affected.” (Radio Dabanga, 3 July 2017c)

“Medical sources in South Darfur reported that more than 30 people died of cholera and at least 50 others have been infected in East Jebel Marra locality during the first week of July. The disease has spread to Liba, Jasu, Fugouli, Rakona, Dolda, Sawani, Duwo, and Fina,

they said. The sources confirmed that health services are ‘entirely absent’ in large parts of East Jebel Marra, while the government of South Darfur continues to deny medics access to the area. They called on the federal health authorities, the international community, especially the World Health Organisation, to act to allow health actors access to the locality to save the lives of people.” (Radio Dabanga, 10 July 2017)

“During the past three days, 19 people died of the infectious disease in the isolation centre of Murnei camp for the displaced in West Darfur. ‘Since Friday, 44 new cases were recorded,’ a Murnei camp sheikh told Radio Dabanga on Sunday. He added that there is no doctor in the camp. Nine volunteer nurses are treating the patients.” (Radio Dabanga, 1 August 2017)

The Dutch Ministry of Foreign Affairs (Ministerie van Buitenlandse Zaken, BZ) writes in June 2017 that in most camps in Darfur, the situation is relatively reasonable measured by local standards. The camps do not look like a camp but rather like villages - or even towns - in the area. The houses are mostly built out of mud bricks, there are shops and recreational areas and many residents have access to radio and television. The presence of UNAMID in Darfur has also created employment opportunities. Since 2009, the Sudanese government has increasingly restricted the work of international aid workers. Between August 2015 and April 2016, five international organisations were forced to leave Darfur either because of the authorities or due to financial or operational problems. Consequently, with less available funds, aid in Darfur has deteriorated qualitatively and quantitatively over recent years. Nevertheless, within the international community, there is also a realisation that Darfur is no longer an acute humanitarian crisis, while the nature of the aid has remained unchanged up to this point. Displaced persons report food shortages, lack of medicine and violence inside and outside the camps.” (BZ, 20 June 2017, p. 77)

6 Returnees

The German international broadcaster Deutsche Welle (DW) points out in September 2016 that more than 2.3 million people have been displaced since the outbreak of the conflict in 2003. According to DW, most of these displaced live in IDP camps in Darfur or in neighbouring Chad. (DW, 7 September 2016)

In its Humanitarian Bulletin published in November 2016 UN OCHA refers to figures regarding the number of Darfuri returnees from Chad to West Darfur:

“The Government of Sudan’s Humanitarian Aid Commission (HAC) in West Darfur State has received reports that about 1,250 people (250 families) have returned from Chad to Sisi village in Gobe administrative unit, Habila locality in recent weeks.

IOM reported that an estimated 66,000 refugees returned, mainly from Chad, to West Darfur State in 2015. According to IOM, 61 per cent of all the returnees are children and the three localities of Jebel Moon, Habila and Forobarang have the largest number of returnees.” (UN OCHA, 27 November 2016, p. 1)

According to the UN OCHA Humanitarian Bulletin of June 2017, 113,790 returnees in Darfur were registered by the Displacement Tracking Matrix (DTM) of the International Organization for Migration (IOM) in 2016, 90 per cent of whom “were refugee returnees from Chad. Um Dukhun locality in Central Darfur State accounted for about 70 per cent of the registered returnees”. (UN OCHA, 4 June 2017, p. 1)

The International Organisation for Migration (IOM) in a 2017 report outlining its operational framework for the coming two years gives the following figures regarding refugee returnees to Darfur in 2016:

“A total of 113,790 cross-border returnees were registered from January to December 2016, of which 90 per cent were returning refugees. Um Dukhun locality in Central Darfur State accommodated about 70 per cent of the registered returnees. 80 per cent of the registered returnees stated that their return was permanent, while the rest stated that their return was seasonal. During 2016 the focus of the registration process was mainly in North, West and Central Darfur States, while registration of returnees in South Kordofan and South Darfur States is planned to start in 2017.” (IOM, 2017, p. 9)

IOM continuously monitors patterns of displacement and return in different localities in Darfur and publishes a monthly Displacement Matrix Fact Sheet. In 2017, monitoring exercises were carried out in nine localities in North Darfur and four localities in West Darfur, registering 12,764 returnees in the North Darfur localities as well as 2,461 returnees in the localities of West Darfur from January to July 2017. According to IOM, the registered returnees consisted of IDP and refugee returnees. (IOM Sudan, July 2017)

6.1 Security

In a commentary published by Sudan Tribune in April 2017, Sudan researcher and analyst Eric Reeves explains the difficulties of Darfur IDPs to return to their place of origin:

“Sudan’s western region is politically, militarily, and economically dominated by militias, says the head of the Darfur Civil Society Platform. The Darfur displaced and refugees have no way to return to their [homes and farms] as the places are occupied by militiamen and their families. In an interview with Radio Dabanga, Hamid Ali Nur, head of the Darfur Civil Society Platform, called the repeated statements by the Sudanese government and the recent report by the US military attaché about the improved security situation in Darfur inaccurate and incorrect. According to the civil society leader, the Khartoum government has, to a large extent, succeeded in changing the Darfur population itself. ‘Militiamen and their families have occupied the villages and farms left by fleeing Darfuris during all these years.’ The civil society activist said that the government’s options given to the Darfur displaced, either to return to their villages of origin or integrate them into the local communities by re-structuring the camps, are fake. ‘As the displaced are not able to return, Khartoum’s policy is aimed at permanently displacing them from their homes, lands, and heritage.’” (Sudan Tribune, 21 April 2017)

Radio Dabanga in June 2017 similarly writes on the difficulties which IDPs face upon return, featuring the example of farmers returning to their now occupied land in South Darfur:

“A number of returnees, including farmers from Abu Shouk and Zamzam camps, went to cultivate the farmlands in Garangu, Tarni, Tabit, Gallab and Kolgi, on Saturday and Sunday. Several returnees reported to Radio Dabanga that armed herders have occupied their lands and told them to leave. ‘They threatened us under the pretext that the land now belongs to them and whoever wants to cultivate a land, must reach an agreement with them,’ a farmer said. ‘Or otherwise we should return to where we came from.’ Locality commissioner Adam Yagoub Jadeed told Radio Dabanga in an earlier press statement that ‘the area has been in conflict over the use of land, housing and grazing since last year. The Shatiya Arabs left the area to South Darfur about 70 years ago, but returned to the area last year’ Jadeed said that the case was filed to State Governor Abdelwahid Yousif, who then decided to hold a meeting about the composition of the area, in an attempt to resolve the problem in the near future.” (Radio Dabanga, 27 June 2017b)

Another article by Radio Dabanga of June 2017 mentions that many Darfuri IDPs refuse to move to internationally funded model villages for the displaced, fearing for their safety:

“Reasons for camp residents to refuse to participate in voluntary return programmes by the Sudanese government mostly involve the worsened security situation in their home areas, where militias roam or unknown people have settled on their lands. In February 2016, the UN and the government of Sudan signed documents worth \$88.5 million in contributions from Qatar for projects in all Darfur states over a period of nearly two years. The majority would be spent on constructing model villages for displaced Darfuris. Darfur displaced have often rejected relocations to model villages as they consider the situation in the conflict-torn western region far from secure enough to leave the camps.” (Radio Dabanga, 29 June 2017)

6.1.1 Treatment of Darfuri individuals upon arrival to Khartoum Airport and after, including those in possession of Al-Umma Party ID cards

The senior researcher at HRW on 19 July pointed out the following with regards to a Darfuri arriving at Khartoum airport:

“Possible discrimination of a Darfuri returnee at Khartoum Airport would depend on the profile of the person, he would unlikely be discriminated against merely based on being from Darfur. Rather depending on his ethnic background and political allegiance, he could be presumed to sympathise with rebels in which case he might be targeted for arrest/interrogation. A membership in some opposition parties like the Al-Umma Party would not necessarily be considered an aggravating factor. The Al-Umma and a handful of other parties are part of the ‘acceptable opposition’.” (HRW senior researcher, 19 July 2017)

According to Eric Reeves, “the treatment is highly variable and depends upon the nature of the documentation the person is carrying and whether a bribe has been paid to a security official in advance.” Regarding the possession of an Al-Umma Party ID, he remarks that he doesn’t know specifically but “believes it would be unwise to carry such a card through a Karthoum checkpoint.” (Reeves, 21 August 2017)

The Sudanese contact of German relief organisation Bread for the World indicates that Darfuris will be treated in the same way as any other Sudanese ethnicity upon their return, unless the person in question is suspected of having relations with rebel movements or anti-government activists. The fact that a person hails from the Zaghawa, Fur or any other African Darfuri ethnicity is sufficient to raise suspicion. However, the person may get its clearance by the security forces after some interrogations. Affiliation to political parties, being Al-Umma or any other party, is not a problem according to the contact. Al-Umma is a registered party and recognised by the government. The son of its leader Alsadiq Almahadi is assistant to the president Albashir, two of his cousins are cabinet ministers and one is vice prime minister. (Sudanese contact of Bread for the World, 30 August 2017)

The independent researcher Jérôme Tubiana in his email response of 18 July 2017 stated regarding the treatment of a Darfuri person upon his arrival at Khartoum airport that this person would be “[l]ikely to be interrogated by security, and possibly beaten/tortured, detained, and even killed. Umma or other opposition affiliation is an aggravating factor.” (Tubiana, 18 July 2017)

The Danish Immigration Service (DIS) and the UK Home Office in their joint report on a fact-finding-mission to Khartoum, Kampala and Nairobi conducted in February and March 2016 make a distinction between an ordinary Darfuri returning from abroad and a Darfuri with a political profile. The report states that that the latter could lead to targeting by the National Intelligence and Security Service (NISS) or pro-government militia in Khartoum:

“Persons with a political profile returning to Sudan may be questioned and/or arrested upon arrival at Khartoum International Airport (KIA) depending on the person’s profile. Seeking asylum abroad would not in itself cause persons from Darfur and the Two Areas

problems with the authorities upon return except returnees from Israel. Neither would returnees face severe difficulties with the authorities because of staying abroad for a longer period or travelling with emergency papers. A person's ethnicity would not generally affect the treatment, he or she would receive on arrival at KIA. The National Intelligence and Security Service (NISS) acts with impunity. Persons from Darfur and the Two Areas with a political profile are at risk of being targeted by the NISS and its affiliated militias in Khartoum, particularly student activists and persons with an affiliation to rebel groups. The Darfuri and Two Areas communities in Khartoum are monitored by the NISS, principally to identify those with a political profile. Activists at most risk are likely to be those from the Darfuri African tribes of Fur, Masalit and Zaghawa, and persons from the Nuba Mountains." (DIS/UK Home Office, August 2016, p. 10)

The DIS/UK Home Office report also features more detailed information given by the International Organisation for Migration (IOM) in Khartoum in February 2016 regarding the situation of returnees on arrival in Khartoum:

"According to the source, there were two categories of voluntary returnees: those with ordinary travel documents, i.e. a passport, and those who came back with emergency travel documents issued by Sudan Embassy aboard. Persons who came back with a passport did not face any problem at all upon return. Persons with emergency travel documents, including Sudanese laissez-passer document, would go through some questioning at the immigration desk at the airport concerning how they had left Sudan, what had happened to their passports etc. Such questioning would take about 10-15 minutes, according to the source, after which the person was free to go. The source emphasised that such questioning did not only apply to rejected asylum seekers, but would be the case for all persons who had lost their passports. [...]

When asked whether the returnee's tribal or ethnic affiliation had an impact on the treatment the returnees received upon arrival, the source stated that IOM had not observed different or discriminatory treatment of returnees on the basis of their tribal or ethnic background in the cases in which IOM had been involved. Asked whether seeking asylum abroad would cause a person from Darfur or the Two Areas problems with the authorities upon return, IOM replied that seeking asylum alone would not cause a person problem upon return." (DIS/UK Home Office, August 2016, pp. 70-71)

The DIS/UK Home Office report notes on the treatment of Darfuris returned to Sudan:

"A number of sources stated that they had no information to indicate that failed asylum seekers / returnees from Darfur or the Two Areas would generally experience difficulties on return to Khartoum International Airport (KIA), or they did not consider that claiming asylum overseas would put such a person at risk per se. Western Embassy (C) noted that they had monitored the forced return of two persons from Europe in 2015 and had no reason to believe that they experienced any difficulties or mistreatment, although the source acknowledged that they were not present throughout the arrival procedure. The diplomatic source mentioned that they had experience of a very few rejected asylum seekers being deported from Switzerland and Norway. According to the source it was unclear whether these returnees could get support upon return to Sudan. However the

source added that those sent back from Norway had not faced any problems upon return. [...]

EAC [European and African Centre] advised that at the security desk, officers asked a range of questions of failed asylum seekers returning to Sudan (for instance about how long they had stayed abroad; why they did not have a passport; or political affiliations and acquaintances abroad). ACPJS remarked that persons returning without travel documents or under escort would be subject to questioning.

Several sources noted that Israel and Jordan had deported a number of Sudanese nationals, including persons who had claimed asylum. [...]

Some sources noted that deportees from Israel and some of the deportees from Jordan were arrested on arrival and detained, some may have experienced prolonged detention or physical mistreatment and/or were placed on reporting arrangements or travel restrictions. Other sources noted that returnees from Jordan had been processed smoothly. There is however lack of detailed, accurate information regarding these events, including information on whether these deportees have been de facto refugees.

UNHCR was not able to verify whether any of the returnees had been detained. However, the source stated that if a person had a high political profile, one could not rule out the possibility that he could face difficulties with the authorities. Information from some other sources about the deportation of Sudanese nationals from Jordan and Israel also indicated that those returnees who were held in prolonged detention may have been detained because of their political profile. [...]

Several sources noted that those returnees who had a political profile may be thoroughly questioned and/or arrested at KIA [Khartoum International Airport]. [...]

DBA [Darfur Bar Association] (Kampala) considered that activists from Darfur and the Two Areas would be at the greatest risk at Khartoum airport (KIA); [...]

Some sources indicated that persons, who had a political profile from Darfur and the Two Areas, may be prevented from obtaining an exit stamp and leaving Sudan or replacing their passport from overseas missions.

Two sources observed that persons from Darfur and the Two Areas who held a political profile may not always be detained or targeted on arrival. [...]

Referring to the detention of political persons at Khartoum International Airport (KIA), Ahmed Eltoun Salim (EAC), the Khartoum based human rights organisation and the two human rights lawyers from Khartoum indicated that the behaviour of the NISS at the airport was slightly improved and that the detention of political persons on arrival was less common now.

The two human rights lawyers from Khartoum noted that it was less likely now for persons to be arrested at the airport for political reasons, although sometimes this happened. The

source explained that at the security desk it is now more common to obtain information about a person and for them to be picked up later if they are deemed of interest. [...]

Several sources indicated that a person's ethnicity did not generally affect their treatment on arrival at Khartoum International Airport (KIA), or otherwise had no information to the contrary to contradict this assessment.

Western embassy (C) noted that upon arrival at KIA, Darfuris and persons from the Two Areas may be treated impolitely and probably asked to pay a bribe, but they would not face any difficulties if they already were not 'flagged' by the NISS. [...]

EHAHRDP [East and Horn of Africa Human Rights Defenders Project] considered that all asylum seekers from Darfur and the Two Areas would be at risk on return.

Western Embassy (C) and EAC remarked that whilst it would not be a problem travelling from Western countries, travel from Israel could be an issue. Western Embassy (C) assumed that returnees from Israel could be at risk of harsh treatment, while EAC observed that the government was more suspicious of returnees from Israel as they were afraid that some of the returnees may have been recruited as spies. EAC was aware of 3 returnees from Israel who been subject to a thorough interrogation on arrival." (DIS/UK Home Office, August 2016, pp. 13-18)

Quartz Africa, a website focused on business news from Africa and owned by the American print and online media company Atlantic Media in September 2016 notes the treatment of forcibly returned Darfuris by the Sudanese authorities:

"A group of 48 Sudanese migrants are back in Sudan, after Italy delivered them to Khartoum last week with seemingly no questions asked. [...] Ali, one of the Sudanese forcefully deported, described their arrest. They were held in an underground parking garage, hands bound. Sudanese authorities identified them and then placed them on a plane to Sudan's capital, Khartoum. Upon arrival, Sudanese authorities beat Ali to the point of being unable to lie down, he said. He is now in hiding and does not know the status of the other Sudanese deported. Eyewitnesses, including Ali, whose last name is undisclosed for his safety, said the deported migrants were from the restive Darfur region. Sudanese refugees often do not claim asylum in Italy due to tough living conditions within the country, Ibrahim said." (Quartz Africa, 2 September 2016)

In an Urgent Action released in November 2016 concerning the forced return of a Darfuri from France to Sudan, Amnesty International (AI) notes the following:

"Individuals coming from conflict-affected areas of Sudan such as Darfur and South Kordofan are at serious risk of persecution upon repatriation, in particular at the hands of the National Security Intelligence Service (NISS), who have often been accused of serious human rights violations, including arbitrary detention and torture. In some cases, the NISS appear to have beaten people upon arrival in Khartoum, particularly people coming from conflict areas, under the suspicion that they may be supporters of armed groups." (AI, 18 November 2016)

The following sources contain some information of the Al-Umma party and its relationship with the government:

The Citizen, an English daily newspaper published in Tanzania, mentions in an April 2017 article on developments in Sudan that “[t]he National Umma Party (NUP) leader, El Sadig El-Mahdi, has returned to Khartoum from Cairo after years in exile. The former prime minister’s return is also linked to the easing of political tensions in the Republic of Sudan after the promulgation of the National Document”. (The Citizen, 5 April 2017)

A Sudan Tribune article of July 2017 contains the following information:

“The government, two holdout armed groups and the National Umma Party (NUP) in August 2016 signed the African Union brokered the Roadmap Agreement, a framework for a political process to end the war and achieve democratic reforms.” (Sudan Tribune, 30 July 2017)

Another Sudan Tribune article of June 2017 mentions a previous arrest of the National Umma Party leader in 2014 as well as his recent political activities:

“The National Umma Party (NUP) leader Sadiq al-Mahdi has called on the government to commit itself to achieve a comprehensive peace and democratic pointing that the decline of rebel military attacks in Darfur or internal divisions do not mean the end of armed groups. [...]

The largest opposition party was part of the government-led national dialogue process but the NUP decided to suspend its participation in the process in May 2014 following the arrest of its leader Sadiq al-Mahdi.” (Sudan Tribune, 18 June 2017)

6.2 Access to documentation

According to the senior researcher at HRW, “there have been cases of people of South Sudanese origin reporting difficulties obtaining official documents, since Sudan keeps changing its policy on whether they should be considered citizens, non-citizens or refugees. Regarding a person of Sudanese origin, there is no reason why this person would not be issued documents such as an ID, unless the Sudanese state considers him a persona non grata. While discrimination of non-Arab ethnic groups exists throughout the government and administration, it does not likely reach the extent that non-Arab Sudanese are turned away solely because of his or her ethnicity when applying for personal documentation.” (HRW senior researcher, 19 July 2017)

Eric Reeves points out that a returnee’s access to documentation “can be quite arbitrary, and depends upon what sorts of connections the person has and how much money to spend to obtain documentation.” (Reeves, 21 August 2017)

The Sudanese contact of German relief organisation Bread for the World states that a Darfuri “has the right and the access to all documentations, and no one could deny him this right, except the security services” (Sudanese contact of Bread for the World, 30 August 2017).

The joint fact-finding-mission report by the Danish Immigration Service and the UK Home Office of August 2016 writes the following concerning access to documentation and basic services in Khartoum:

“Persons from Darfur and the Two Areas have access to documents, housing, education and healthcare in Khartoum. However, the quality of these services is low in the poor neighbourhoods surrounding Khartoum where a majority of these persons live. The main factor regarding access to housing and services is the person’s financial resources.” (DIS/UK Home Office, August 2016, p. 10)

In the DIS/UK Home Office report, IOM gives the following information regarding the application for an ID card:

“Regarding access to documents, the source mentioned that everybody could obtain from the authorities a personal ID card (‘Bitaaq Shakhsiya’) regardless of their place of origin or tribal background. This process could be completed by filling in the due form and submitting required along with photos. A person could obtain such card within one day. It was the Civil Registration Department of the Passport and Civil Registration Corporation of the Ministry of Interior who was responsible for issuing these cards.” (DIS/UK Home Office, August 2016, p. 71)

A Khartoum based human rights organisation which was interviewed during the fact-finding-mission by DIS and the UK Home Office refer to the necessity of applying for a National Number:

“With regard to access to documents and the importance of having the National number, the source advised that to obtain any kind of civil document one had to have a National number. For example, if someone wanted to get a driving license or a passport; or a job in the formal sector and sit for an exam, they had to have their National number. The same applied if a person who wanted to buy a land, a house or a car. One of the reasons behind implementing the National number was security, as people had to inform the authorities about their tribal affiliation when applying for a National number. The source added that the National number had only been in use since. When asked if persons from Darfur and the Two Areas, who were residing in Khartoum, could obtain their National number in Khartoum, the source stated that it was possible for such persons to do this, but it may be difficult, as an individual would need to be in possession of other relevant evidence to prove their identity. For example if a person did not have a birth certificate, they would need to bring two persons who they knew and who were in possession of their National number to act as witnesses and confirm the person’s identity. When asked how many from Darfur and the Two Areas had obtained the National Number, the source replied that a large number of them had it.” (DIS/UK Home Office, August 2016, p. 76)

According to a Radio Dabanga article of December 2015, authorities in Tawila locality in North Darfur imposed a fee for the National Number, thereby making it difficult for residents without income to obtain it:

“Any citizen in Tawila locality in North Darfur who has not obtained a ‘National Number’ by the end of 2015 will not be considered Sudanese. [...] Omda Mukhtar Bosh, the coordinator

of the Tawila camps for the displaced, reported to Radio Dabanga that ‘while the national Interior Ministry said more than once that the National Number is free of charge, the Tawila authorities imposed a fee of SDG45 (\$7.35). This is unaffordable for those who do not have an income.’ [...] The National Number is intended to replace the Nationality Certificate, a more commonly held document by people who have concluded secondary school. As secondary school exams require identification, secondary school graduates in Sudan all have Sudanese nationality. Others who never went to school or dropped out, and who do not possess a birth certificate are not considered Sudanese nationals.” (Radio Dabanga, 27 December 2015)

6.3 Access to basic services

In February 2016, the UN Fund for Recovery Reconstruction and Development In Darfur, a joint programme with cooperation of UNAMID, the UN Development Programme (UNDP) and UNHCR, releases a report on sustainable return, summarising the problems returnees are faced with in the following terms:

“Most communities of return suffer from a lack of access to basic services, infrastructure, shortage of economically and environmentally viable livelihoods, as well as distress related to personal and land tenure insecurity. Many of this has greater gender biased impact where women are usually more affected. The process of return is further hampered by the lack of resources to allow a successful transition to pre-conflict livelihood patterns. Significant population growth and unsustainable management of fragile ecosystems increase competition over natural resources (especially land and water) and, coupled with droughts and other natural hazards, lead to violent conflicts between nomads and farmers, therefore contributing to tensions between tribes along ethnic lines. In addition, there is a changing dynamic to these pressures as the population tilts towards urban areas and creates a changing relationship between access to and use of natural resources. [...] The spontaneous return processes are currently assisted only through short-term humanitarian support, and require additional medium to long-term recovery assistance to become sustainable.” (UN Fund For Recovery Reconstruction And Development In Darfur, February 2016, pp. 2-3)

The report further features short village profiles of selected localities in West Darfur, Central Darfur and North Darfur. They are based on inter-agency missions, which registered returns and assessed needs in these localities. (UN Fund For Recovery Reconstruction And Development In Darfur, February 2016, pp. 4-7)

UN OCHA in its Humanitarian Needs Overview of December 2016 refers to returnees and their continued dependency on assistance:

“Returnees often need some support to settle in their former place of origin, be it in the form of temporary humanitarian assistance until their traditional livelihoods are restored, or in terms of available public services. The delivery of aid to returnees will require careful coordination between all the stakeholders providing short-term aid and those building and developing the capacities of communities over the long-term.” (UN OCHA, December 2016, p. 9)

The Recovery, Return and Reintegration Sector (RRR), an inter-agency mission carried out by several international humanitarian agencies in Darfur, in January 2017 publishes a report on needs assessments in several villages in Um Dukhun locality in West Darfur. RRR writes the following concerning access to basic services:

“Since their return, returnees have been facing lack of availability and access to basic services, such as weak water supply infrastructure, poor health and nutrition conditions and lack of sustainable health and nutrition services as well as a lack of education facilities and trained staff. Returnees have also lost their assets and lack income-generating and other livelihood opportunities necessary for effective recovery, return and reintegration (especially affecting women and youth). Settlements are scattered within the locality which poses a further challenge for the provision of services.

Housing situation is currently precarious due to a lack of building materials or funds to purchase them for returnees to establish and/or rehabilitate their destroyed or abandoned shelters. The lack of critical communal infrastructure, such as women and youth centers is considered a big obstacle for women to better organize as they do not have a common space to meet, discuss or receive training or pursue collective livelihoods activities.” (RRR, January 2017, p. 6)

In a March 2017 article, UN OCHA describes the lack of access to basic services in the Boori valley in Jebel Marra, citing the experience of a woman who has recently returned there:

“‘We are finally home, but we have come back to nothing’ said Kakuma, a Fur woman in her forties from Tala, a village in Boori valley in Darfur’s Jebel Marra region. Kakuma fled Tala with her six children when the area was attacked last year. ‘Everything we owned and had to leave behind was looted: livestock, food, pots and pans. We fled several times, as the danger kept catching up with us’ she said. Residents of the Boori area fled in 2016 after fighting broke out between the Government and the Abdul Wahid faction of the Sudan Liberation Army. Residents are now returning to empty villages, their belongings looted.

‘When we returned to Tala, our home village, my two sons left hoping to find work in Geneina (the capital of west Darfur), as there is nothing here,’ continued Kakuma. ‘My other children are in school. We have little food, and the water we have will dry up in a few weeks. We have to walk several hours to Golo town to see a doctor, and soon we will have to go there to fetch water also.’ [...]

Boori is the largest village in the valley. There are 14 other villages nearby, including Tala, which is 1 km away and sits on top of a cliff. The valley was cut off from humanitarian assistance due to the fighting, and it lacks the very basics—water provision, sanitation services, schools and health clinics—that people need to resettle and rebuild their lives. Humanitarian agencies were unable to access Boori and Golo for more than five years, but access was re-established in late 2016. Last month, the Deputy Humanitarian Coordinator in Darfur, Amy Martin, visited Boori with the United Nations–African Union Mission in Darfur to assess the priority needs. But everything is needed: schools, health services, water, food, support groups for women, and support to get people back into farming and

other work. The nearby fields are scattered with remnants of war, which means farming is impossible in many areas.” (UN OCHA, 8 March 2017)

In March 2017 Radio Dabanga details the difficult humanitarian situation in Belle ElserEIF in Eastern Jebel Marra which also affects returnees in the area:

“An inter-agency mission to assess the humanitarian situation in the village of Belle ElserEIF has found that about 25,000 people (14,000 displaced persons, 7,500 returnees and 3,500 nomads) need access to clean water and sanitation, health care and nutrition services, emergency household supplies, as well as education and protection support.

There are three hand pumps in Belle ElserEIF, the main village in the area, which serve both Belle ElserEIF and ten surrounding villages. People often have to wait up to three hours to collect water. According to the mission, existing water sources are sufficient to serve 3,500 out of the 17,600 people in the area. People in the area depend on inadequate, contaminated water sources in the immediate vicinity. There are no sanitation facilities in this area of East Jebel Marra, but a couple of families were attempting to construct improvised latrines, the mission stated.

There is no health facility in Belle ElserEIF, except one clinic made out of local materials 3km away in Dobo El Madrassa, run by a medical assistant and a nurse. OCHA recommended humanitarian partners to provide a wider range of health services, carry out vaccinations, and to stock existing facilities with essential medicines.

Regarding education, one basic school in Belle ElserEIF and seven other schools in surrounding villages accommodate 2,213 children in total, while lacking education materials and nearly all teachers are volunteers.” (Radio Dabanga, 21 March 2017)

The above-mentioned Humanitarian Bulletin by UN OCHA of June 2017 further features a brief report on a visit to Shattai and Kaileck localities in South Darfur, two areas that have seen returns by IDPs, discussing concerns of security and sanitation:

“According to the preliminary findings, security is good in Shattai town—mainly due to a permanent police presence—creating an environment conducive for returns. However, the team could not establish the security situation in villages on the outskirts of the town and in other rural areas of Shattai locality. [...] According to the preliminary findings, security is good in Shattai town—mainly due to a permanent police presence—creating an environment conducive for returns. However, the team could not establish the security situation in villages on the outskirts of the town and in other rural areas of Shattai locality. No nutrition related challenges were reported, however, only one out of six health facilities in Shattai locality is functional and is not fully staffed. [...]

In Kaileck town, the team observed evidence of returns including newly constructed shelters built with permanent materials. About 3,000 people have reportedly returned from Kass and Kalma IDP camps. [...] Hygiene and sanitation are a concern in both Shattai and Kaileck towns, with open defecation practiced. This needs to be addressed before the

start of the rainy season to avoid the spread of waterborne diseases.” (UN OCHA, 4 June 2017, p. 3)

The above-mentioned UN OCHA Humanitarian Bulletin of July 2017 contains information on an inter-agency mission led by UN OCHA to towns in North Jebel Marra, which had been inaccessible to aid organisations for several years. The mission reports on humanitarian needs and lack of basic services in the area in which hosts IDPs and returnees, dealing with health and nutrition, emergency shelter and household items, food and livelihoods, water and sanitation as well as education. (UN OCHA, July 2017, pp. 3-4)

In its outline of its operational framework for the coming two years, IOM says the following regarding the availability of basic services in Sudan:

“Equal access to and the availability of basic services in Sudan remain big challenges. Differences between urban and rural areas in terms of the service provision are notable and affect all sectors. Unequal wealth and resource distribution and decentralization are factors that have created a number of conflicts across the country. In spite of efforts, the ongoing conflict continues to challenge the already weak basic infrastructure across various regions. The UNICEF led Multi Indicator Cluster Survey (MICS) 2014 findings revealed that outcome and impact social indicators are worst in the conflict-affected areas in comparison to the non-conflict-affected areas regarding child survival, education, and protection. In Sudan, more than 77 per cent of health facilities have been affected by the ongoing conflict, resulting in damaged infrastructures and lack of services provided due to the lack of staffing within facilities and medicine provision/availability. Disease outbreaks remain a major health challenge, including the re-emergence of vaccine-preventable diseases. These outbreaks are more likely to occur in crowded camp settings and areas of IDP concentration including host communities and are compounded by limited WASH services. Furthermore, many schools, clinics, and other administrative and community structures have been damaged or destroyed; disrupting a sense of normality and continuity among communities widening gaps in the above-mentioned sectors.” (IOM, 2017, p. 13)

6.4 Reintegration

The senior researcher at HRW on 19 July explains that “the reintegration of a returnee depends on the individual profile of the person and his connections. If for example a person comes from a rural area and everybody from his village is now living in an IDP camp, this person is not returning to integrate into the city, but rather joins his family, thereby becoming part of the IDP community. This community leads a difficult life, is reliant on humanitarian aid and gets harassed by armed militia. Reintegration can be difficult if there is no work opportunity and no extended family connections.” (HRW senior researcher, 19 July 2017)

Eric Reeves in his email response of 21 August states that a reintegration for a person of Darfuri origins into one of Darfur’s larger cities is possible “only if the person is not on a list of wanted persons by NISS or military intelligence. But any person trying to reach Darfur must go through Khartoum first, and returns are usually carefully screened.” (Reeves, 21 August 2017)

The Sudanese contact of Bread for the World states that a reintegration of a Darfuri into cities in Darfur is definitely possible, even for a person not originating from Darfur. The contact explains further that the people of Darfur cities historically and in spite of the demographic changes that have taken place in the recent years, are very tolerant towards all ethnicities. (Sudanese contact of Bread for the World, 30 August 2017)

7 Women

7.1 Female genital mutilation/cutting (FGM/C)

With regard to the legal framework on female genital mutilation/cutting (FGM/C), an undated brochure of the UN Population Fund (UNFPA) presumably produced in 2012 notes that:

“Sudan was the first African country to legislate against FGM/C. The infibulation form of the practice was declared illegal in 1946 in the Sudan Penal Code; however, this has not stopped the practice. [...] Sudan has also ratified various international human rights agreements under which FGM is considered a violation, including the International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; and Convention on the Rights of the Child. Despite all these long-term efforts, FGM/C in Sudan has continued with little interruption.” (UNFPA, undated (a))

A January 2016 report of the Chr. Michelsen Institute (CMI), a Norwegian academic centre for development research, states that the 2005 (interim) constitution “stipulated under the section of Rights of Women and Children that the state ‘shall combat harmful customs and traditions which undermine the dignity and the status of women’ (article 32 (3)) as well as ‘protect the rights of the child as provided in the international and regional conventions ratified by the Sudan’ (article 32 (5))”. The report further notes that “[w]hile Sudan has not ratified the Convention on the Elimination of all forms of Discrimination against Women (CEDAW)[,] [...] the country ratified the Convention on the Rights of the Child (CRC) already in 1990 and all national legislation should thereby conform to CRC.” The report also states that the Committee on the Rights of the Child (CRC) “repeatedly noted the high prevalence and the lack of legislation to prohibit FGM”. (CMI, January 2016, p. 2)

The same report gives an overview of recent attempts to criminalize FGM:

“Criminalization of FGM emerged on the political agenda following the adoption of the Interim National Constitution of 2005 and the government’s comprehensive law review process in order to harmonize all Sudan’s laws with the new constitution. The initiative to criminalize FGM came from the National Council for Child Welfare, under the Ministry of Welfare and Social Security (the ministry responsible for women’s affairs) as part of the preparations for a national child act in 2008. [...]

Two strategies are considered; either a separate FGM law or inserting it as an article in the criminal law. The director of the National Council for Child Welfare stated in an interview that ‘we planned two strategies so if the separate FGM law is rejected/resisted, we may still succeed with amending the criminal law. We are now intensifying the advocacy and lobby to ensure political support for a national law criminalizing FGM’. [...] Efforts are still ongoing to criminalize the practice in Sudan.” (CMI, January 2016, pp. 1-3)

The March 2017 USDOS country report on human rights practices states that:

“FGM/C remained a problem for women and girls throughout the country. No national law prohibits FGM/C. Since 2008, however, five states have passed laws prohibiting FGM/C: South Kordofan, Gedaref, Red Sea, South Darfur, and West Darfur. In its October 2015 report, UNESCO expressed concern that the provisions criminalizing FGM/C were removed from the Child Health Act.” (USDOS, 3 March 2017, section 6)

The 2016 annual report of the UNFPA–UNICEF Joint Programme on FGM/C published in July 2017 notes with regard to the legislative framework and to planned changes:

“There is no national-level legal provision criminalizing FGM/C. However, there are statelevel laws on FGM in South Kordofan, South Darfur, Gedaref and Red Sea. [...]

An amendment to the Criminal Act (1991), involving introduction of a new Article (141) criminalizing FGM/C, was approved by the Council of Ministers (Cabinet) in September 2016 and is now pending endorsement by the parliament. A national taskforce was established to accelerate the endorsement of the national law.” (UNFPA/UNICEF, July 2017, p. 66)

Sources note that FGM is being “widely practiced” (Freedom House, 27 January 2016), and “prevalent all over Sudan” (Migrationsverket, 6 December 2016, p. 7) and that it is “a major concern” (FCO, 8 February 2017) and “remained a problem for women and girls throughout the country” (USDOS, 3 March 2017, section 6).

The CMI states that Sudan is one of the countries in the world “where FGM is the most widespread and where the most severe and harmful type is extensively practiced, namely infibulation”, and provides the following details on FGM prevalence in Sudan:

“Most of the FGM in Sudan takes place from the age of five to 14 years, but there is also a growing trend of re-circumcision of adult women after childbirth (Mageed et.al 2000). After decades of efforts to end FGM in Sudan, the prevalence of the practice is still staggering. A household survey conducted in 2010 shows that 88 percent of adult Sudanese women, 83.7 percent of girls between 15 and 19, and 72.2 percent of girls between 10 and 14 years have been circumcised.” (CMI, January 2016, p. 1)

The UNICEF Statistical Country Profile on FGM from August 2016 refers to data from the Multi Indicator Cluster Survey (MICS) 2014 showing that 87 percent of women aged 15-49 have undergone FGM/C (UNICEF, August 2016).

The 2016 annual report of the UNFPA–UNICEF Joint Programme on FGM/C published in July 2017 notes with regard to data on prevalence of, and attitude towards, FGM/C:

“FGM/C prevalence among girls aged 0-14: 32 percent (MICS, 2014).

FGM/C prevalence among girls and women aged 15-49: 87 percent (MICS, 2014).

Girls and women supporting the continuation of FGM/C: 41 percent (MICS, 2014).

A 2016 secondary analysis of FGM/C trends using the MICS 2014 data indicates a slight but continuous decline in FGM/C prevalence overall in Sudan over the past few years across all age groups.

The prevalence among the youngest generation (0-14 years), after adjusting for risk of future cutting, is 66.3 percent, compared with 88.3 percent among 30-34-year-olds and 91.8 percent among 45-49-year-olds (the latter two are actual prevalence).” (UNFPA/UNICEF, July 2017, p. 66)

The March 2017 USDOS country report on human rights practices specifies that:

“According to UNICEF and UNFPA, the national prevalence rate of FGM/C among girls and women between 15 and 49 years old was 86 percent, a 2 percent decrease from 2014. Prevalence varied geographically and depended on the local ethnic group. The 2010 Sudan Household Health Survey indicated prevalence rates of FGM/C varied from 99.4 per cent in Northern State to 68.4 per cent in Western Darfur.” (USDOS, 3 March 2017, section 6)

The above-cited brochure of the UNFPA presumably produced in 2012 provides the following overview of the prevalence of Female genital mutilation/cutting (FGM/C), presumably referring to an outdated prevalence rate for girls below 14 years of age:

“In Sudan, FGM/C has long been an integral part of the social system. It is a cultural belief of many Sudanese that the practice safeguards the family’s honour and the prospect of their daughters’ future marriage, linking it with premarital virginity and marital fidelity. Consequently, there is a great deal of stigma against women and girls who are not circumcised. Sudan ranks fifth among countries practicing FGM/C worldwide. The national rate remains high at 65.5%, despite decades of education campaigns in the country. The levels and forms of FGM/C in the country vary across regions.

In most parts of Sudan, girls are usually circumcised before they reach their 12th birthday. However, there are also cases where uncircumcised women are pressured into having the procedure prior to entering marriage. Infibulated Sudanese women usually undergo re-infibulation after giving birth.” (UNFPA, undated (a))

The same brochure points to several factors as contributing to the prevalence of FGM/C, referring to older data from 2006 and 2010:

“Social pressure is a strong motivation to perpetuate FGM/C in Sudan. Supporters of the practice are usually the older women in a Sudanese household, who see FGM/C as a long-standing tradition passed on from generation to generation. However, it is not unusual for girls themselves to ask to be circumcised due to peer pressure. In addition, although there are no religious scripts that prescribe FGM/C, many people still believe that the practice has religious support.

About 42% of Sudanese women aged 15-49 years still support FGM/C, which is a decline from 79% in 1990. Support for abolition of FGM/C is mainly found among Sudanese women with high education and financial status. A significant reduction in support for FGM/C is shown by younger women aged 15- 19 years (58% in 2006 and 37% in 2010), indicating

that attitudes towards the practice are changing over time. Among men aged 15-49 years, 73% are in favour of discontinuing FGM/C. Nevertheless, fears that their daughters will not marry or will be socially excluded often outweigh their reasons for abandoning the practice.

Midwives and traditional birth attendants are also instrumental in FGM/C practice in Sudan; they perform over 90% of circumcisions in the country. Infibulation is a significant source of income for the many midwives.” (UNFPA, undated (a))

As scholars A. Hamilton and N.B. Kandala write in a February 2016 academic journal article, “prevalence of FGM is declining”. Based on opinion poll data collected by the UK Department for International Development (DFID) from 2012 to 2014, the article notes the following with regard to societal attitudes towards FGM:

“In Sudan, prevalence of FGM is declining; likely as a result of changing attitude surrounding FGM, as more women believe the practice should be discontinued amid growing awareness about its health dangers. DFID Sudan opinion poll data collected from 2012 to 2014 was used. [...] During 2012 to 2014, the overall proportion of pro-FGM was 27.5% and 18.3% respectively with striking variations within states. People with pro-FGM attitude were more likely to be un-educated, living in rural settings with strong tribal identity. Individuals from Darfur were more likely to be pro-FGM when compared to the North state.” (Hamilton/Kandala, February 2016)

An academic journal article by Birge Ozer from the Department of Obstetrics and Gynecology at Nyala Sudan-Turkish Training and Research Hospital presents the following findings from a survey on FGM based on interviews with 531 women in Nyala (South Darfur):

“The survey we have done showed us that despite work done by WHO [World Health Organisation] and various other humanitarian organisations towards the eradication of FGM, girls are still being subjected to this practice either by their own mothers or other family members at a very high rate. It can easily be indicated that social conventions play the most powerful underlying role in the continuation of FGM as despite their recollections of the trauma they underwent which had negative consequences throughout their lives and well-being, the percentage of women who continue the practice is still at a high rate.” (Birge, January 2016, p. 1738)

As for the practice of cutting, the same article notes that “[t]he decrease in the practice of cutting observed between the 2006 and 2010 Sudanese Household Surveys and the resulting shift in attitude make a compelling case for public health policy to eradicate the FGM practice” (Hamilton/Kandala, February 2016).

The March 2017 USDOS country report on human rights practices notes on ongoing efforts by the government and UN agencies to eliminate the practice of FGM/C in Sudan:

“The government launched a national campaign in 2008 to eradicate FGM/C by 2018. The government, with the support of the first lady, continued to prioritize the saleema (uncut) campaign, which raised public awareness about FGM/C throughout the year. The

government agreed to a three-year program with the UN Children’s Fund (UNICEF), UN Population Fund (UNFPA), and the World Health Organization (WHO) to seek to end FGM/C. As a result of the programming, 86 new communities declared keeping their girls saleema/uncut in North Kordofan, South Kordofan, South Darfur, Northern States, River Nile, and Blue Nile States, bringing the cumulative number of communities that have declared collective abandonment of FGM/C to 995 communities. On the household level, 10,437 parents committed to leave their daughters uncut in Khartoum and Northern States and Blue Nile.” (USDOS, 3 March 2017, section 6)

7.2 Honour killings

No information could be found on this issue.

7.3 Early and forced marriage

The Sudan country overview on the GIZ’s LI Portal (last updated in June 2017) states that the law allows families to marry off their daughters from the age of 10 once they have obtained a judicial decision from court, making the legal age of marriage the lowest in Africa. One third of all girls in Sudan are married off before the age of 18, and seven percent get married before age 15. (LI Portal, June 2017)

The March 2017 US Department of State (USDOS) country report on human rights practices provides the following overview of this issue:

“The law establishes the legal age of marriage at 10 years old for girls and 15 years old or puberty for boys. There were no reliable statistics on the extent of child marriage, but child advocates reported it remained a problem, especially in rural areas. According to UNICEF estimates, 12 percent of women between the ages 20 and 24 years old were first married or in a union before they were 15 years old, and 34 percent were married before reaching 18.” (USDOS, 3 March 2017, section 6)

A December 2013 Radio Dabanga article reports about findings from a UNICEF-funded study carried out by the Government of Sudan’s National Council for Child Welfare (NCCW) in six states, including East Darfur, West Darfur, Central Darfur and South Darfur, in the period from July 2012 to January 2013:

“A study of the National Council for Child Welfare (NCCW) in Sudan reported that there has been a significant increase in the number of child marriages in the country during the past years. It also revealed that child marriage causes a loss of between 60 and 70 percent of girls’ opportunities for education in Darfur. [...]

The study confirms that the economic difficulties, the increased poverty, and the lack of education are among the main reasons for the increase of child marriage cases. Another major cause is the misconception of the term ‘sutra’ among Sudanese families: in order to avoid an unmarried girl becoming pregnant, the parents marry their daughters ‘as early as possible’.” (Radio Dabanga, 17 December 2013)

A February 2013 UNAMID press release notes that “[m]arriage with girls under the age of 18 is still common in some rural areas of Darfur (UNAMID, 2 February 2013).

The March 2017 USDOS report noted that the following steps have been taken against the practice of child marriage:

“The government adopted in December 2015 a draft national strategy to promote the abandonment of child marriage. The president’s wife also launched an initiative in December to end child marriage. Throughout the year there continued to be consultative processes on the strategy between religious and political leaders.” (USDOS, 3 March 2017, section 6)

An older BBC News article from 2004 notes that given the use of mass rape by pro-government Janjaweed militias in Darfur “to punish, humiliate and control the non-Arab groups”, local “[p]arents fear they may not be able to ‘control’ their daughters and try to marry them off quickly to preserve the family honour”. This resulted in a drop in bride prices, i.e. the amounts of money paid by the groom’s family to the bride’s family. (BBC News, 19 July 2004)

No further information could be found on this issue.

7.4 Sexual and gender-based violence (SGBV)

Freedom House Freedom in the World 2016 report states that despite the fact that “Sudan strengthened its laws on gender-based violence in February 2015” by criminalising sexual harassment and “amending the definition of rape to bring it closer to international standards”, women were “at high risk for sexual violence, particularly from security forces, who use rape as a weapon of war” (Freedom House, 27 January 2016).

An April 2017 report of the UN Secretary-General to the UN Security Council notes that in Sudan, “[s]exual and gender-based violence remains a serious concern, in particular for vulnerable populations at camps for internally displaced persons”. The report provides details on the prevalence of conflict-related sexual and gender-based violence (SGBV) cases during the year 2016, as documented by the UNAMID:

“In 2016, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) documented 100 incidents of conflict-related sexual violence, affecting 222 victims, specifically 102 women, 119 girls and one boy. As in previous years, more than half the victims were children. The incidents included rape, gang rape, attempted rape, abduction for the purpose of sexual assault and sexual harassment. Ten per cent of these cases occurred during displacement. In 15 per cent of cases, the victims numbered two or more, as women and girls have tried to improve their safety by travelling in groups, although this seems to provide minimal deterrence with regard to armed men. The incidents occurred primarily in North Darfur, Sortony, Tawilla, and Shangil Tobayi, coinciding with the presence of armed militia.” (UN Security Council, 15 April 2017, p. 19)

The March 2017 USDOS country report on human rights practices quotes UNAMID as saying that while the mission “received the cases from all five Darfur states”, “[u]nderreporting remained prevalent”, acknowledging that figures reported by UNAMID “were not representative of the reality on the ground” (USDOS, 3 March 2017, section 6).

The April 2017 UN Secretary-General report notes with regard to the perpetrators of the above-mentioned acts of SGBV documented during 2016:

“In terms of the overall profile of the perpetrators, 96 per cent were described by victims and witnesses as armed men, of which 76 per cent were identified by victims as ‘armed Arab men’ or ‘militia’. Twenty per cent were identified as members of the security forces, namely the Sudanese Armed Forces, the Rapid Support Forces, the Central Reserve Police and border guards, including police officials. The remaining cases were attributed to unidentified assailants or civilians. The available data does not reflect the actual scale and magnitude of violations, which are underreported owing to stigma, fear of reprisals, community pressure, weak institutions and significant access restrictions.” (UN Security Council, 15 April 2017, p. 20)

The March 2017 USDOS country report on human rights practices quotes SUDO UK as conforming the “rape by RSF agents of 125 persons, mostly IDPs, including 32 minors, from January to August [2016] in both Darfur and the Two Areas” (USDOS, 3 March 2017, section 1g).

An April 2017 Radio Dabanga article refers to a report by the Sudanese Ministry of the Interior stating that there were 348 rape cases during one year in Sudan, of which 43 cases were reported in Darfur. The article continues to state that “[m]eanwhile the Darfur Criminal Prosecutor El Fatih Taifour reported last month nearly 40 complaints of rape in 2017 alone.” (Radio Dabanga, 27 April 2017)

The June 2017 report of the UN Secretary-General to the UN Security Council, which covers events in Darfur from mid-March through early June 2017, states that according to UNAMID, “[t]here were 17 reported cases of sexual violence in the form of rape and attempted rape involving 17 victims, including 13 children, of which 9 concerned sexual and gender-based violence, while 8 concerned conflict-related sexual violence” during the reporting period (UN Security Council, 14 June 2017, p. 11).

In his previous report published in March 2017, the UN Secretary-General notes that UNAMID documented “44 cases of sexual and gender-based violence, including conflict-related sexual violence” during the reporting period (mid-December 2016 through mid-March 2017).

A May 2017 joint report of the Chairperson of the African Union Commission and the UN Secretary-General states:

“Internally displaced women are identified as being particularly at risk of conflict-related sexual violence. Such cases are usually underreported owing to stigma, fear of reprisals, weak institutions and the government-imposed restrictions on access to sites where incidents of mass rape have been reported in recent years.” (UN Security Council, 18 May 2017, p. 7)

Cases of SGBV reported during the past months include the following:

In June 2017, Radio Dabanga reported that a group of soldiers “raped a number of women who were collecting water at a well near Golo in Rokoro locality” in West Darfur. People who were nearby then “rushed to the scene and beat the rapists with sticks and stones, killing one of them, and wounding others”. Military troops subsequently “besieged the area, and terrorised the people with a barrage of missiles and bullets”. (Radio Dabanga, 30 June 2017)

An April 2017 Radio Dabanga article states that a 13-year-old internally displaced schoolgirl has been admitted to hospital in Kabkabiya (North Darfur) with “serious injuries after being raped and stabbed in a vicious attack, allegedly by a militiaman”, noting that “no suspect has been named, and no arrests have been made” (Radio Dabanga, 27 April 2017).

In March 2017, Radio Dabanga reported that “[a]rmed men raped a 17-year-old girl and a pregnant woman in Demet in Sirba locality” in West Darfur (Radio Dabanga, 28 March 2017).

A February 2017 Radio Dabanga article states that “Two gunmen raped a girl, 14 years old, in Musku in Manawashi locality” (South Darfur) (Radio Dabanga, 3 February 2017).

Further reported cases of SGBV include: the rape of a higher secondary school student in Central Darfur (Radio Dabanga, 28 December 2016), two displaced women raped by six members of a paramilitary force in Central Darfur (Radio Dabanga, 22 December 2016), two displaced schoolgirls raped by armed men in North Darfur (Radio Dabanga, 20 December 2016), four women raped by militia members in Central Darfur and a schoolgirl gang-raped by militiamen in South Darfur (Radio Dabanga, 25 November 2016).

7.5 State response to sexual and gender-based violence (SGBV)

The April 2017 report of the UN Secretary-General to the UN Security Council notes that some “response initiatives were undertaken by the Government, including amendment of the Criminal Act to make a clear distinction between rape and adultery, and the expansion of the mandate of the Darfur Special Court to include rape” (UN Security Council, 15 April 2017, p. 20).

The same report goes on to provide details on the authorities’ handling of cases of SGBV reported to them:

“In 2016, the United Nations verified 50 cases of conflict-related sexual violence, concerning 105 victims, reported to law enforcement officials. Investigations were opened in 6 of the cases, resulting in four arrests, of which three proceeded to trial. Government data indicates 112 reported cases of sexual and gender-based violence during 2016, of which 40 were brought to court, with 13 convictions. In 2015, the United Nations verified 45 cases reported to the police, leading to eight trials, and in 2014, 63 reports generated two convictions. As sexual violence cases are not consistently prosecuted, many communities resort to traditional settlements, which often decree that the victim should marry the perpetrator. In an encouraging development, in 2016, a court in West Darfur successfully convicted a police officer for the sexual exploitation of a minor. Despite the

lasting impact of sexual violence on survivors, including those with children born as a result of rape, no reparations have been paid.” (UN Security Council, 15 April 2017, p. 20)

A November 2016 Radio Dabanga article notes that:

“Prosecutions of rape are rare in Sudan, owing to the high burden of proof for victims. Sudanese soldiers, policemen and government officials enjoy immunity that covers for ‘acts performed in the line of duty’, and cannot be sued unless the Ministry of Justice lifts immunity. Despite changes to the definition of the offence of rape in Sudan’s criminal law in the past year, the law remains unclear about evidence standards that apply and women who report sexual offences remain at risk of prosecution for adultery or committing ‘immoral acts’. The scale of sexual violence is likely much greater than any reports indicate, Human Rights Watch stressed in a joint statement of international human rights organisations last June. [...] The Special Criminal Court in Darfur was established in June 2005 following the announcement of the International Criminal Court investigation into the events during the armed conflict in Darfur that started in 2003. Sudanese authorities refused to cooperate with the court, arguing that local courts are capable to consider issues related to crimes in Darfur.” (Radio Dabanga, 12 November 2016)

A June 2016 joint statement issued by Human Rights Watch (HRW) and a number of other human rights organisations indicates that:

“The scale of sexual violence is likely much greater than any reports indicate. Independent monitors are unable to access most of Sudan’s conflict affected areas and survivors often do not report incidents, due to insecurity, stigma, the fear of reprisal and other obstacles. Among the obstacles are laws and policies that fail to ensure a safe environment for reporting sexual and gender based violence incidents and a consistent failure to prosecute these crimes. Despite recent changes to the definition of the offence of rape in Sudan’s criminal law, the law remains unclear about evidence standards that apply and women who report sexual offences remain at risk of prosecution for adultery or committing ‘immoral acts’ if they fail to prove a rape case. [...] Accountability for sexual violence is rare to non-existent. [...] Prosecutions are made even more difficult by the broad immunities granted to Sudan’s armed forces and government officials, which cover ‘acts performed in the line of duty.’ These immunities can only be lifted by the Ministry of the Interior or Justice in the event they elect to prosecute.” (HRW et al., 19 June 2016)

According to the March 2017 USDOS country report on human rights practices, however, “[a]uthorities often obstructed access to justice for rape victims”. The report adds that:

“The government prosecuted some crimes involving government officials. Although rare, prosecutions were most common in cases involving violations against minors.” (USDOS, 3 March 2017, section 1g)

A May 2017 Radio Dabanga article notes that “South Darfur child prosecutor’s agency received 35 reports of rape against children in the state in April and May” 2017, referring to a statement issued by the Ministry of Justice. Of these rape cases, seven had been adjudicated at the time of reporting:

“Adel Mohamed Hassan, the senior attorney-general’s advisor told a news conference in the state capital of Nyala that that the court so far has adjudicated seven of the rape cases of the most serious phenomenon of their kind in South Darfur. He pointed out that in many cases, the crime of rape is kept secret and not reported in South Darfur, for fear of the social stigma.” (Radio Dabanga, 31 May 2017)

A June 2017 Radio Dabanga article reports that the Children’s Court in Nyala convicted a man to death for raping and killing a six-year-old girl in May 2017:

“On Monday, The Children’s Court in Nyala sentenced the rapist and killer of a six-year-old girl to death by hanging. The victim was found dead, tied-down in his shop on 17 May. She had been suffocated with napkins and biscuits.” (Radio Dabanga, 30 June 2017)

The March 2017 USDOS country report on human rights practices points to the following developments of 2016:

“On May 10, a court in El Geneina convicted and sentenced a soldier to 20 years’ imprisonment for the rape of a seven-year-old girl. The UN Independent Expert for the human rights situation in Sudan expressed concern about nine rapes of women from the Zam camp in April, when they were outside the camp engaged in livelihood activities. [...] Moreover, the government did not allow civil society groups operating health-care centers to deal with cases involving conflict-related sexual and gender-based violence, especially in Central Darfur.” (USDOS, 3 March 2017, section 1g)

A November 2016 Radio Dabanga article reports on the above-mentioned case of a police officer who was sentenced to 20 years in prison for involvement in the rape of a girl in El Geneina in September 2016:

“The Special Criminal Court for Darfur Crimes in El Geneina convicted the policeman to 20 years in prison and paying a fine of SDG5,000 (\$760). In the event of non-payment the convict will be sentenced to another six months imprisonment in succession of his imprisonment. The conviction under article 45b of the Children’s Act of 2010 was announced on the website of the special court’s attorney-general’s office. Judge Adam Usher Mohamed has sent the papers of the convict to the High Court in Sudan for endorsement. This incident dates back to last September, when one or more policemen raped a girl in El Jebel area in El Geneina.” (Radio Dabanga, 12 November 2016)

A September 2016 Radio Dabanga reports about the following incidents:

“One policeman is dead, another arrested, and an alleged rapist at large following an arrest in North Darfur’s Tawila on Tuesday. Omda Mukhtar Bosh, coordinator of the Tawila camps for the displaced, reported to Radio Dabanga that five armed paramilitaries accosted a displaced woman as she tended her farm, about ten kilometres east of Tawila city on Tuesday evening. ‘The militiamen gang-raped the woman at gunpoint for five consecutive hours,’ the Omda said.

Members of the police managed to apprehend one of the alleged rapists, and took him to a police station in Tawila: ‘The arresting policeman requested that the suspect be held at

the police station for questioning. Another policeman who was guarding the police station refused to accept the suspect. 'When the first policeman insisted, an argument and scuffle ensued between the policemen during which the guard fired nine shots. The arresting officer was killed outright, and the suspect escaped.'" (Radio Dabanga, 7 September 2016)

A September 2016 Radio Dabanga article reports on the following case:

"A 13-year-old girl was raped in El Taweisha locality in North Darfur on Monday. A witness told Radio Dabanga that a member of the Sudanese Central Reserve Forces (popularly known as Abu Tira) attacked the schoolgirl on her way to school on Monday morning. He raped her at gunpoint. The victim has been transferred to the hospital. She was bleeding and traumatised, according to the witness. 'The family of the girl informed the local police about the incident, and they managed to confront the perpetrator.' He refused to surrender himself, however, and the police fled while the Abu Tira member held them at gunpoint. Information about the exact circumstances of their confrontation could not yet be obtained on Tuesday." (Radio Dabanga, 6 September 2016)

7.6 Trafficking of women

No information could be found on the situation of trafficking of women in Darfur. This section therefore contains general information on the situation of trafficking of women in Sudan:

The "Global Slavery Index 2016" published by the Walk Free Foundation, an organisation seeking to end contemporary slavery and human trafficking, Sudan has the sixth highest prevalence of slavery out of 167 countries, with an estimated 454,700 persons (or 1.13 per cent of the country's population) living in modern-day slavery (Walk Free Foundation, 2016).

The US Department of State (USDOS) Trafficking in Persons Report 2017, published in June 2017, indicates that "Sudan is a source, transit, and destination country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking" and that "[m]igrants, unaccompanied minors, refugees, and asylum-seekers, primarily from East and West Africa, are highly vulnerable to sex trafficking and forced labor in Sudan" (USDOS, 27 June 2017).

The same report goes on to note that "Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude" and that "Sudanese girls are also vulnerable to sex trafficking in restaurants and brothels", adding that "[s]ome Sudanese officials are reportedly involved in and profit from child sex trafficking rings" (USDOS, 27 June 2017).

As for government responses to human trafficking, the same report states:

"The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although the government reported law enforcement efforts against trafficking offenders, officials frequently conflated trafficking with other crimes, such as smuggling and kidnapping, and convicted offenders received severely weak sentences that were insufficient to deter the crime. Moreover, the government continued to deny the existence of sex trafficking of adults and

children, and it did not report on forced labor or the recruitment and use of child soldiers by government security forces. The government identified a significant number of victims of abuse, including some trafficking victims, during security operations; however, the government failed to identify victims of sex trafficking or forced labor. Authorities continued to punish trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration violations. The government lacked capacity and resources to provide adequate protective services to victims of all forms of trafficking.” (USDOS, 27 June 2017)

The Freedom House Freedom in the World 2016 report states that:

“While state officials have been accused of involvement in cases of human trafficking, either through bribes or active engagement, the government has increasingly played a proactive role in addressing the problem, and passed an anti-trafficking law in 2014.” (Freedom House, 27 January 2016)

The United Nations Office on Drugs and Crime (UNODC) states in an undated article published on its website:

“As one of the largest countries in Africa, Sudan has become a transit hub of mixed migration flows from the Horn of Africa to North Africa and Europe. The irregular nature of many of these migrants often puts them in a very vulnerable position as they lack protection and are thus susceptible to being victimised through kidnapping, extortion and human trafficking.” (UNODC, undated)

8 Individuals of diverse sexual orientations and/or gender identities

8.1 Legal framework

The March 2017 US Department of State (USDOS) country report on human rights practices notes that “[l]esbian, gay, bisexual, transgender and intersex (LGBTI) persons are not considered a protected class under antidiscrimination laws” in Sudan and that Sudanese “law does not specifically prohibit homosexuality but criminalizes sodomy, which is punishable by death” (USDOS, 3 March 2017, section 6).

As Human Rights Watch (HRW) summarizes in its World Report 2017, “Sudan continues to criminalize consensual same-sex sexual activity and other behavior that impacts lesbian, gay, bisexual, and transgender (LGBT) communities, including anal sex between males with penalties as harsh as life imprisonment or death, and ‘indecent’ or ‘immoral’ behavior with a fine or up to 40 lashes” (HRW, 12 January 2017).

Article 148 of Sudan’s 1991 Penal Code contains the following provisions regarding what it refers to as “sodomy”:

“148 Sodomy

(1) Any man who inserts his penis or its equivalent into a woman’s or a man’s anus or permitted another man to insert his penis or its equivalent in his anus is said to have committed Sodomy.

(2) (a) Whoever commits Sodomy shall be punished with flogging one hundred lashes and he shall also be liable to five years imprisonment.

(b) If the offender is convicted for the second time he shall be punished with flogging one hundred lashes and imprisonment for a term which may not exceed five years.

(c) If the offender is convicted for the third time he shall be punished with death or life imprisonment.” (Penal Code 1991, Article 148)

Article 151 of the Penal Code refers to acts of “gross indecency upon the person of another person or any sexual act which does not amount to Zina or Sodomy”:

“151 Indecent Acts

Whoever commits an act of gross indecency upon the person of another person or any sexual act which does not amount to Zina or Sodomy shall be punished with not more than forty lashes and shall also be liable for imprisonment for a term which may not exceed one year or fine.” (Penal Code 1991, Article 151)

The January 2016 Freedom House Freedom in the World Report states that “[s]ame-sex sexual acts are illegal, though this prohibition does not appear to be strongly enforced” (Freedom House, 27 January 2016).

8.2 Treatment of individuals of diverse sexual orientations and/or gender identities:

Little information could be found on the treatment of individuals of diverse sexual orientations and/or gender identities in Darfur. This section therefore includes general information on the situation of LGBT persons in Sudan.

The Freedom House Freedom in the World Report of January 2016 states that both “[o]fficial and societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) individuals are widespread” (Freedom House, 27 January 2016).

8.2.1 *By state actors*

A July 2015 country of origin information report of the Netherlands Ministry of Foreign Affairs (Ministerie van Buitenlandse Zaken, BZ) contains a section on the situation of LGBT persons that largely draws on confidential sources. The report notes that there are no known cases of persons who have been prosecuted under article 148 of the Penal Code. The authorities do not pursue an active policy of prosecution of LGBT persons. As the report goes on to say, homosexual persons may also be arrested under the Public Order Act and sentenced to imprisonment, lashings and/or fines. While such punishments have been imposed on several occasions in the past, there have been no reports of criminal prosecution of LGBT persons in 2014. Under the Public Order Act, a suspect has barely any rights. Suspects are often tried on the day of arrest or on the next day. The BZ goes on to say that in practice, a person’s known or attributed LGBT orientation or behaviour do not, as far as known, lead to disproportionate or discriminatory punishments or to punishments being imposed through criminal prosecution (BZ, 23 July 2015, pp. 55-56).

The August 2016 joint fact-finding-mission report of the Danish Immigration Service (DIS) and the UK Home Office mentions LGBT rights activists as one of the groups of individuals from Darfur and the Two Areas known to be targeted by state authorities in Khartoum (DIS/UK Home Office, August 2016, p. 51).

8.2.2 *By non-state actors*

The July 2015 country of origin information report of the Netherlands Ministry of Foreign Affairs (BZ) states that in Sudan’s predominantly Muslim culture, homosexual orientation is viewed as a source of shame and as an illness. Once a person’s homosexual orientation becomes known to the public, they face social discrimination and run the risk of losing their jobs and being socially excluded. Many homosexual persons therefore conceal their sexual orientation and lead a double life. (BZ, 23 July 2015, p. 56)

The same report goes on to mention that homosexuality is not accepted in some regions, citing Darfur as an example. It also notes that homosexual persons from well-off families enjoy more freedoms. Among Khartoum’s upper class, the gay scene is usually accepted and wealthy homosexual persons travel to Lebanon, the Middle East or other countries in Africa using LGBT networks. Sudan also has a hidden population of homosexual sex workers who also travel to the United Arab Emirates (including Dubai) and Egypt. (BZ, 23 July 2015, p. 56)

The March 2017 US Department of State (USDOS) country report on human rights practices notes that:

“Antigay sentiment was pervasive in society. LGBTI individuals expressed concern for their safety and did not identify themselves publicly. There was at least one confirmed case of an individual detained, beaten, and harassed by authorities because of his suspected affiliation with LGBTI-friendly groups. LGBTI organizations increasingly felt pressured to suspend or alter their activities due to threat of harm. Several LGBTI persons felt compelled to leave the country due to fear of persecution, intimidation, or harassment.” (USDOS, 3 March 2017, section 6)

The USDOS country report on human rights practices states that “[b]ecause unmarried women usually remained in the home of their parents until marriage, LGBTI women who were disowned by their families generally faced severe social stigma. There were no reports of official action to investigate or punish those complicit in LGBTI-related discrimination or abuses.” (USDOS, 3 March 2017, section 6)

A January 2015 article of the LGBTQ Policy Journal, a review run by students at Harvard University’s John F. Kennedy School of Government, provides the following overview of the treatment of homosexual persons in Sudanese (and Egyptian) society:

“Gay and lesbian Sudanese and Egyptians struggle daily to cope with the constant fear, discrimination, and physical abuse that they and their peers face, harboring a relentless feeling of hopelessness in the face of a relatively conservative society, with a majority Muslim population and traditional societal gender roles. [...]

While the legal and political systems of both Egypt and Sudan have contained homophobic elements for decades, we find that much of the discrimination is rooted in private, social, and religious beliefs held by the majority of the population. [...]

Homosexuality is a complex topic in Sudanese society. Due to social norms and prevailing constructs of femininity and masculinity in society, it is considered socially unacceptable by the overwhelming majority of the population. Few people dare talk about it publicly, because doing so would likely lead to personal attacks from members of society at large. Many Sudanese fail to understand the emotional roots of homosexuality and gender diversity, viewing them instead as physical illnesses. They tend to associate homosexuality with sexual harassment and pedophilia, which makes it nearly impossible to discuss it from social, legal, and human rights perspectives. Frequent stigmatization and discrimination have made homosexuals invisible; consequently, they often lack access to basic rights including personal security, legal protection, health care, and social acceptance.” (LGBTQ Policy Journal, 23 January 2015)

9 Persons living with HIV/AIDS

No information could be found on persons living with HIV/AIDS in Darfur. This section therefore contains general information on persons living with HIV/AIDS in Sudan.

An October 2016 Sudan Tribune article provides the following overview of numbers of persons living with HIV in Sudan:

“The World Health Organization (WHO) [...] said that there around 56,000 people living with HIV in Sudan, including 3500 child and 2300 pregnant women. WHO official Mohamed Sayed Ahmed pointed that the number of HIV-positive people is increasing in Sudan according to the latest survey conducted in 2015. [...]

It is worth noting that the figures of WHO on HIV cases in Sudan is less than the figures provided by the Sudanese Ministry of Health in December 2014. According to the Sudanese authorities there are 79,000 people living with HIV in Sudan of which 19,000 are in Khartoum State and 1500 new HIV infections are registered every year.” (Sudan Tribune, 23 October 2016)

According to estimates by the Joint United Nations Programme on HIV and AIDS (UNAIDS), in 2015, there were between 33,000 and 90,000 people in Sudan living with HIV, including 30,000 to 85,000 men and 14,000 to 39,000 women aged 15 and over as well as 2,800 to 4,500 children (aged 0 to 14). The rate of prevalence of HIV among adults aged 15 to 49 is indicated as being between 0.1 and 0.4 per cent. There were between 2,100 and 4,300 deaths from AIDS. (UNAIDS, undated)

The US Department of State (USDOS) quotes the Sudanese Society for HIV Victims as providing the following figures on persons living with HIV/AIDS in August 2015:

“In August 2015 the Sudanese Society for HIV Victims disclosed there were 3,443 persons with HIV/AIDS in the country, including 1,693 men, 1,514 women, and 236 children. The organization reported it facilitated income-generating projects to support children of HIV-positive parents who could not afford school fees.” (USDOS, 3 March 2017, section 6)

9.1 Legal framework

The March 2017 USDOS country report on human rights practices mentions that while “[l]aws and regulations” in Sudan do “prohibit discrimination regarding race, sex, gender, disability, tribe, and language”, they “do not protect classes according to sexual orientation or gender identity, HIV-positive status or other communicable diseases, political opinion, social or national origin, age, or social status” (USDOS, 3 March 2017, section 7).

An April 2015 Sudan Tribune article reports about a bill being drafted to prohibit discrimination of persons with HIV/AIDS and to ensure their access to medical and mental care, housing and goods and services (Sudan Tribune, 3 April 2015).

No further information could be found on the current legal framework relating to persons living with HIV/AIDS.

9.2 Societal attitudes towards persons living with HIV/AIDS

The March 2017 US Department of State (USDOS) country report on human rights practices lists discrimination against persons living with HIV/AIDS among the forms of societal abuse observed in Sudan (USDOS, 3 March 2017, Executive Summary), describing societal attitudes to persons with HIV/AIDS as follows:

“There was societal discrimination against persons with HIV/AIDS. The conservative nature of society made discussion of sex out of wedlock and related issues difficult, particularly for activists and members of the international community addressing these topics.” (USDOS, 3 March 2017, section 6)

An undated brochure of the United Nations Population Fund (UNFPA) presumably produced in 2012 notes that “social norms in Sudan condone discrimination against populations who are most at risk of HIV, further complicating efforts to engage them in delivering life-saving services” (UNFPA, undated (b)).

9.3 Treatment of persons living with HIV/AIDS

No information could be found on the treatment of persons living with HIV/AIDS.

9.4 Access to basic services and employment

In a 2016 article published in the Journal of the Association of Nurses in AIDS Care, authors S. Ismail, A.A. Eisa and F. Ibrahim present the following findings of a study on the socio-economic impact of HIV on persons’ lives:

“The findings indicated that the most striking financial and social impacts were due to stigma associated with HIV in the conservative Sudanese society, which led to loss of work with all its consequences (e.g., children’s education and health care expenses were affected). [...] We concluded that HIV has intensified the existing problems of infected people, contributing to their vulnerability to poverty.” (Ismail/Eisa/Ibrahim, 2016, Abstract)

No further information could be found on this issue.

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