

**Joint UNAMID/OHCHR Public Report**

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**Report on Human Rights violations Committed by Rapid Support Forces and Armed Arab Militias Against IDPs and Villages in West Darfur**

**29-31 December 2019**

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**Executive Summary**

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| This report is jointly issued by the Office of the High Commissioner for Human Rights (OHCHR) and the African Union-United Nations Hybrid Mission in Darfur (UNAMID). It presents OHCHR and UNAMID findings and analysis of/on allegations of human rights violations and abuses committed by the Rapid Support Forces (RSF) and armed Arab militia groups during attacks against internally displaced persons (IDPs) in El Geneina, West Darfur. The violations and abuses include arbitrary killings, physical assault, sexual violence in the form of rape, attacks against villages and civilian objects and property. The report also highlights large scale forced displacement of communities that were already living as IDPs and thousands of civilians who fled to neighbouring Chad. The report describes human rights violations and abuses that occurred during the attacks in El Geneina, including the looting of the El Geneina hospital and private properties. The report underlines the negative impact of the attacks, especially against IDPs, whose residences at Krinding and Sultan house IDP camps, were extensively destroyed. The report covers the period 29-31 December 2019, which constitutes the timeline of the attacks in El Geneina and surrounding villages. It also includes updates through March 2020.The report provides consolidated statistics relating to killings and injuries perpetrated, which were documented during three fact-finding missions undertaken by human rights monitors to El Geneina. The documentation missions confirmed the killing of at least 101 civilians, of which 87 were linked to direct attacks by RSF personnel and armed Arab militia. In addition, the documentation and interviews conducted during the fact-finding missions highlighted the nature of the killings, which included shooting at close range while others were burnt alive in their homes. The victims are, for the most part, men and male children, who were the main target of the attacks. Women were also targeted during the attacks and were subjected to sexual violence. The ethnic dimension of the attacks is of concern especially as significant number of the victims were Massalit IDPs, who formed the majority of the residents at the affected IDP camps.The report also highlights interventions by humanitarian agencies through inter-agency missions and provision of critical humanitarian assistance to civilians and displaced communities in El Geneina and surrounding villages. While efforts have been made by human rights monitors to initiate follow-up advocacy with state authorities, judicial officials and law enforcement institutions, especially on the obligation of the state to strengthen protection mechanisms and provide effective remedies, victims of the attacks repeatedly expressed frustrations over the pace of the investigations and the perceived lack of support from state authorities. The report alerts all stakeholders especially the government on the extreme fragility of the situation, provides recommendations to relevant entities aimed at strengthening human rights protection, holding perpetrators to account, ending impunity and preventing relapse into further conflict.  |

1. **Introduction**
2. This report is issued jointly by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the African Union-United Nations Hybrid Operations in Darfur (UNAMID). It is based on the work of the UNAMID Human Rights Section, which is guided by Security Council resolution 2495(2019). The resolution mandates UNAMID to ensure an enhanced human rights reporting, including public reporting on human rights violations and abuses as well as violations of international humanitarian law. This is necessitated by the continued precarious human rights situation in Darfur despite the reduction of large-scale armed clashes between government forces and armed opposition movements.
3. In July 2017, UNAMID began implementing an exit strategy, framed around a two-pronged approach, which delineated the operations of the Mission into peacekeeping and peacebuilding areas. The two-pronged approach was enhanced by the “whole-of-system” approach outlined in Security Council resolution 2429(2018), and mandated UNAMID to drawdown its presence and operations, and facilitate the transfer of some substantive tasks and functions to the United Nations Country Team (UNCT). In West Darfur, the implementation of the drawdown included the closure of the UNAMID sector headquarters in El Geneina as well as all other teamsites in For Boranga, Habila and Mournei and Masteri.
4. At the time of the attacks in El Geneina and surrounding villages in December 2019, UNAMID had no peacekeeping presence in West Darfur. The Mission’s activities were limited to projects under the State Liaison Functions (SLF), the framework through which UNAMID co-locate staff with UNCT and jointly implement programmes under peacebuilding and post-conflict reconstruction initiatives. However, through a unique arrangement, human rights monitoring and reporting in areas where UNAMID has withdrawn, is carried out by a Mobile Monitoring Team based in El Fasher, North Darfur, which conducts fact-finding missions in SLF areas of operations in South, West and East Darfur states. While this arrangement has ensured the continuity of human rights reporting in SLF areas, the withdrawal of UNAMID has created monitoring and protection challenges.
5. **Methodology and Challenges**
6. As highlighted above, the attacks against IDPs in El Geneina in December 2019 occurred when UNAMID had completely withdrawn its peacekeeping elements from West Darfur. This meant that at the initial phase of the attacks, data and information was largely relayed through third party sources. UNAMID human rights monitors undertook three fact-finding missions to El Geneina. The first took placed from 6 – 10 January 2020, and focused mainly on visits to sites of attacks, including Krinding 1 and II and Sultan House IDP camps; the second fact-finding mission was conducted from 9 – 13 February 2020 while the third took place from 19 to 21 February 2020. The team visited the El Geneina hospital, which was subject to looting by the RSF and armed Arab militias. As the attacks resulted in further displacement, large numbers of IDPs fled the camps and were temporarily housed at three locations in El Geneina: Madrasa Tigaria Secondary School; El Geneina Locality Office; and the El Zahra Primary School in El Geneina town. The human rights fact-finding team visited these premises and interviewed victims and witnesses who provided first-hand recollection of the attacks. The fact-finding team observed extensive physical destruction in the three IDP camps as well as private properties belonging to civilians, including IDPs.
7. Due to the ferocity and extensive nature of the attacks, several neighborhoods and localities in and outside El Geneina were affected. In this regard, the fact-finding team conducted 45 interviews with individuals who were witnesses, victims or family relations of some of the IDPs who were killed. Testimonies from victims and witnesses were consolidated with interviews with local civil society groups, community leaders and health authorities in El Geneina. These interviews provided additional insights to the sequence and nature of the attacks and formed the basis for follow up meetings with law enforcement and judicial institutions. To this end, the fact-finding team held meetings with the Director of the West Darfur Police Investigation Unit to obtain further information on the attacks and status of investigations, including arrest of alleged perpetrators. Similar meetings were held with state prosecutors to appraise action taken in the aftermath of the attacks.
8. The attacks outside El Geneina affected 40 villages within 30-70 kilometres from El Geneina city. Information from local networks, community leaders and victims in the affected villages was gathered and analyzed. In addition, an inter-sector rapid needs assessment mission to the affected villages provided useful information especially in relation to the scale and impact of the attacks.[[1]](#footnote-1) To ensure reliability, all third party information shared with human rights monitors was gauged against a standard of proof based on reasonable grounds to believe that an incident or pattern of violations or abuses, some of which may amount to violations of international law occurred, when there is a credible body of information, consistent with other information from various sources, indicating their occurrence. This standard of proof is sufficiently high to warrant judicial investigations into violations and abuses. Based on this approach, human rights monitors confirmed the killing of 12 civilians and the burning of over 400 houses during the attacks against 40 villages outside El Geneina.
9. Other planned meetings by human rights monitors with the acting Wali (Governor) of West Darfur and officials of the State Security Committee could not be held. Considering the prevailing security situation and the nature and the extent of the attacks outside El Geneina, it is likely that the total number of victims may be significantly higher than that stated in this report. This is especially valid for sexual violence cases, usually underreported due to social stigma and the reluctance of victims to report.. As a result, only 12 cases, including the gang rape of an 18-year old girl, could be confirmed out of numerous allegations (more than 40) alluded to in interviews with witnesses, survivors and social workers. Photographic and video images from witnesses and victims, some of which were widely circulated in social media, were analyzed to appreciate the scale and nature of the attacks. In consideration of the traumatic nature of the attacks, interviews were conducted with considerable caution to protect victims from further harm as well as respect their individual sensibilities.

1. **Legal Framework**
2. The legal framework used in this report is informed by principles and treaty obligations in several international instruments ratified by the Sudan. This include the International Covenant on Civil and Political Rights (ICCPR)[[2]](#footnote-2), and the African Charter on Human and Peoples’ Rights (ACHPR).[[3]](#footnote-3) According to the Human Rights Committee (HRC) which monitors the enforcement of the ICCPR, the right to life is “a supreme right from which no derogation is permitted.”[[4]](#footnote-4) The Committee places the duty on Member States to “prevent arbitrary killing by their own security forces[[5]](#footnote-5) and describes security of the person to include “freedom from injury to the body or bodily integrity.”[[6]](#footnote-6) As a signatory of these treaties, the Sudan is bound to respect the human rights guaranteed by the instruments and to take necessary measures to protect and prevent violations of these rights whether committed by its own State security forces or by other non-State actors.

1. Non-State actors involved in a non-international armed conflict such as armed Arab militia groups in Darfur are equally under the obligation to respect international humanitarian law, especially that enshrined in Article 3 common to the four Geneva Conventions of 12 August 1949[[7]](#footnote-7) as well as the Protocol Additional to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts of 8 June 1977.[[8]](#footnote-8) Such armed militia groups are also bound by customary international law which prohibits violence to the life and well-being of persons and provide for belligerents to refrain from attacks against civilians and civilian objects. Sudan has ratified three of the four Geneva Conventions as well as the 1977 Additional Protocol relating to the Protection of victims of Non-International Armed Conflicts. It also ratified the Optional Protocol on the involvement of children in armed conflict, with reservations.
2. Forced displacement of populations is prohibited by international law and can be considered as a crime against humanity.[[9]](#footnote-9) The United Nations Guiding Principles on Internal Displacement provide guidance to States with regard to their legal obligations to protect IDPs and their property.[[10]](#footnote-10) Principle 5 stipulates that “all authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.” Principle 6 provides that “every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.” According to Principle 3, “national authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.”
3. Sudan's national legal framework provides for the respect and protection of human rights, including incorporation of international treaty obligations in both the Interim National Constitution of 2005 and the Constitutional Declaration of August 2019. In addition, The Sudan’s Armed Forces Act of 2007 provides regulations and guidance on the conduct of military personnel. Articles 7(1 b) and (1 c) on the organization and functioning of the Sudanese Armed Forces requires that the forces comply with human rights and international humanitarian law, while Article 155 imposes penalties on attacks by the Sudan Armed Forces (SAF) on civilians. According to internationally acceptable standards, recourse to force, and particularly, to firearms, must be proportionate and in accordance with the principle of "a graduated response."
4. The attacks described in this report were carried out in a widespread, systematic and targeted manner. The human rights violations deriving from them, if established before a court of competent jurisdiction, could constitute crimes against humanity. Moreover, the human rights violations and abuses violated during the attacks in El Geneina and surrounding villages are protected in Sudan’s Interim National Constitution[[11]](#footnote-11) and Constitutional Document and could constitute offences under Sudanese criminal law, including murder, deliberate physical assault, abduction, rape, looting and destruction of property, which attract prison sentences under Sudan’s penal law.[[12]](#footnote-12) These applicable national and international legal provisions provide grounds for the prosecution of perpetrators of the attacks and documented human rights violations and abuses as means to address impunity and ensure justice for the victims.
5. **Context and Background of the Attacks**

*Tensions and competition over land*

1. From 29-31 December 2019, the Rapid Support Forces (RSF) and proxy armed Arab militia groups launched a ferocious attack on Krinding I and II, and Sultan House IDP camps in El Geneina, West Darfur. The attacks also extended to 40 villages outside El Geneina with large scale looting of civilian properties. **The attacks were triggered by retaliation for the killing of an Arab man by an IDP from the Masalit ethnic group in what appeared to be a personal dispute during a coffee break.** The Masalit are primarily a farming community and own vast expanse of land in Habila, Beida, El Geneina, and Kereinik localities in West Darfur. At the height of the conflict in Darfur, Arab herders, predominantly the northern Rezeigat, forced Masalit farmers to vacate their lands, which compelled significant numbers to flee to Chad while others were displaced in IDP camps in El Geneina.
2. From 2017-2018, an increased number of Masalit refugees voluntarily returned from Chad and claimed back their lands. However, the influx of voluntary returnees ignited a new wave of violence against the IDPs by Arab herders, who viewed the returnees as threat to their occupation of the land, which they had used for grazing for over ten years. The attacks on farmers increased in 2019 due to the political vacuum and weakened governance structures following the declaration of a state of emergency and the subsequent military coup. When the former regime collapsed in April 2019, the Masalit and other communities who had suffered decades of marginalization, became more emboldened and assertive. This led to tensions and retaliatory attacks on Arab settlements that resulted in displacements in Mornei, Masteri, Kereinik, and Sisi localities, West Darfur.
3. In El Geneina, tensions between Masalit IDPs and Rezeigat Arabs increased in 2019 after the fall of Omar Al-Bashir’s government. The radicalized Masalit youths who had taken active part in public protests, became more assertive in their quest to appropriate social spaces, while the Arabs tried to preserve their influence and privileged position they enjoyed in West Darfur for almost a decade when the position of Deputy Wali (Governor) was allocated to them. After the attacks on IDP camps and civilian properties in El Geneina on 29 December 2019, the Arab militia extended the attacks on Masalit communities outside El Geneina from 31 December 2019 and lasting several days. Consolidated information gathered by UNAMID indicated that the attacks were coordinated and intended to inflict maximum possible violence on Masalit communities. The attacks were accompanied by extensive looting of civilian properties with Masalit farmers particularly targeted.

 *Links between the RSF and Arab militia groups*

1. In their current form, the RSF are a relatively new entity in Sudan’s security architecture. Prior to their formation, a significant number of RSF personnel were affiliated with pro-government militia groups under the command of predominantly Arab commanders, enlisted to support government’s efforts to end the rebellion in Darfur, Kordofan and Blue Nile. In the aftermath of the arrest and detention of Musa Hilal in November 2017, the Border Guards Unit was dissolved, and large numbers of its personnel were merged into the RSF. The RSF were formally constituted as a formal state security entity in August 2013 and initially placed under the command of the National Intelligence and Security Service (NISS). In 2016, the RSF were restructured and placed under the oversight command of the Sudan Armed Forces (SAF). However, due to their influence and determination to exist as an autonomous security entity, the RSF have generally remained outside the command responsibility of SAF, except during military operations in Darfur and the Two Areas.
2. The relationship between the RSF and armed Arab militias in Darfur is a long standing one rooted in ethnicity and sustained by common economic, social and political motivations. Although Arab militia groups are not part of the regular armed forces of Sudan, they operate as a proxy force to the RSF and sometimes served as sources of recruitment. Their involvement in joint attacks against IDPs and looting of property in El Geneina and surrounding villages reinforce the links between the RSF and Arab militia groups. In the context of the El Geneina attacks, the coordination between the RSF and Arab militia groups also illustrates the depths of collaboration. UNAMID monitors have gathered from local sources, that on 29 December 2019, Arab militia groups and RSF personnel met at the compound of the Wali of West Darfur, where statements inciting violence against IDPs were made. Local sources interviewed by UNAMID monitors have claimed that the attacks were planned at that meeting, which was reportedly attended by RSF commanders and State security elements. The sources also alleged that following the conclusion of the meeting, RSF elements and armed Arab militia groups drove to the three IDP camps in El Geneina and began the attacks. The RSF have denied the claims.

*Nature of the attacks and complicity of the RSF*

1. On 29 December 2019, an IDP from the Masalit ethnic group stabbed an Arab man at Krinding IDP camp, following a personal dispute. The man later died of his injuries in El Geneina hospital. In retaliation for his killing, the RSF and armed Arab militia launched a full-scale attack against IDPs at Krinding I and II and Sultan house IDP camps. UNAMID monitors gathered that while in the camps, the RSF and armed Arabs, shot and killed IDPs, burned homes, raped women and girls as well as looted personal belongings. While the attacks on homes were intermittent, the shooting reportedly continued for three days. State officials informed UNAMID monitors that the Sudan Police personnel were dispatched to the camps, but their intervention was inadequate due to the superior firepower of the RSF and Arab militia. A reinforcement from the Sudan police was reportedly dispatched on 1 January 2020 to halt the attacks. Through victims and witness testimonies, the human rights fact-finding teams established that during the three days attacks in El Geneina, 89 civilians were killed, 140 injured and at least 40,000 were displaced, among whom, 32,000 are IDPs from the affected camps.
2. The attack on El Geneina hospital began at 11:00 pm on 29 December 2019. According to testimonies from medical personnel, the hospital was attacked while 12 injured civilians were being treated. A large group of armed men forcefully entered the hospital, intimidated and threatened patients and medical practitioners. The violence forced several medical personnel and patients to flee for safety. Local sources explained that the perpetrators proceeded to the hospital guest house, blew the doors open and forcibly escorted medical staff to the hospital to treat injured elements from the RSF and Arab militia. The perpetrators reportedly left with looted medical supplies. Following the violence at the hospital, medical staff went on strike for two days. One police officer was reportedly killed during the attack.
3. The attacks on 40 returnee villages,[[13]](#footnote-13) located 30-70 kilometres south and southwest of El Geneina, occurred on 31 December 2019. The villages were subjected to extreme violence, including killings, burning of properties, sexual violence and looting. The attacks resulted in civilian displacements, while 11,000 reportedly fled to neighbouring Chad. Consolidated information provided to human rights monitors confirmed the killing of 12 civilians in various villages.

1. **Human Rights violations**
2. The attacks in El Geneina and surrounding villages indicate a particularly high number of victims of human rights violations and abuses. The perpetrators particularly targeted men, who some witnesses claimed, were shot on site, which explains the much higher number of male deaths[[14]](#footnote-14) during the attacks. This include violations of the right to life, looting and destruction of property. Most of the persons HRS interviewed were able, in a consistent manner, to identify the armed entities reported to be responsible for the violations and abuses. Interviewees identified reported perpetrators by their dress, language and ethnic belonging, although, in general, they were unable to provide the exact identities of persons responsible for the violations, or of their leaders. However, some witnesses saw the RSF commander enter the camp with RSF personnel in 4-wheel drive vehicles mounted with machine guns. One witness testified thus: “*On 29, when I closed my shop and was on my way home, I saw an ambulance and many vehicles mounted with machine gun. I also saw the RSF commander, Musa Ambelo. I alerted my family saying that, it’s not a good sign to see him in the camp with such kind of vehicles and machines guns.”*

*Violation of the right to life*

1. During fact-finding missions, UNAMID documented the arbitrary killing of at least 101 civilians, of whom 87 were reportedly killed by the RSF and armed Arab militias. At least four civilians were killed on 29 December 2019 before the widespread attacks took place and which triggered the attacks in IDP camps and other locations .It is believed that the actual number of victims could be much higher. During attacks on the IDP camps, reportedly, the RSF and armed militia deliberately targeted unarmed civilians with the intention to inflict maximum possible violence, including killing. Elements of the RSF in uniform and Arab men in civilian clothes carrying firearms, reportedly took positions around the IDP camps, then attacked homes in small groups. An eyewitness who was attacked at home in Krinding I IDP camp on 29 December recounted his experience to UNAMID monitors: “*The RSF came to my house and accused me of taking pictures of what is happening and sending them to the media. Two of the people in the house were injured. One of the injured was running to seek refuge in my house and was shot and stabbed on the head by militia who also set his house ablaze. The second injured man was shot and wounded in his neck. The two injured men stayed two days without any medical treatment…”*
2. UNAMID monitors also documented instances where victims were burnt alive in their homes or killed. Victims of arbitrary killings were, in large majority, of non-Arab ethnic origins. Most victims were men as attackers targeted men and male children particularly. The Team documented testimonies of female witnesses who helped their husbands to flee before the armed men reached their homes or wore their male children female dresses to disguise their appearances. Of the 101 civilians killed 92 were men, including two minors aged 11 and 12-years-old.

*Violation of the right to physical integrity*

1. UNAMID monitors documented a significant number of cases of violation of the right to physical integrity during attacks against the IDP camps in El Geneina. Witnesses testified to numerous instances of injuries sustained from gunshots, beatings with objects and stabbings with knives. One witness described the ordeal as “three continuous days of attack, killing and injuring civilians.” At least 140 civilians were injured during the attacks in El Geneina. Some of the injured who sought medical assistance at the El Geneina hospital were attacked while being treated.

*Sexual and gender-based violence against women and girls*

1. Through triangulation of information from different sources, including the inter-agency assessment mission to other affected villages, UNAMID can confirm that sexual and gender-based violence on a large scale and in different forms was perpetrated against IDPs during the incident. This includes sexual violence, including gang rape, abduction, physical assault, harassment, looting of property while on transit and humiliation while fleeing to El Geneina. UNAMID monitors documented 12 confirmed cases of sexual violence in the form of rape against IDP women at the camps.[[15]](#footnote-15) During the attacks several women were raped at gun point allegedly by RSF and Arab militia. One interviewee eyewitness said: “*Two girls, around 18 to 20 years ran for refuge in my house. While they were in, four militias entered, and gang raped both in front of me at gun point.”* A survivor from Sultan House IDP camp testified to having been gang-raped in her home: “*I don’t remember the exact date; it was the day of the attack. More than ten militias in uniform entered my house. They attacked me, some of them pushed me to the floor and all of them raped me.*” Other women were reportedly raped in the presence of their children. For instance, while escaping from the violence with her children on 31 December, a woman was reportedly stopped by elements of the RSF. She narrated: “*They asked me for money. I refused and they threatened to kill my kids and slaughter my two-year-old son in front of me. They all raped me in the open in front of my children.”*
2. A survivor of gang rape recounted her ordeal to UNAMID monitors: “*I live in Krinding II camp. On 31 December, around 7am, there was heavy shooting inside the camp. Six men in uniform entered our house, two of the men raped me. My brother tried to protect me, but they shot and killed him. They started to rape me again. I screamed for help and a neighbor rushed into my house to help. The militias shot and killed him too. They started to rape me again. My mother came in and started to hit them. They let us go and so we ran.”*

*Violation of the right to property*

1. The attacks reportedly carried out by the RSF and armed Arab men were systematically accompanied by looting and destruction of houses. According to the findings of an Inter-sector Rapid Assessment[[16]](#footnote-16) published on 18 January, over 420 houses were burnt in more than 15 villages outside of El Geneina with as many as 213 houses burnt in Jeita village alone. In Jagjagei village, the entire houses were burnt. The presumed perpetrators also burnt a significant cross-section of Krinding I and II and Sultan house IDP camps during the periods of attacks. More than 5000 investigated complaints have been filed with the Civil Defence Police for certification of loss. The complaints contain itemized property lost or damaged during the attacks, including cars, rickshaws, money, houses, kitchen utensils, grinding machines, and birth, marriage and school certificates. Most of the houses were burnt in IDP return villages, leading to renewed displacement. The burning of villages occasionally led to violations of the right to life, as the presumed perpetrators, in some instances, burnt alive people who were hiding inside their houses[[17]](#footnote-17).
2. The attacks were accompanied by extensive looting. In many instances, the perpetrators reportedly demanded money from victims and threatened to kill or injured them when they resisted. In the course of the attacks, perpetrators looted property belonging to victims including kitchen utensils, money, livestock, phones and valuable items. A witness recounted an incident of looting in Krinding II on 30 December: “*Around 5pm, armed militias came and forced us out of the house. They pulled out a vehicle belonging to an IDP man from the house. Then they burnt the house after taking out the vehicle. The militias took four tuk-tuk (Rickshaws used for transport) from us belonging to my uncle and cousin.”* Some witnesses narrated instances of Arab women’s involvement in looting as armed Arab men forcibly displaced residents from their homes in the IDP camps. A pattern of looting could be distilled from witness testimonies showing armed men looting much bigger assets like vehicles and Rickshaws (tuk-tuk) while Arab women looted smaller household item.

*Forced civilian displacements*

1. According to the International Organization for Migration (IOM), a total of 41,672 IDPs fled Krinding I and II and Sultan House IDP camps since the attacks on 29 December 2019. As of 19 February 2020, the IDPs were sheltered in 37 gathering sites in schools and public buildings in El Geneina. The United Nations High Commission for Refugees (UNHCR) has reported that about 11,000 civilians fled to neighbouring Chad and the number is expected to rise due to prevailing tensions and fear of further attacks.
2. The systematic burning of houses and killing of civilians by the perpetrators may have been intended to displace the populations and prevent their return. This intention could be distilled from a video footing, corroborated by witnesses, capturing inflammatory speeches inciting Arabs to permanently dislodge occupants by destroying the camps and Rokero market, predominantly inhabited by Masalits. In the video, voices are heard saying: “…*to the people gathered…we will not accept blood money; we need just retribution. Rokero market should be transferred…the whole camp should be transferred… we do not want Rokero market there*”. Rokero market was burnt during the attacks. While the video appears credible, human rights monitors could not independently verify it.
3. Outside El Geneina, over 40 Masalit villages were attacked with 15 of them abandoned after experiencing various forms of violence including burning, looting, harassment and sexual and gender-based violence, including rape, which led to population displacement to various locations including Chad and El Geneina. The abandoned villages include Doroti, Koro, Wadi Nyala, Baradya, Debei, Alla Maragah, Tajoona, Gadeer, Tirya, Kondola, Anjilata South, Anjilata North, Daltang, Kondola and Jeita. Some of the residents of abandoned villages have settled in gathering sites in El Geneina.
4. **Responses by State Authorities, UNAMID and Humanitarian Agencies**

*Responses by State authorities*

1. In response to the December 2019 attacks against IDPs, the West Darfur state authorities deployed Sudan police personnel to the camps but were initially overwhelmed by the superior firepower of the RSF. A reinforcement was dispatched two days later. The complete absence of security forces to protect civilians during the attacks was confirmed by several victims and witnesses interviewed by UNAMID monitors. On 30 December 2019, Sudan’s Sovereign Council and the Council of Ministers held a joint meeting and decided to send troops to control the situation in El Geneina. A joint military force consisting of the SAF, RSF, NISS and elements of the Sudan Police Force was subsequently deployed on 1 January 2020. The RSF were however withdrawn from El Geneina city and redeployed to Nyala, presumably due to their involvement in the incident and public anger towards them.
2. The political response of the Transitional Government of Sudan was timely and appropriate. On 31 December 2019, the Prime Minister, Abdallah Hamdok, and Lt. Gen. Hamdan Dagalo “Hemeti”, a member of the Sovereign Council and General Commander of the RSF suspended the Darfur track of peace talks in Juba and travelled to El Geneina where they held meetings with Masalit and Arab leaders to encourage intercommunity dialogue and reconciliation. The meetings resulted in the signing of a ‘cessation of hostilities agreement” between the leaders of the two ethnic communities. The government complemented this initiative by sending a high-level delegation to El Fasher in North Darfur to engage with local leaders for dialogue on peaceful coexistence. Moreover, Sudan’s Attorney General has created a committee for special investigations that has opened judicial enquiry into the attacks. The inclusion of a representative of the RSF in the committee has however drawn criticism from the public as it casts doubt on the impartiality of the committee, considering RSF’s reported involvement in the attacks being investigated. Affected persons are frustrated with the slow pace of investigation and suspect authorities are sheltering perpetrators hoping the passage of time would dent the thirst for justice of victims.
3. On the reparation front, the State set up an investigation committee for the assessment of property losses resulting from the attacks, coordinated by the Sudan Police Force and the Civil Defence Police.[[18]](#footnote-18) The office of the Civil Defence Police has received over 5000[[19]](#footnote-19) investigated complaints for which a certificate will be issued establishing property lost and damaged and their estimated value where applicable. The assessment certificates will also provide the basis for estimating the total value of damage resulting from the attacks and any reparation schemes the State would initiate to mitigate the effects of property damage.

*Responses by UNAMID*

1. UNAMID withdrew peacekeeping presence from West Darfur in 2019. Its current operations in El Geneina are through the SLF with focus on capacity development and peacebuilding activities. However, from 29 December 2019 to 5 January 2020, UNAMID convened daily crisis management meetings to monitor and assess the situation in El Geneina. On 1 January 2020, UNAMID temporarily relocated its staff to Zalingei, Central Darfur due to the volatile situation in El Geneina. On 13 January 2020, the UNAMID Head of Mission visited El Geneina and held meetings with IDPs, community leaders and state authorities on the attacks and discussed ways to strengthen measures taken by state authorities to restore stability in El Geneina and surrounding areas as well as the humanitarian support to affected populations and the return of IDPs to their areas. The UNAMID Head of Mission also held a separate meeting with the heads of UN field presences in El Geneina dealing with the aftermath of the crisis. Similarly, on 23 January 2020, an integrated UNAMID team visited El Geneina to assess the situation and follow up on progress in relation to the provision of support to the victims. Following the outbreak of the violence, the Protection Monitoring Group within the SLF in West Darfur in collaboration with the UNHCR, established three emergency response sub-groups to carry out remote monitoring, human rights monitoring at gathering sites and field missions, including to locations outside El Geneina. Advocacy initiatives at the federal and state levels continued to be undertaken to highlight the obligation by State authorities to ensure that investigations into the attacks are thorough and transparent.
2. In a bid to fill recognized protection knowledge gaps within the Rapid Support Forces, the UNAMID Human Rights Section organized a three-day training workshop from 24-26 February 2020, on international human rights and humanitarian law for personnel of the Rapid Support Forces at the request of its senior command. The ground-breaking training that was attended by UNAMID Head of Mission as well as the RSF commander, Lt. General. Mohammad Hamdan Dagalo, focused on topics that enabled participants to grasp the concept of command responsibility, the obligation of state security forces to protect civilians during conflict and in peace time and protection of vulnerable groups, particularly children and women. The training was specifically designed to expose RSF personnel to concepts and cultures of human rights and international humanitarian law which could address systemic protection concerns associated with the RSF with the view to combat impunity and improve accountability. The UNAMID Human Rights Section has earmarked further training workshops for the RSF in the Darfur Region.

*Responses by humanitarian agencies*

1. Some humanitarian agencies on ground provided limited emergency medical services for injured persons as well as food and non-food items for the displaced populations. An inter-sector coordination meeting of the Protection Cluster (WFP, UNDP, UNFPA, IOM, UNICEF) was convened on 2 January 2020 to discuss the emergency response to the affected IDP communities in El Geneina. In line with the emergency response plan for victims, humanitarian organizations have been providing food rations, water, shelter, sanitation, health and psycho-social support to approximately 48000 IDPs in 37 gathering sites in El Geneina. An inter-sector needs assessment has been conducted that has identified the urgent needs of the conflict affected populations in 40 villages outside Geneina city in the areas of livelihoods and food security, water, sanitation and health, non-food items, emergency shelter, nutrition, education and protection, including support for sexual violence survivors. Despite the coordinated response, the need for humanitarian assistance remains high considering the large scale of displacement.
2. With regard to gender-based violence and related protection concerns, the Committee on Violence Against Women (CVAW), the State Council for Child Welfare (SCCW) and Sudan’s Ministry of Health and Social Development (MoHSD) were the initial responders in El Geneina by deploying social workers in 27 gathering sites, mainly to sensitize the IDPs on GBV. The GBV coordinator was deployed to coordinate the response and GBV sub sector for West Darfur was re-activated**.** GBV personnel from UNFPA Khartoum were also deployed to support the response. Additionally, UNFPA is working on deploying 3 psychologists to support the provision of psycho-social support and trauma counseling. Currently, counseling services are provided at El Geneina hospital by MoHSD psychologists as well as within the MoHSD. Additional social workers have been deployed to the gathering sites by the MoHSD and MSF Spain to increase awareness on sexual violence within the gathering sites. Community protection networks have also been established in the gathering sites to support the social workers in awareness creation. UNICEF has deployed a social worker trained in childcare services to support response for GBV cases for children. UNICEF is also working through the Child Protection desks to respond to child protection issues, including GBV.
3. A team composed of UNFPA, UNICEF, UN Women, UNAMID SLF and SMoHSD is coordinating the response. The team has mapped available services and established a referral mechanism with medical response, psycho-social support, safety/ security and legal advice being provided. Other I/NGOs including ADRA, NADA and SEEMA Centre have expressed interest to restart programming in El Geneina if funding is available. The GBV confidential corner is operational at El Geneina hospital and CMR kits are available as well as trained medical personnel. Considering that women and girls willingly share information on abuse with midwives, a mapping of available midwives has been done and plans are underway to build their capacity on GBV response. There are also approximately 3,500 dignity kits available for distribution contributed through UNFPA, UNHCR, UNICEF and IOM. These are complimented by 1,000 hygiene kits. UNFPA has initiated procurement of 7,000 dignity kits to plug the gap. However, the need is higher factoring in the women and girls in other affected villages as well as some very vulnerable host populations.
4. **Conclusions and recommendations**
5. The extensive nature of the attacks against IDPs, looting and destruction of properties, as well as attacks on El Geneina and surrounding villages, illustrated a degree of coordinated planning with the intention to inflict maximum possible violence on the Masalit community. This resulted in arbitrary killings, mass displacement, and sexual violence against women and girls. Consolidated information gathered by UNAMID monitors indicate that the attacks were aggravated by the involvement of the RSF, whose heavy weapons and large personnel numbers, overpowered the local police who were dispatched to stop the violence. Yet, the number of victims and civilian displacements highlighted in this report are not necessarily exhaustive due to limitation of fact-finding missions and logistical constraints. However, the findings from interviews and data consolidation from various sources, provide sufficient basis to conclude that the attacks in El Geneina have profound security and human rights implications and may constitute serious crimes under both national and international law.
6. While some efforts have been taken by state authorities, UNAMID and UN agencies to de-escalate as well as provide support to the victims, the scale of the attacks and the seeming inability by state security entities to halt the attacks, raise serious protection concerns. Considering the traumatic experiences of IDPs and the direct targeting of the Masalit community, tensions are likely to linger for the foreseeable future with potential violence and retaliation. Thus, as a matter of great urgency, state authorities must put in place robust protection mechanisms, while also addressing the grievances of the victims, the majority of whom remain sheltered in schools and public buildings. Moreover, the inclusion of the RSF in the joint force deployed on 1 January 2020 to control the situation and protect the camps and IDP gathering sites was received with misgivings by the Massalit community who have suffered the greatest losses from the attacks. The subsequent withdrawal of the force and its redeployment to Nyala, outside of El Geneina, is an appropriate response to allay the concerns of populations dominantly affected. Despite a visit to El Geneina by members of the transitional government, the underlining root causes of the attacks—impunity and weak rule of law and governance systems—have not featured adequately in the discussions relating to the incident.
7. Considering the reported extensive involvement of the RSF in the attacks, which invariably escalated the violence, there is compelling need for security sector reform (SSR) as part of the transition agenda in Sudan. The reform is especially necessitated by two main factors. First, the current form, composition and structures of Sudan’s security architecture are not aligned to a protection posture that prioritizes the enhancement of the safety, security, human rights and wellbeing of civilians. This is partly because the security entities and the architecture from which they operate, were designed with the primary goal of sustaining the political survival of the former regime. As part of this survival strategy, security entities were granted excessive powers and immunities with weak or no accountability guarantees. While efforts were made in recent years to reflect the duty to protect and obligation to respect the human rights of civilians in some of the legislative amendments, the conduct of defense and security entities and their interaction with civilians have largely been through violence.
8. Second, over the past decades, Sudan’s security entities have been engulfed in various conflicts in Darfur, Kordofan, Blue Nile and the war of independence for South Sudan. During this period, security entities were calibrated in a posture of permanent war with significant national resources mobilized for this purpose. Despite concerns over the years regarding the conduct of the security entities, no serious attempts have been made for reform. As the political landscape in Sudan has opened a window of opportunity for institutional reform, the transformation of the security architecture should be an urgent priority. In the discussion on the follow-on mission as successor to UNAMID, a preliminary security sector assessment should be included in the mandate of the mechanism to pave the way for SSR during the transition period.
9. Based on the findings of this report, UNAMID/OHCHR recommend the following:

 **To the Transitional Government of Sudan**

* Take measures to prevent renewed attacks against civilians in West Darfur and to deploy enough defence and security forces equipped with the necessary logistical resources to ensure the effective protection of civilians.
* Reinforce security in affected IDP camps in El Geneina and surrounding villages, through the deployment of enough defence and security forces to allow civilians to return to the camps and villages.
* Undertake a credible and transparent security sector reform (SSR) to address security concerns associated with state security entities, ensuring they are aligned to a civilian protection posture with adequate accountability guarantees. Also consider the human rights violations documented in this report and the responsibility of their alleged perpetrators in security sector reform measures that may be carried out.
* Facilitate and support the establishment of community reconciliation mechanisms, in order to avoid extending ethnic conflicts to other parts of Darfur.
* Conduct impartial, transparent and timely investigations into all human rights violations and abuses, particularly those documented in this report and to prosecute their alleged perpetrators.
* Set up a victim reparation scheme that ensures victims and their families are provided with reparations and witnesses are protected.
* Take measures, including disciplinary sanctions and dismissal, against members of the security forces who were involved either directly or through command responsibility in serious human rights violations or crimes under international humanitarian law.
* Disarm militia groups and disassociate them from state security forces to ensure that large- scale violence is prevented, and clear responsibility attributed to perpetrators of violence.

**To the international community**

* Continue support to the Sudanese defence and security forces, with the view to strengthen their capacity to protect civilians in Darfur in compliance with human rights standards.
* Conduct a comprehensive needs assessment and provide humanitarian assistance to the victims of grave human rights violations and to civilians displaced due to the attacks.
* Encourage and support Sudanese authorities in the investigation and prosecution of the alleged perpetrators of human rights violations.
* Provide the necessary logistical and other support to Sudanese authorities to facilitate the deployment of defence and security forces to hotspots in West Darfur.
* Considering the persistent refusal of IDPs to return to the camps due to the ethnic affiliation of government defence and security forces and lack of trust in their capacity to provide physical protection, a temporary deployment of UNAMID Police (FPU) may be considered to assist the government in facilitating the return and provide protection to IDPs during the process.
* UNAMID and UNCT should recalibrate SLF engagements in West Darfur and strengthen information collection, analysis and early warning in order to detect early indicators of escalation of violence.
* Advocate for SSR mandate for the follow-on mission in Sudan with corresponding adequate financial and material support as warranted.
1. The inter-sector rapid needs assessment report published on 18 January 2020 documented information on 40 villages surrounding El Geneina affected by the attacks of 29-31 December 2019. [↑](#footnote-ref-1)
2. The Republic of Sudan ratified the International Covenant on Civil and Political Rights (ICCPR) on 18 March 1986. The Convention guarantees the right to life (Article 6), and the right to physical integrity and prohibits the use of torture and cruel, inhuman or degrading treatment or punishment (Article 7). [↑](#footnote-ref-2)
3. The African Charter on Human and Peoples’ Rights (ACHPR) was adopted on 27 June 1981 in Nairobi and ratified by Sudan in 1986. It guarantees respect for the right to life (Article 4), and integrity of the person (Article 5) and the right to property (Article 14) [↑](#footnote-ref-3)
4. HRC, General Comment No. 6 on Article 6 (Right to life). [↑](#footnote-ref-4)
5. Ibid. [↑](#footnote-ref-5)
6. 613/1995*, Leehong v. Jamaica*, para.9.3. [↑](#footnote-ref-6)
7. Common Article 3 offers an international minimum protection to persons taking no active part in hostilities, highlighting humane and non-discriminatory treatment. [↑](#footnote-ref-7)
8. Article 17prohibits forced movement of civilians unless their security so demands or for military imperatives. [↑](#footnote-ref-8)
9. *See* also Article 7.1(d) of the Rome Statute of the International Criminal Court that defines forced displacement as a crime against humanity. [↑](#footnote-ref-9)
10. Guiding Principles on Internal Displacement, E/CN.4/1998/53/Add.2, 11 February 1998. New York: United Nations. [↑](#footnote-ref-10)
11. *See* Article 15 (right to life and human dignity); Article 32 (right to property); and article 22 (Freedom from torture or cruel, inhuman or degrading treatment or punishment). [↑](#footnote-ref-11)
12. See Sudan’s The Criminal Act 1991, Articles, 130, 138, 144, 149, 161, and 175 providing defining the crimes of murder, bodily harm, intimidation, rape, abduction and robbery, respectively. [↑](#footnote-ref-12)
13. The villages include Jegjege, Andita, Asunga, Dokayat, Jemaiza, Jerrebi, Koro, Wadi Nyala, Sisi, Hashaba, Kadodol, Gokar, Debi, Kobri Jumata, Khair Wajed, Makada, Oshoshi, Hashaba Beida, Kondola, Delenganje, Baradiya, Muli, Helat Zagawa, Alla Maragah, Kokote, Anjelata South, Anjelata North, Jeita, Dalatang, Gadeer, Nyori, Tajoona, Tirya, Mogomie, Tarshana, Doroti, Korkoreya, Jaribi, Habila Beida and Dofor. [↑](#footnote-ref-13)
14. Of the 101 confirmed deaths UNAMID human rights monitors confirmed 83 males and 06 female victims. [↑](#footnote-ref-14)
15. For cases of sexual violence documented, the victims did not report the incidents to the police; neither did they receive medical treatment, making it difficult to confirm the violations. [↑](#footnote-ref-15)
16. See Inter-sector Rapid Needs Assessment. Key findings and Recommendations: Incident Affected IDPs at villages, West Darfur, 18 January 2020. Participants included HAC, AIAMAL, WCC, UNICEF, WFP, OCHA, WHO CONCERN, UNDSS, UNHCCR, IOM, VRRC, IAS,SMOH/SD, DDRA, NORTD,SORR,ISRA,SRCS,IMC,WR,AL-AMAL,WR,WES,SWC, Zelal, MoSA, MoH. [↑](#footnote-ref-16)
17. Witnesses testified to the killing of a shopkeeper in Rokero market when his shop was set on fire. There is also testimony of a witness whose uncle was killed, and his body burnt together with the house he was killed in. [↑](#footnote-ref-17)
18. The Civil Defence Police oversees civil protection in emergency situations. It receives investigated complaints by the police of property loss from individuals and issues an assessment certificate detailing items lost or destroyed and their estimated value. [↑](#footnote-ref-18)
19. This figure was obtained from the Office of Civil Defence Police on 19 February 2020. HRS observed complainants submit new complaints to the Office which the Police has investigated. [↑](#footnote-ref-19)