

Summary and Recommendations



Internally displaced women return to the Fata Borno camp from the Kutum market under escort by African Union peacekeepers, January 2007. The trek takes the women 15 kilometers (9 miles) through open territory. When venturing out of the camps, women are vulnerable to attack and rape, especially from Janjaweed and former rebels. In many places in Darfur the African Union peacekeepers have ceased these escorts and other patrols.



Darfur 2007 Chaos by Design

PHOTOGRAPHS BY GARY KNIGHT / VII



Sudanese soldiers patrol in El Fashir, North Darfur, January 2007.



The Sudan government's campaign of "ethnic cleansing" in the Darfur region has gained widespread international attention since it began four years ago. Today, the situation is transforming from a highly destructive armed conflict between rebels and the government into a violent scramble for power and resources involving government forces, pro-government militia known as "Janjaweed," various rebel and former rebel factions, and bandits. Despite its complexities, this chaotic situation must not deflect attention from the Sudan government's primary responsibility for massive civilian deaths and for the displacement of some 2.4 million people since 2003, including 200,000 refugees.

While the Darfur conflict is often characterized as a clash between "Arab" and "non-Arab" African people, this radically oversimplifies and mischaracterizes the conflict. Rather, the ways in which both the rebel movements and primarily the Sudanese government have manipulated ethnic tensions have served to polarize much of the Darfur population along ethnic lines. These tensions create shifting alliances among the government, Arab and non-Arab tribes, and rebel groups as well as internecine



Sudanese Liberation Army rebels gather in Gereida, South Darfur, January 2007.



conflicts among competing Arab groups and among rebel factions. Rebels and former rebels have directly targeted civilians from other non-Arab groups and attacked African Union (AU) peacekeepers and humanitarian workers trying to provide assistance to Darfurians. These subsidiary conflicts themselves contribute to the mass displacement and deaths of people. The government continues to stoke the chaos and, in some areas, exploit intercommunal tensions that escalate into open hostilities, apparently in an effort to “divide and rule” and maintain military and political dominance over the region.

On July 31, 2007, the United Nations (UN) Security Council, with the consent of Sudan, agreed to deploy a peacekeeping force of up to 26,000 military and police personnel in Darfur. This combined African Union and UN “hybrid” force (UNAMID) is mandated to take over from the beleaguered AU peacekeeping mission, AMIS, which has been operating in Darfur since 2004. The new mission will be equipped with greater resources to protect civilians and humanitarian workers, and to oversee implementation of a tenuous peace agreement.

Members of the African Union peacekeeping force look out from a bunker at their camp perimeter in Kutum, North Darfur, January 2007.

Expectations are high for what UNAMID could accomplish, but it will face many challenges. It is therefore imperative that alongside the peacekeeping operation, the international community maintains continual pressure on the Government of Sudan, as well as other parties to the conflict, to reverse abusive policies and practices that contribute to civilian insecurity. These policies include deliberate and indiscriminate attacks on civilians, continuing support for abusive militia/Janjaweed and the failure to disarm them, obstructing the deployment and work of AMIS peacekeepers and humanitarian workers, failing to address the culture of impunity (including by failing to abolish laws providing immunity or otherwise strengthen the justice system) and refusing to cooperate with the International Criminal Court, and allowing the consolidation of ethnic cleansing through land use and occupation.



The most important task for the international peacekeepers will be to improve security for the civilian population and make freedom of movement possible for the 2.2 million displaced persons inside Darfur and the millions of others who remain in their towns and villages. It is unlikely that the mere presence of international peacekeepers will be enough to deter attacks on the civilian population from government forces, Janjaweed, rebels, and others. In order to contribute to the protection of civilians, Darfur will require a proactive and mobile peacekeeping operation.

The peacekeeping force will also have to create a secure enough environment so that humanitarian groups can reach the estimated 4.2 million people in desperate need. Finally, the force must support the government's law enforcement and justice systems through monitoring, constructive criticism, and capacity building initiatives to enable state institutions to provide protection to Darfur's beleaguered populations rather than serving as an element of their oppression.

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African Union peacekeepers patrol near Kutum in North Darfur, January 2007.





Fata Borno camp in North Darfur, January, 2007.

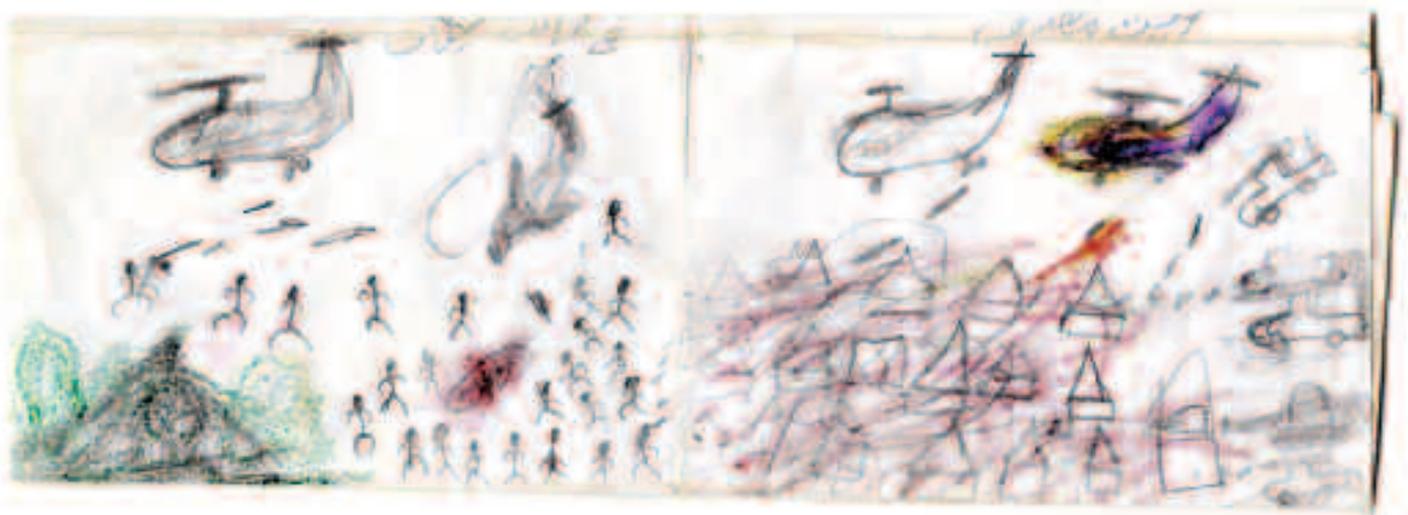


(above) Ten-year-old Moussa, an orphan living in a displaced persons camp, witnessed the killing of his parents when an aerial bomb hit his home.

(opposite) Women counselors help children suffering from trauma at the Kassab camp. Many of the children at the camp witnessed the killing of their parents by Janjaweed.

IN FEBRUARY 2005 DARFURIAN CHILDREN DREW FOR HUMAN RIGHTS WATCH RESEARCHERS SCENES OF ARMED MEN ON HORSES AND CAMELS ATTACKING THEIR VILLAGES. THE DRAWINGS INCLUDED IMAGES OF PEOPLE FLEEING ATTACK HELICOPTERS AND FALLING BOMBS. LARGE-SCALE AIR AND GROUND ATTACKS ARE LESS FREQUENT TODAY, BUT THEY ARE NOT UNKNOWN.

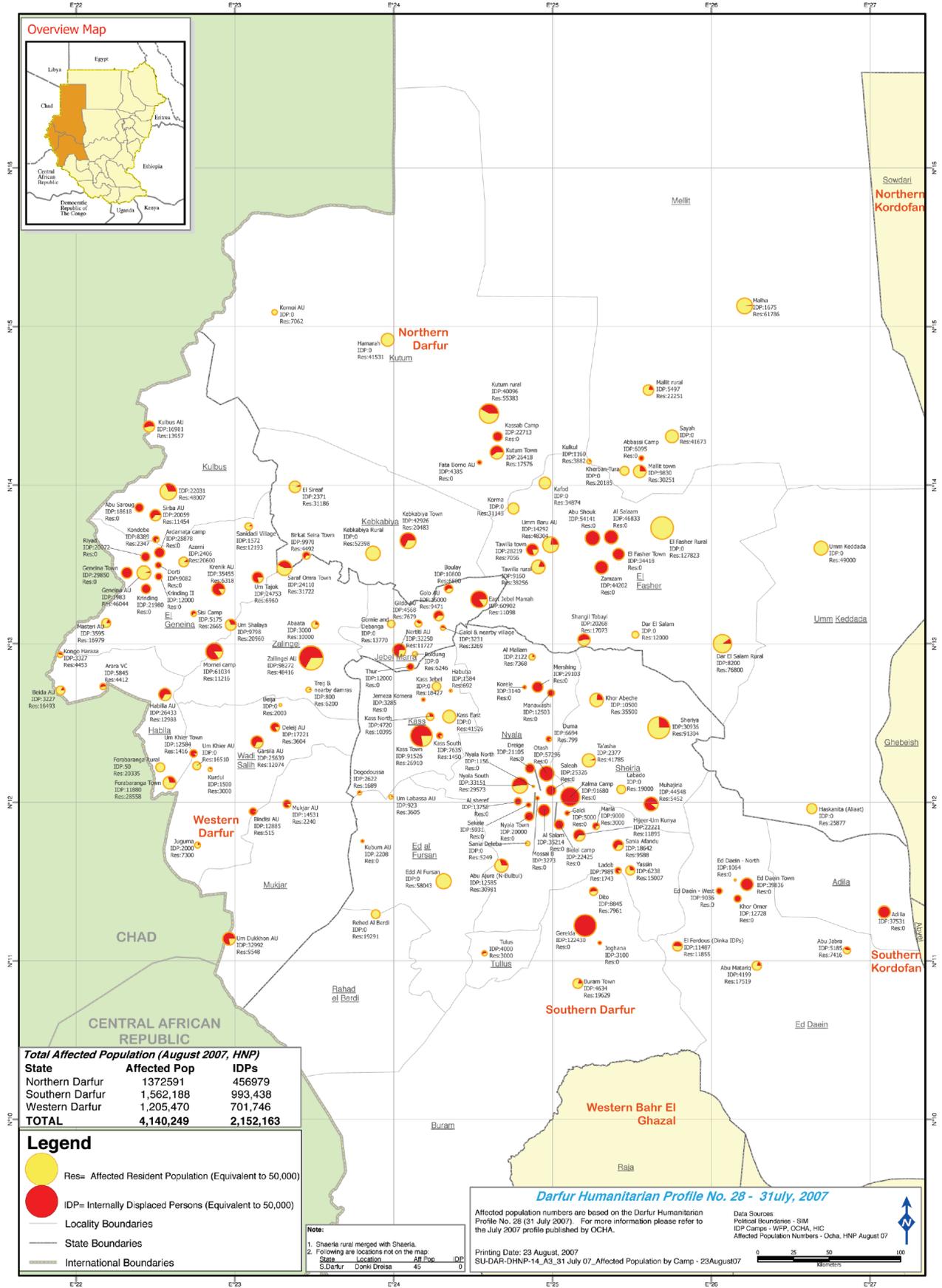
(See page 41).



"In the afternoon we returned from school and saw the planes. We were all looking, not imagining about bombing. Then they began the bombing. The first bomb [landed] in our garden, then four bombs at once in the garden. The bombs killed six people, including a young boy, a boy carried by his mother, and a girl. In another place in the garden a woman was carrying her baby son—she was killed, not him. Now my nights are hard because I feel frightened. We became homeless. I cannot forget the bad images of the burning houses and fleeing at night because our village was burned..."

Taha, age 13 or 14

Affected Population in Darfur (31 July 2007)



* Locality boundaries are not complete for Southern Darfur.

The boundaries and names shown do not imply official endorsement or acceptance by the Government of Sudan or the United Nations



A woman flees after spotting Janjaweed near the area where she was collecting wood, January 2007.

In July 2007 the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that 160,000 people had been newly displaced since January 2007, putting the total number of displaced at 2.2 million and the total number of people receiving relief assistance at 4.2 million, nearly two-thirds of Darfur’s population. OCHA reported that many of Darfur’s IDP camps can no longer absorb new arrivals.

Beyond direct attacks on civilians, the confused nature of the recent hostilities—with inter-tribal fighting and groups switching sides—has contributed to the displacement of civilians. Yet in July and August 2007 government officials told international agency staffers based in Darfur that Darfur’s 2.2 million internally displaced persons were beginning to return home and the international community should cooperate. But what the government described as “voluntary returns” were in fact only brief excursions out of the camps on market days or during the farming season. Few displaced persons left the camps for more than a few days and even fewer returned permanently to their villages.

(See page 50).

Government forces have used military aircraft painted white—the color used by UN and AMIS forces—for reconnaissance, supply operations, and attacks. At a distance, the aircraft resemble United Nations and AMIS planes and Mi-8 helicopters; sometimes they even have UN markings. Use of these white aircraft for military purposes is a violation of international humanitarian law, specifically the improper use of the United Nations emblem, and, when simulating the protected status of peacekeeping forces and humanitarian operations to conduct attacks, the prohibition against perfidy. Use of these planes puts genuine UN, humanitarian, and AMIS flights at risk because rebels might mistake them for legitimate military targets. People in desperate need of aid may flee from humanitarian flights if they cannot distinguish them from government military aircraft.

(See page 37).

Moreover, Darfur's civilians need protection now, and cannot wait for UNAMID to become fully operational. Currently, AMIS is not an effective protection force. Recent efforts to strengthen it with additional resources (such as additional police and logistical capabilities and two additional battalions) have the potential to improve security, as well as ease the transition from AMIS to UNAMID. In this interim period, AMIS protection initiatives that have ceased in certain areas, including daytime, nighttime and firewood patrols, should resume immediately.

The situation in Darfur remains grave. The violations of international human rights and humanitarian law that Darfurians suffered in recent years have continued into 2007. Government air and ground forces have repeatedly conducted indiscriminate attacks in areas of rebel activity, causing numerous civilian deaths and injuries. Looting, beatings, murder, and rape perpetrated primarily (but not exclusively) by government forces, Janjaweed, and former rebels have created a climate of fear that impinges on everyday life for millions of people in towns, villages, and displaced persons camps.

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A Sudanese government Antonov aircraft, often used for bombing, flies over North Darfur in the early morning, January 2007.



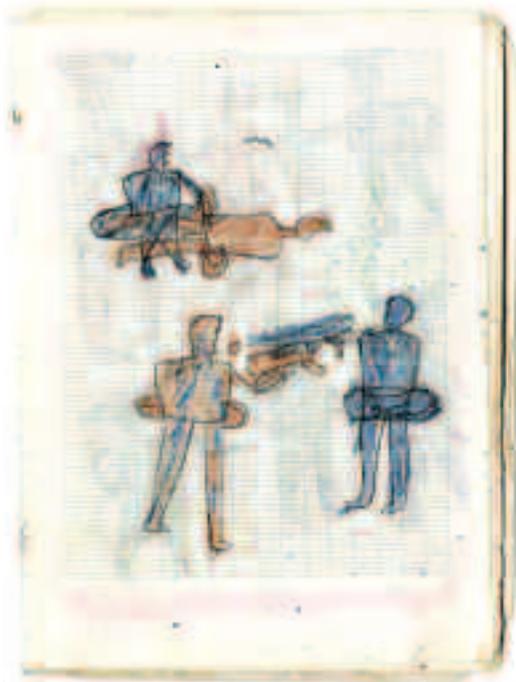
(above) A woman chops and collects firewood near Kutum, North Darfur, January 2007.

(opposite) This 36-year-old woman reported being gang-raped along with three family members in early December 2006 by Janjaweed and Sudanese army soldiers in their village in North Darfur.

RAPE AND SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS HAS BEEN A PROMINENT FEATURE OF THE ETHNIC CLEANSING CAMPAIGN CARRIED OUT BY GOVERNMENT FORCES AND MILITIAS, BOTH DURING AND FOLLOWING DISPLACEMENT IN DARFUR.

The issue of sexual violence remains shrouded in silence. Social stigmatization prevents many victims from telling relatives, doctors, or police what has happened to them. Some government officials deny that rape is a serious problem in Darfur, and humanitarian aid workers are afraid of jeopardizing their work if they speak out about the issue. This allows the police to ignore victims or seek to punish them by countering their claims with charges of adultery.

(See page 51).



People forced to flee their homes who make it into the camps invariably find themselves trapped there. If they venture outside to collect firewood, farm, or attempt to return to their villages they risk being harassed, robbed, beaten, or murdered by Janjaweed or other armed men. Women and girls attempting to carry out the routine activities of daily life are often sexually harassed and raped by these armed men, who include government forces or even former rebels who once claimed to be fighting on behalf of their victims. Insufficient security in the camps has exacerbated problems of domestic violence and sexual exploitation.

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"I saw the Janjaweed take girls and women. The women were screaming. They seized them, they took them by force. The pretty ones were taken away...Girls were taken, small girls too, I think 5 and 7 and 14. Some came back after four or five hours...some we haven't seen again."

Saleh, age 13

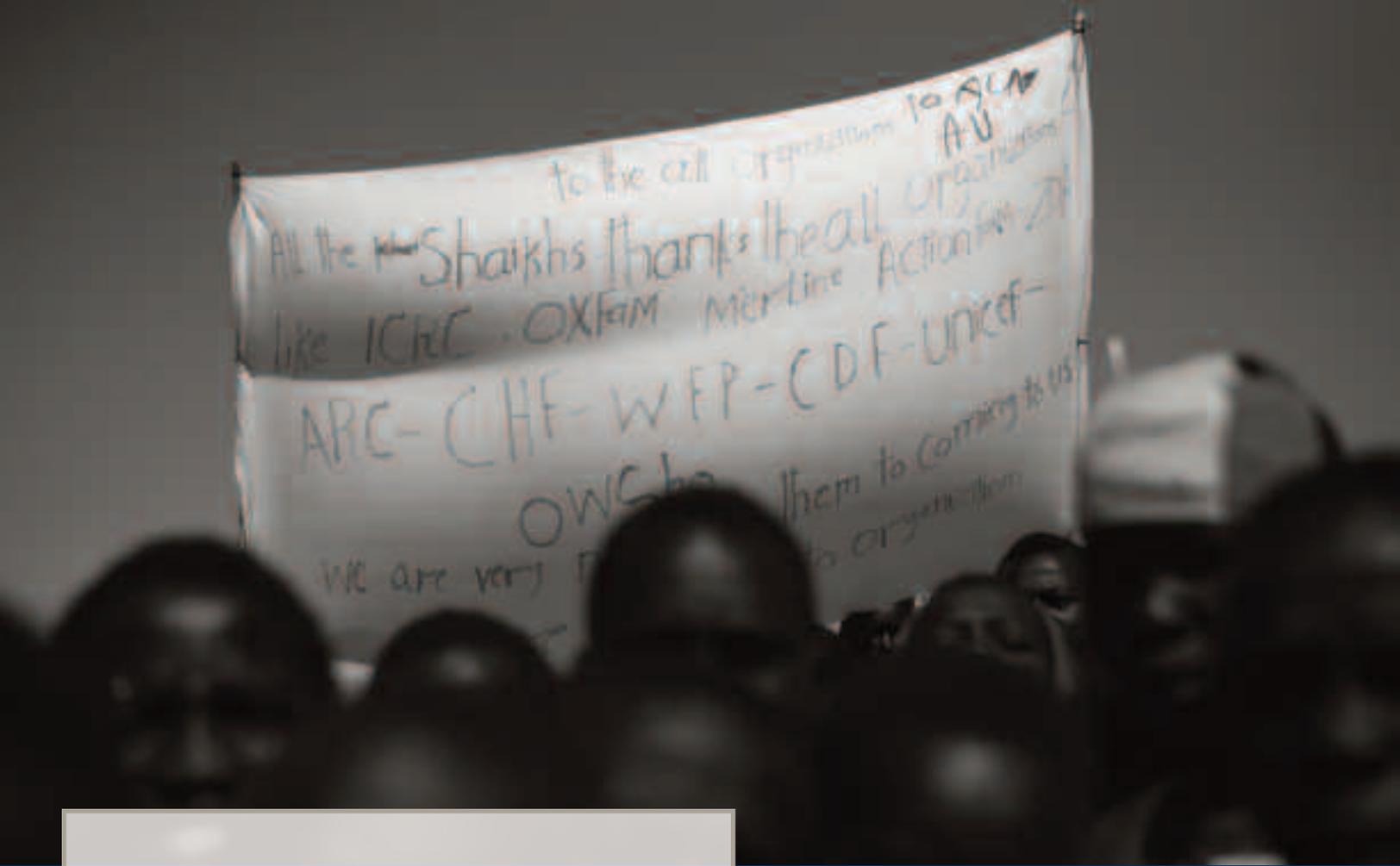
POLICING DARFUR

Darfur is a vast territory that provides many hiding places for armed groups and ordinary bandits. There are few roads, most of which are unpaved. In the rainy season they are all but impassible. Communication is extremely limited, primarily to mobile phones, which have weak or no signals outside major towns. All this makes policing difficult even with a motivated, adequately staffed, and resourced force. The problem is especially severe in rural areas, where police lack vehicles or staff to patrol or respond to criminal activity, whether inside or near villages and IDP camps. The Ministry of Interior and Darfur state officials have done little to ensure that Darfur's regular police have even minimal capabilities. The many weaknesses of the police, in and of itself, are indicative of the government's lack of commitment to ameliorating the dire human rights situation in Darfur.

(See page 54).



North Darfur's rugged terrain is evident in this aerial photo from January 22, 2007.



HUMANITARIAN ACCESS

Humanitarian groups are providing food, medical care, education, water, sanitation, and other assistance to some 4.2 million Darfurians in need of humanitarian relief. But these humanitarian workers have themselves increasingly come under attack. In June 2007 one in every six relief convoys that left provincial capitals in Darfur was hijacked or ambushed. Between January and July 2007, 64 relief vehicles were hijacked and 132 staff members were temporarily abducted at gunpoint, 35 relief vehicles were ambushed and looted, and aid agencies were forced to suspend operations and relocate staff due to security concerns 15 times. Attacks on the relief community have increased 150 percent in the past year. Despite these problems, humanitarian groups are struggling to reach more people mainly by resorting to more air transport and other means. According to UN estimates, in February 2007 some 900,000 people were inaccessible. That number apparently fell to 560,000 during May and June 2007, but the number remains staggering.

(See page 58).

Displaced people in the Gereida camp in South Darfur gather outside the African Union base to implore foreign aid organizations to return to the camp, January 24, 2007. More than 70 aid workers pulled out of the camp after gunmen attacked their compounds in December 2006 and raped at least one international humanitarian worker.

Humanitarian assistance for populations at risk remains precarious. Rebels, former rebels, government forces, and the Janjaweed have hijacked, robbed, harassed, or physically abused humanitarian workers, hindering the delivery of aid. The government also continues to threaten and place unnecessary bureaucratic obstacles in the way of humanitarian organizations.

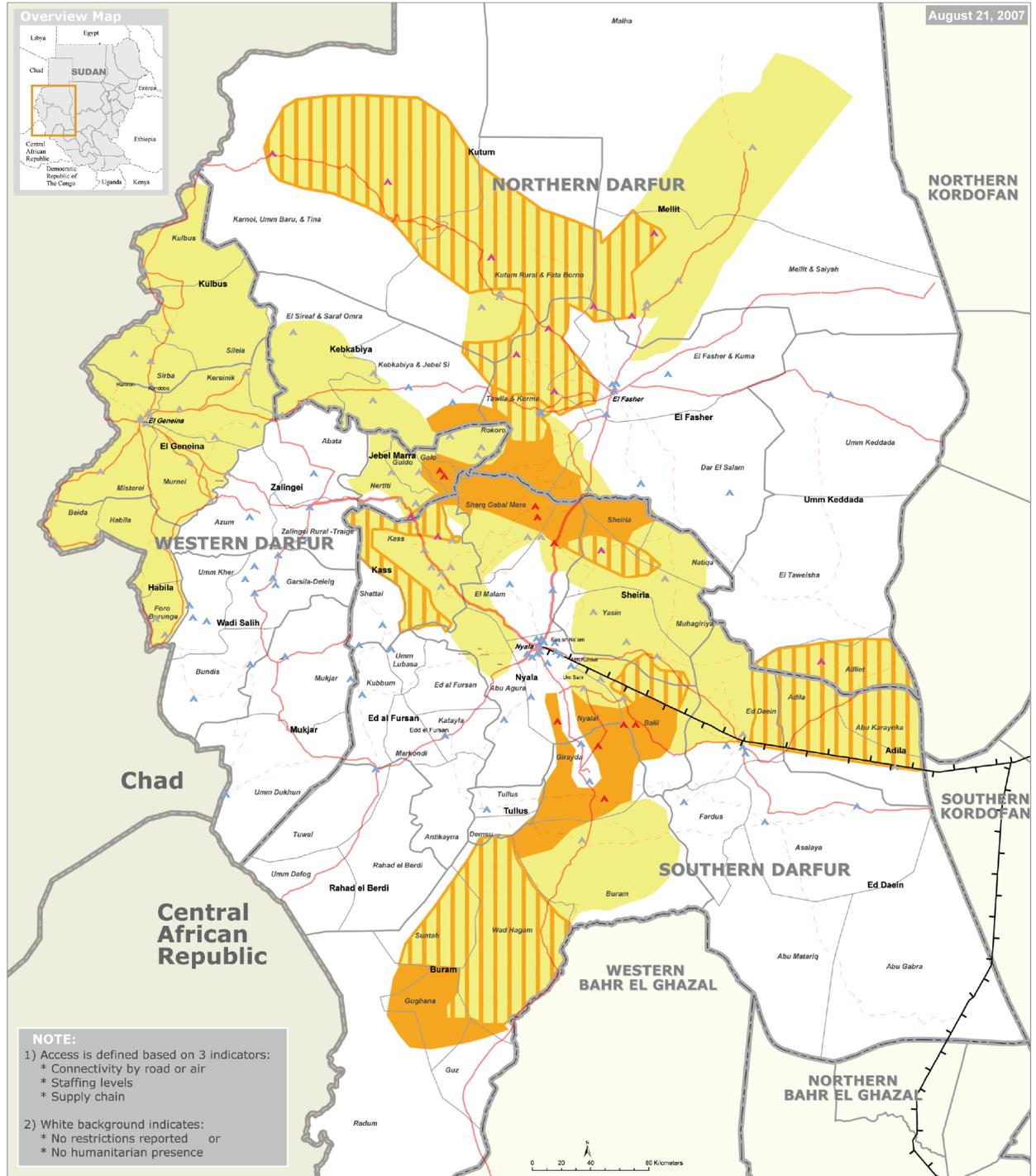
The Government of Sudan's systematic failure to address these abuses is reflected in its reluctance to take genuine steps to protect civilians, end the impunity of perpetrators, or undertake other meaningful measures to ensure accountability for the crimes committed in Darfur. The government has failed to invest in its own police force, which is far too weak to disarm the Janjaweed, let alone

DARFUR, SUDAN

Humanitarian Access Map

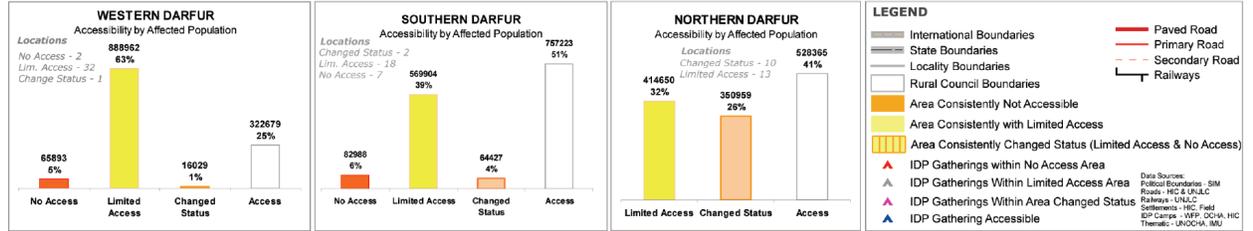
Areas Consistently Limited Access and No Access (From January to July 2007)

OCHA
Partnership for Humanity
IMU OCHA Sudan
ochasudan@un.org
http://ochaonline2.un.org/sudan



NOTE:
 1) Access is defined based on 3 indicators:
 * Connectivity by road or air
 * Staffing levels
 * Supply chain
 2) White background indicates:
 * No restrictions reported or
 * No humanitarian presence

* Affected population figures and IDP Gathering locations used in this map are based on Humanitarian Needs Profile (HNP), Dated April 2007 and July 2007. Approximate humanitarian access data based on discussions with humanitarian agencies operating in Darfur.



The boundaries and names shown do not imply official endorsement or acceptance by the Government of Sudan or the United Nations
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protect people from rape and robbery and other crimes. Some police themselves commit such abuses with impunity. Thus, the militia forces that rain violence on Darfur remain strong, active, and unchallenged. Some former militiamen have been incorporated into civil defense forces, such as the Central Reserve Police, whose duty is to protect displaced persons and other civilians.

Although the intense government military operations that caused massive death and displacement in 2003 and 2004 have declined, the government's abusive policies continue through many of the same mechanisms as before, both in overt and more subtle ways. The current conflict with its many actors and agendas may be more complex and opaque than the crisis of 2003-2004, but it is no less threatening to the lives, security, and livelihoods of millions of Darfurian civilians who remain vulnerable to violence.

This ongoing violence prevents hundreds of thousands of displaced people from returning home. Meanwhile, the land on which displaced persons and refugees once lived has become free for the taking, open to use and occupation by the ethnic groups comprising the Janjaweed, by new arrivals fleeing a linked conflict in neighboring Chad, and by others. Land occupation serves to consolidate the ethnic cleansing campaign, and greatly threatens the prospects for long-term peace in the region.

Much depends on the success of the transition from AMIS to the new peacekeeping mission. However, an enhanced peacekeeping presence alone will not end the abuses described in this report. The government and other parties to the conflict are ultimately responsible for bringing an end to widespread rights abuses and violations of international humanitarian law. Structural changes leading to disarmament, accountability, and improved law enforcement are all needed, along with long-term economic and social development programs. Unless these issues are addressed together the future of the people of Darfur will remain in peril.



A burned village in North Darfur, destroyed by Janjaweed.



LAND USE AND OCCUPATION

Far from the camps, back in the villages where displaced persons used to farm and graze their cattle, there is nothing to prevent the expropriation of land from its legal owners. Displaced persons regularly speak about how nomads and settlers are destroying their crops, dismantling thatched roofs and stick fences, and taking over their land. This greatly threatens the prospect for sustainable peace.

(See page 53).

Recommendations September 2007

To the Government of Sudan

- Government forces and government-sponsored and supplied militia/Janjaweed must immediately (1) cease their campaign of ethnic cleansing and (2) stop all deliberate or indiscriminate ground and aerial attacks against civilians and civilian property in Darfur.
- Do not obstruct, and cooperate fully with, AMIS and UNAMID (1) to expedite the arrival and full deployment of the AMIS “Light Support Package” (LSP) and “Heavy Support Package” (HSP) and the UNAMID peacekeeping force and (2) to ensure that AMIS and UNAMID can carry out their mandates unhindered, including having freedom of movement throughout Darfur.
- Facilitate the full, safe, and unimpeded access of humanitarian personnel and the urgent delivery of humanitarian assistance to all populations in need in Darfur. Expedite entry visas and travel permits for all humanitarian aid organizations and workers, and fully cooperate with such organizations so that they can perform their humanitarian functions. Immediately cease jeopardizing the security of humanitarian personnel by using white aircraft and vehicles that may be mistaken for humanitarian transport.
- Enable the voluntary return of refugees and displaced persons to their homes in safety and dignity, including by ensuring security and freedom of movement in and out of camps and along key roads, and the urgent distribution of adequate grain and other food items, such as seeds and tools, and basic reconstruction materials to all populations in need. Publicly announce that official or unofficial occupation or settlement of land belonging to displaced persons will not be permitted.
- Seek international expertise to strengthen Darfur’s law enforcement system by implementing professional training and providing adequate resources so that (1) victims of criminal offenses, especially victims of sexual violence, have access to justice and (2) law enforcement officials implicated in abuses are disciplined or prosecuted in accordance with international legal standards.
- Cease military, financial, and political support to, and recruitment of, abusive militia/Janjaweed and immediately implement militia/Janjaweed disarmament programs in accordance with relevant international standards.
- Investigate crimes against humanity, war crimes, and other violations of international law committed in Darfur since 2003, including those committed by the Sudanese armed forces and militia/Janjaweed, try alleged perpetrators in accordance with international fair trial standards, and confiscate all property unlawfully obtained and return it to the owners.
- Investigate, prosecute, and suspend from official duties pending investigation Sudanese officials alleged to be involved in the planning, recruitment, and command of abusive militia/Janjaweed.
- Fully cooperate with the International Criminal Court, as per UN Security Council Resolution 1593, including handing over Ahmed Haroun and Ali Kosheib in accordance with the arrest warrants issued by the Pre-Trial Chamber on April 27, 2007. Undertake legal reforms and other steps to strengthen Sudan’s justice system, such as amending legislation and revoking the presidential General Amnesty Decree No. 114 of 2006 that confers immunity upon perpetrators of abuses.
- Take significant steps, including by engaging in substantial development projects, to help halt resource competition and conflict in Darfur.

To the “non-signatory” rebel groups and former rebel groups

- Cease all indiscriminate or targeted attacks against civilians, regardless of their ethnicity or political affiliation.
- Facilitate the full, safe, and unimpeded access of humanitarian personnel and the urgent delivery of humanitarian assistance to all populations in need in Darfur.
- Cease all attacks against AMIS peacekeepers and allow AMIS and UNAMID to carry out their mandate unhindered, including freedom of movement throughout Darfur.
- Immediately communicate the abovementioned orders to field commanders.

To the African Union Mission in Sudan

- Bolster civilian protection and freedom of movement including by actively patrolling along the main roads and in key areas such as markets, and reengage with the communities to build support and trust for reinstating “firewood” patrols and other short- and long-distance patrols inside and outside camps and towns.

To the UN Department of Peacekeeping Operations and the AU Peace and Security Directorate’s Darfur Integrated Task Force (DITF)

- UNAMID should be widely and strategically dispersed in stations throughout Darfur, so that it has access to the civilian population and to especially volatile areas. Peacekeepers should also be equipped and authorized to construct and deploy to temporary bases for short- and medium-length stays while permanent bases are being constructed.
- Ensure that UNAMID has strong rapid response capabilities, including sufficient personnel, attack helicopters, and armored personnel carriers (APCs), and real-time and accurate information gathering and analysis technology to carry out daytime and nighttime activities that could include reconnaissance missions, placing peacekeepers in positions to protect civilians prior to expected attacks, providing armed protection to civilians who come under attack, conducting search and rescue missions if humanitarian or other convoys are hijacked, or investigating ceasefire violations immediately after they occur.
- Ensure that UNAMID carries out, in coordination with the local community, regular “firewood” patrols, market day patrols, foot patrols inside camps, as well as other day and night patrols inside and outside camps and towns, especially in volatile areas.
- Ensure that UNAMID puts a particular focus on its civilian police component, and deploys well trained and well resourced police to monitor government and rebel policing activities and to engage in capacity building activities aimed at strengthening Sudanese police. Ensure the police are trained to investigate human rights abuses (in particular sexual violence) and that adequate numbers of female civilian police officers and interpreters are deployed. Police versed in children’s rights issues should also be deployed.
- Increase the number of human rights officers in Darfur, disperse them in satellite offices, provide them with sufficient interpreters and other necessary resources, and ensure that adequate numbers of female human rights officers are deployed. Ensure that human rights officers have a dual reporting line to the Office of the UN High Commission for Human Rights (OHCHR) and UNAMID and continue to allow OHCHR to publicly report their findings.
- Ensure that UNAMID maintains ongoing contact with humanitarian agencies to understand where UNAMID assistance is needed to secure humanitarian relief, and respects the space that humanitarian agencies require to carry out their activities in a neutral fashion.
- In accordance with Security Council Resolution 1325 (2000), ensure that UNAMID has a strong gender component at all levels, and that peacekeepers are held accountable for any acts of sexual harassment, exploitation, or violence.

To UN member states and AU member states

- Establish and closely monitor benchmarks for all parties to the conflict for compliance with their obligations under international humanitarian and human rights law, and impose unilateral or multilateral sanctions for non-compliance. These benchmarks should include (1) ending attacks on civilians and the unlawful use on aircraft of UN and AMIS colors or markings, (2) ending support to abusive militia/Janjaweed and initiating militia/Janjaweed disarmament programs, (3) facilitating the expeditious deployment of AMIS and UNAMID and ensuring they can carry out their mandate unhindered, including having freedom of movement throughout Darfur, (4) ending impunity and promoting accountability through full cooperation with the International Criminal Court, and undertaking legal reforms and other steps to strengthen Sudan's justice system, (5) increasing humanitarian access, and (6) ending the consolidation of ethnic cleansing through land use and occupation. (For a more detailed list of these benchmarks see "International response" below).
- Ensure that AMIS and UNAMID have adequate personnel, equipment, technical expertise, and other resources, noting that improved security in Darfur will be contingent upon their rapid response capabilities, patrolling activities, and police mandate.
- Provide assistance and support to the voluntary return and effective reintegration of Dafurian refugees and displaced persons into their home communities.
- Support international humanitarian assistance and human rights monitoring and investigations in Darfur.
- Contribute to the economic and social reconstruction of Darfur.

To the United Nations Security Council

- Establish and closely monitor benchmarks for all parties to the conflict for compliance with their obligations under international humanitarian and human rights law and impose sanctions for non-compliance. (For a detailed list of these benchmarks see recommendations to UN member states and AU member states above.)