

APRIL 2023

**INQUIRY INTO VIOLENCE IN DARFUR SINCE 2020 BY  
THE ALL-PARTY PARLIAMENTARY GROUP ON  
SUDAN AND SOUTH SUDAN**

# **GENOCIDE: ALL OVER AGAIN IN DARFUR?**

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**'[Darfur is] the world capital of human suffering, humiliation and despair... You know that the tragedy there seems endless as well as senseless. It has all the components of the worst and ugliest crimes of the last century: tribal hatred, vicious brutality, and scandalous behaviour of raping women [and] killing children.'**

Professor Elie Wiesel

Speech at the UN, 2006

**'Darfur is the first genocide of the 21st century and, if it continues unchecked, it will not be the last. My job is to come here today and to beg you on behalf of the millions of people who will die – and, make no mistake, they will die – for you to take real and effective measures to put an end to this.'**

George Clooney

Speech at the UN, 2006

**The APPG on Sudan and South Sudan** was established to influence the UK government's policy and practice by promoting the cause of peace, human rights, justice and development for all the people of Sudan and South Sudan across the political spectrum in Westminster and Whitehall.

The Inquiry was headed by **Lord Alton of Liverpool**, supported by the **Rt. Hon. Vicky Ford MP**, **the Earl of Sandwich**, and **Brendan O'Hara MP**. Other APPG members include:

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Alexander Stafford (Conservative)

Ben Lake (Plaid Cymru)

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The Inquiry report and its recommendations are supported by the APPG on International Law, Justice and Accountability.

# EXECUTIVE SUMMARY

**T**he The last two years (and at least since December 2020) have seen violence flaring up in Darfur, especially violence along ethnic lines, causing concerns about repeating previous patterns of extreme violence in the region. This violence has been increasing during the early part of 2023 as we have been marking the 20 years since the Darfur genocide which saw over 2.5 million people displaced and 300,000 to 400,000 killed (directly or indirectly as a result of malnutrition and disease and other factors). Many have been subjected to a litany of abuses, including rape and sexual violence. The Darfur genocide of 20 years ago was met with startling impunity - impunity which is now among the many factors causing and driving further atrocities.

The new waves of violence include killings, the use of rape and sexual violence, torture, inhuman and degrading treatment, the use of child soldiers, and attacks on internally displaced person camps, among others. These crimes have all hallmarks of atrocity crimes and embody early warning signs of further atrocities.

As the situation deteriorates, it is crucial to consider what the UK (and other states, individually or jointly) can do to address the crimes - the current crimes but also the crimes of the past. Among others, as risk factors of further atrocity crimes are piling up, it is crucial to monitor and analyse the situation and engage the corresponding duties, whether the duty to prevent genocide or the Responsibility to Protect.

This report was largely compiled before the latest outbreak of fighting between the two military factions. Members of the All-Party Group strongly condemn this fighting and call for an immediate ceasefire. They are deeply concerned that this escalation of violence will worsen the dire humanitarian situation already faced by millions of people in Sudan.

Sections I - VI set out the historical context, and the current situation based on the evidence given to the Inquiry. Section VII makes a number of recommendations for action.

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## FOREWORD

For a tantalising moment, there was a glimpse of hope in Sudan that warlords would retreat to the barracks and allow young technocrats, doctors, engineers, and others to help democracy flourish in the country. However, in mid-April, fierce fighting broke out in Khartoum between the Sudanese Armed Forces, led by General Abdel Fatah Al Burhan, and General Mohamed Hamdan Dagalo (known as Hemedti) and quickly spread to other parts of the country, including Darfur. At least 400 people have been killed and over 3,500 injured (WHO figures as of 21 April) but the death toll is likely to be much higher. In Darfur, where intensive fighting has taken place, three Sudanese UN staffers have been killed. As of 24 April 2023, up to 20,000 Sudanese are reported to have fled from the violence in Darfur across the border into eastern Chad.

The last time that Sudan was involved in a civil war, it led to the death of 2 million people. It also led to the partition of the country.

The military itself has been contaminated in the past by the support for a radical ideology which led them to play a very significant part in the killing of millions of civilians. Now the groups are directly linked to Putin and atrocities taking place in Europe.

This is not only about Sudan, but a wider region. Sudan has become a home to displaced people from countries such as Eritrea during its war but has also been a leading source of refugees into Chad, Libya, and beyond that into the wider Mediterranean and Europe, and the English Channel. More refugees will be coming our way if we do not act now and address the situation in the country. Given the UK's close historical links with Sudan and the sizeable Sudanese diaspora community here, we cannot say that this is a faraway country and an issue that we know little about.

The Darfur Inquiry was conducted to mark the 20 years after the genocidal atrocities in the region and to warn about the dire situation that has the hallmarks of atrocity crimes. As the Inquiry was finalising its report, the situation in the country was deteriorating and requires some reflection and comment.

The lack of justice in Darfur, and in the country more widely is one of the most prominent early warning signs and risk factors of further atrocities. Impunity always begets further crimes. Darfur and Sudan more broadly are not an exception. The two generals that are key in this violence in Khartoum, played a role in the Darfur genocide. This is something we should keep in mind and remind ourselves every time we dare to think that we can neglect the issue of justice.

During a debate in the House of Commons on 17 April 2023, the Rt. Hon. Vicky Ford MP raised the April 2023 violence stating that:

'As the chair of the All-Party Parliamentary Group for Sudan and South Sudan, I join the Minister and others in my utter condemnation of the violence, which will make the situation of the 16 million people in the country in need of humanitarian assistance even more precarious. There is bound to be more migration and more innocent deaths.'

May I encourage him to continue to work with all regional and international partners to try to stop the violence and get humanitarian aid flowing? The APPG recently took evidence from Luis Ocampo, the International Criminal Court prosecutor, who indicted Bashir 14 years ago for genocide. The man has never gone to court and the prosecutor pointed out that, for so long as he stays out of court, other people will think they can get away with war crimes—other people locally and Putin himself. So, please, never give up and never let the international community give up on taking this man to court.’

Whatever happens when the violence in Sudan ends, there will be no lasting and credible peace without a precisely articulated and funded justice mechanism whereby past impunity is seen by all Sudanese, including those in the marginalised periphery, to be brought to an end.

**April 2023**



## I. INTRODUCTION

Since at least December 2020 there has been a recurrence of disturbing violence, especially along ethnic lines, in Darfur. It has inevitably evoked memories of the extreme violence in the region which led to colossal loss of lives and displacement.

In 2021, the UN recorded more than 200 incidents of violence.<sup>1</sup> This violence resulted in the displacement of thousands of people. Between January and July 2022, more than 470,000 people were internally displaced (IDP) in Darfur. In July 2022, there were three million IDPs across the five states of Darfur (North, Central, South, East, and West Darfur). Violence is said to be one of the main reasons for this displacement. This increase is linked to the cessation of the United Nations African Union Hybrid Operation in Darfur (UNAMID) in 2020, followed by its complete withdrawal on 30 June 2021, in the wake of the Juba Peace Agreement of October 2020. Violence further intensified after the October 2021 military coup when the Sudanese military took power from the transitional government.

In 2022, because of the continuing atrocities against non-Arab African civilians, Genocide Watch considered Sudan to be at Stage 8: Persecution and Stage 9: Extermination (of the Ten Stages of Genocide).<sup>2</sup> Because of the continuing atrocities, Sudan is also subject to the Elie Wiesel Act reporting. The dire situation in Darfur requires attention and comprehensive responses from the international community, including responses that address the ongoing atrocity crimes in the region.

Darfur is a western region of Sudan, a country which has been battling with conflict and instability for a long time. In terms of its geography, Sudan's Darfur region is larger than the entire UK.<sup>3</sup> In 2017, its population was estimated at 9.241 million.

### THE INQUIRY

In early 2023, the APPG on Sudan and South Sudan conducted a mini-inquiry to consider the situation in Darfur, focusing on the nature and scale of the situation, the drivers of the violence, and the required response from the UK and the international community including the combating of impunity, while exploring domestic, regional and international mechanisms for bringing to justice those responsible for international crimes.

The Inquiry included a call for written evidence, desk research and oral evidence sessions with experts.

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<sup>1</sup> UNHCR, 'Darfur clashes displace thousands' (7 December 2021). Available at: <https://www.unhcr.org/news/briefing/2021/12/61af220d4/darfur-clashes-displace-thousands.html#:~:text=Sudan%20has%20some%20million,region%2C%20leading%20to%20new%20displacement>.

<sup>2</sup> Written submission, Gregory Stanton.

<sup>3</sup> As shown on the cover of the report.

The desk research focused on the existing and reported data on atrocities in Darfur since 2020, mapping information currently available and the nature and scale of atrocities.<sup>4</sup> The desk research also considered the reported causes and drivers of violence in Darfur.

The public call for evidence ran for one month and anyone with relevant knowledge of the situation in Darfur since 2021 was encouraged to submit evidence to the Inquiry. The public call also sought information about the situation of those targeted and affected by atrocities.

The oral evidence sessions with experts were held in person and online to enable the Inquiry members to ask further questions. All experts were asked to submit written evidence in advance. Among those who gave oral testimonies were: **Gill Lusk, Dame Rosalind Marsden, Ambassador-at-Large for International Criminal Justice Beth van Schaack, the UK Ambassadors to Sudan and South Sudan, former Prosecutor of the International Criminal Court Mr Luis Moreno Ocampo, Maddie Crowther from Waging Peace, and others.**

This report maps the situation and identifies recommendations for the UK Government and other regional or international bodies in relation to the prevention of further atrocities, justice and accountability and assistance to those targeted and affected by the acts, among others.

The report aims to equip Parliamentarians, whether members of the APPG or others interested in the topic, to be able to engage on the situation in Darfur, in their parliamentary and other work.

## II. VIOLENCE IN DARFUR

The waves of violence in recent years are not the beginning of this dire situation in Darfur. Indeed, such violence has been reported in the area for decades. Since the 1980s, Sudanese Government policies are said to have been ‘marginalising non-Arab Darfurians and enhancing polarisation among ethnic groups [which] has led to unresolved hostilities and violence.’<sup>5</sup> These were some of the early warning signs and risk factors of what was to come some years later.

This section discusses the past atrocities in Darfur, from 20 years ago, and the recent and increasing atrocities in the region.

### 1. ATROCITIES IN DARFUR IN THE 2000S

The early 2000s saw atrocities in Darfur that met the legal definition of international crimes which ultimately warranted the involvement of the UN Security Council and the International Criminal Court (ICC).

In February 2003, the Darfur Liberation Front (DLF), the then newly formed group and later renamed the Sudan Liberation Movement/Army (SLM/A), attacked Sudanese military installations in protest at the Government’s unequal treatment of and violence toward the

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<sup>4</sup> Incl. reports produced by governments (e.g. US State Department’s Human Rights Reports and the Elie Wiesel Act reports), NGO reports (including from the Human Rights Watch, Amnesty International), media reports and others.

<sup>5</sup> US Holocaust Memorial Museum, Darfur. Available at: <https://www.ushmm.org/collections/bibliography/darfur>.

region's non-Arab peoples. The response to these attacks was violent with Sudanese government troops and armed Arab militias unleashing a systematic campaign of destruction against villages of the Fur, Zaghawa, and Masalit peoples, who are considered non-Arab and who made up the majority of the rebel units.<sup>6</sup> The systematic attacks, between 2003 and 2005, resulted in over 2.5 million people being displaced; at least 400,000 killed (directly or indirectly as a result of malnutrition and disease and other factors); and many more injured or subjected to rape and sexual violence.<sup>7</sup> In July 2004, the United States Holocaust Memorial Museum declared a **Genocide Emergency** for the Darfur region of Sudan.<sup>8</sup>

On 9 September 2004, Secretary Colin L. Powell testified before the Senate Foreign Relations Committee and commented on the issue of genocide. He explained how his team, working with the American Bar Association and the Coalition for International Justice, travelled to interview 1136 of the 2.2 million people the UN estimated had been affected by the situation at the time. Secretary Powell confirmed that the evidence collected suggested:

**'A consistent and widespread pattern of atrocities: Killings, rapes, burning of villages committed by Janjaweed<sup>9</sup> and government forces against non-Arab villagers;** three-fourths of those interviewed reported that the Sudanese military forces were involved in the attacks; villagers often experienced multiple attacks over a prolonged period before they were destroyed by burning, shelling or bombing, making it impossible for the villagers to return to their villages. **This was a coordinated effort, not just random violence.'**<sup>10</sup>

Secretary Powell concluded that **'genocide has been committed in Darfur and that the Government of Sudan and the Janjaweed bear responsibility - and that genocide may still be occurring.'**<sup>11</sup> Furthermore, as he explained:

'The totality of the evidence from the interviews we conducted in July and August, and from the other sources available to us, shows that **the Janjaweed and Sudanese military forces have committed large-scale acts of violence, including murders, rape and physical assaults on non-Arab individuals.** Second, **the Janjaweed and Sudanese military forces destroyed villages, foodstuffs, and other means of survival.** Third, **the Sudan Government and its military forces obstructed food, water, medicine, and other humanitarian aid from reaching affected populations,**

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<sup>6</sup> Ibid.

<sup>7</sup> See for example: [https://hmm.org/library/research/genocide-in-darfur-guide/#:~:text=Nearly%20400%2C000%20people%20have%20been,Nations%20\(UN\)%20Genocide%20Convention.](https://hmm.org/library/research/genocide-in-darfur-guide/#:~:text=Nearly%20400%2C000%20people%20have%20been,Nations%20(UN)%20Genocide%20Convention.) (Please note: the numbers of those killed vary depending on the source. For example, the Holocaust Memorial Day Trust provides an estimate of 200,000-400,000 people. See: <https://www.hmd.org.uk/learn-about-the-holocaust-and-genocides/darfur/>. The US Holocaust Memorial Museum refers to 200,000 people. See: <https://www.ushmm.org/collections/bibliography/darfur>.)

<sup>8</sup> US Holocaust Memorial Museum, Darfur. Available at: <https://www.ushmm.org/collections/bibliography/darfur>.

<sup>9</sup> A Sudanese Arab militia group that operates in Sudan, particularly Darfur, and eastern Chad.

<sup>10</sup> Secretary Colin L. Powell testimony before the Senate Foreign Relations Committee. Available at: <https://2001-2009.state.gov/secretary/former/powell/remarks/36042.htm>. See also: <https://2001-2009.state.gov/g/drl/rls/36028.htm>

<sup>11</sup> Ibid.

**thereby leading to further deaths and suffering. And finally, despite having been put on notice multiple times, Khartoum has failed to stop the violence.'**<sup>12</sup>

This testimony of Secretary Powell, based on in-depth research and analysis, was a crucial step toward the engagement of international bodies. President Bush accepted the recognition, and so did the US Congress.

Powell's testimony and determination of the atrocities as genocide were followed by concrete international responses, including, on 18 September 2004, the UN Security Council adopting resolution 1564 requesting the Secretary-General establishing an international commission of inquiry.<sup>13</sup> Having considered the issue, the International Commission of Inquiry on violations of international humanitarian law and human rights law in Darfur (the Commission of Inquiry) concluded that crimes against humanity and war crimes were being perpetrated.<sup>14</sup>

As the US counterparts and the UN have been taking steps to collect the evidence and analyse the situation, the UK shied away from following their approach. This despite the situation was raised by Parliamentarians again and again. In 2004, Lord Alton of Liverpool, having returned from Darfur, where he visited the Ardamata refugee camp in Geneina, raised the situation in the UK Parliament on many occasions.<sup>15</sup> He reported how 'tribal leaders there testified to a campaign of killing, rape, burning and looting by the Janjaweed militias which have killed an estimated 70,000 people and displaced 1.4 million others', raised the situation in the UK Parliament on many occasions.<sup>16</sup> As he recounted:

**'We heard first-hand accounts of the rape of girls as young as 10 and women as old as 80. Men wept as they recounted the humiliations and killings. (...)** We joined a group of 17 women sitting in the shade of a tree, drinking coffee. Most were widows, and most had also lost fathers, brothers and sons. They need firewood for cooking and grass for their animals and are thus forced to go beyond the camp. They had all, without exception, been the victims of attack and rape by the Janjaweed. Although

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<sup>12</sup> Ibid.

<sup>13</sup> UN Security Council Resolution 1564 (2004). Available at: <https://digitallibrary.un.org/record/530567?ln=en>.

<sup>14</sup> Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General, 25 January 2005.

'The Commission concluded that the Government of Sudan has not pursued a policy of genocide. Arguably, two elements of genocide might be deduced from the gross violations of human rights perpetrated by Government forces and the militias under their control. These two elements are, first, the *actus reus* consisting of killing, or causing serious bodily or mental harm, or deliberately inflicting conditions of life likely to bring about physical destruction; and, second, on the basis of a subjective standard, the existence of a protected group being targeted by the authors of criminal conduct. However, the crucial element of genocidal intent appears to be missing, at least as far as the central Government authorities are concerned. Generally speaking, the policy of attacking, killing and forcibly displacing members of some tribes does not evince a specific intent to annihilate, in whole or in part, a group distinguished on racial, ethnic, national or religious grounds. Rather, it would seem that those who planned and organised attacks on villages pursued the intent to drive the victims from their homes, primarily for the purposes of counter-insurgency warfare.'

<sup>15</sup> David Alton, 'If this isn't genocide, then what on earth is?' The Independent (18 October 2004). Available at: <https://www.independent.co.uk/news/world/africa/if-this-isn-t-genocide-then-what-on-earth-is-5351315.html>.

<sup>16</sup> Ibid.

they are clearly traumatised by the daily risks they run, they speak philosophically about it: **“If our men go out, they die. If we go, we are raped. That's the choice.”**<sup>17</sup>

While Sudan was not a party to the Rome Statute, and as such, the ICC did not have territorial jurisdiction over the situation, the UN Security Council referred the case to the ICC in March 2005 and so equipped it with the necessary jurisdiction to engage. This was the first UN Security Council's referral of a situation to the ICC. The ICC investigations into the situation in Darfur focused on allegations of genocide, war crimes and crimes against humanity committed in Darfur, Sudan, since 1 July 2002. The UN Security Council based its decision on reports on the situation in Darfur, and among others, from the Commission of Inquiry.<sup>18</sup>

The ICC investigation, opened in June 2005, identified several cases, including against Sudanese government officials and militia/Janjaweed leaders, pertaining to three international crimes: genocide, war crimes and crimes against humanity.

As Mr Ocampo, an Argentine lawyer and the first Prosecutor of the ICC from 2003 to 2012, explained to this Inquiry, his team started to collect information in very difficult circumstances. As he said, ‘In those days, we decided for security reasons, we could not conduct investigations inside the country.’<sup>19</sup>

His team focused on people who fled the atrocities. They took testimonies in 17 different countries, mostly in refugee camps. They interviewed victims and collected documents.

Based on the collected evidence, Mr Ocampo said that they were able to show that **‘the Government of Sudan has a system, consisting of national security communities, through which they supervised the campaign where the Islamist army surrounded the village inhabited by tribes, and they used militias, Janjaweed militias, to attack the inhabitants, burn houses and destroy the water system.’**<sup>20</sup> Mr Ocampo mentioned the destruction of the water system as a particularly serious issue in all the circumstances and posing an existential threat to the communities. He further recalled collecting testimony from a person indicating that an officer said ‘Don't shoot those escaping because they will die [nonetheless].’ This was meant to refer to the conditions of life calculated to bring about destruction by other means than killings.

Mr Ocampo requested arrest warrants against a leader of the Sudanese militia going under the name of Ali Kushayb (Ali Abd-Al-Rahman), and Ahmad Harun, the Minister of State for the Interior, who was responsible for supervising the state's security committees. Mr Ocampo explained that this was the first time they were able to establish a connection between the militia and the Government of Sudan. The team selected four incidents including one in which government forces surrounded a village where militia inside the village were attacking the

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<sup>17</sup> Ibid.

<sup>18</sup> UN Security Council, Letter dated 31 January 2005 from the Secretary-General addressed to the President of the Security Council. Available at: <http://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/WPS%20S%202005%2060.pdf>

<sup>19</sup> Oral hearing, Mr Ocampo, 13 March 2023.

<sup>20</sup> Ibid.

inhabitants. Mr Ocampo mentioned that he vividly remembered women who told him: ‘They came to my village. They burned my house.’ One man said: **‘They raped my wife and my daughters. They forced me to watch when they were raping my eight-year-old daughter.’**<sup>21</sup>

As Mr Ocampo’s team continued their investigations, President Bashir was reluctant to decide what to do. He explored the possibility of sending Ahmad Harun to the Court. However, once the peace process started, President Bashir engaged with the peace process ‘ignoring the real world.’<sup>22</sup> As the team continued collecting accounts, they found evidence that President Bashir was inciting the militia leaders to work with him. According to Mr Ocampo, he was offering advantages and giving them clear instructions. Mr Ocampo told the APPG that Bashir said “‘I just like scorched earth.” These were his words in public.’ Mr Ocampo explained: ‘We concluded that we cannot prove that Ahmad Harun had the intention to terminate these tribes because Ahmad Harun was following instructions. But **we found evidence against President Bashir himself. It was obvious that his plan included the elimination of a part of the group.**’ In July 2008, he requested an arrest warrant against President Bashir for war crimes, crimes against humanity and genocide. The Court reviewed the evidence, issued an arrest warrant for war crimes, and crimes against humanity, but rejected the genocide charges. They appealed, and in 2010, the Court issued an arrest warrant for genocide.

**Sudan’s former President Omar Al Bashir became the first sitting President to be indicted by the ICC, and the first person to be charged by the ICC for the crime of genocide. The warrant for his arrest has not been enforced and he is not in the ICC’s custody.**

With the 2019 *coup d’etat*, President Bashir was arrested and prosecuted for corruption. Mr Ocampo indicated that subsequent ICC prosecutors, Fatou Bensouda and Karim Khan KC, were invited to Khartoum to discuss the possibility of surrendering Bashir to the ICC. The militia leader, Ali Abd-Al-Rahman, surrendered himself to the Court and is currently on trial before the ICC. As such, there will be a court decision on the evidence collected against him.<sup>23</sup> Unlike Bashir, he is not charged with genocide.

Mr Ocampo indicated that during his time at the ICC, the office assessed that at least 40,000 people were killed in attacks, and 400,000 people were killed as a consequence of the conflict. Furthermore, the estimate at the time was that approx. 2.5 million people were displaced. He emphasised that it was difficult to identify the precise numbers, and even now, the numbers vary between sources. For him, the most important was ‘the gravity of the crime committed by the state apparatus against civilians, defined as a group.’

Mr Ocampo indicated that

‘The Court is a judicial institution that is following documents or evidence, but implementation is a political decision. And that is normally the problem. **The attention of the international community is normally lost very soon and very fast.** I see

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<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> See: <https://www.icc-cpi.int/darfur/abd-al-rahman>.

something similar today in Ukraine. The only institution which can investigate President Putin is the ICC. The court is already investigating. It cannot investigate the crime of aggression but it can investigate crimes against humanity, in particular, for example, the displacement of people on the border between Ukraine and Russia. This displacement is an obvious consequence of a decision adopted by President Putin himself. It is complicated to prove President Putin's responsibility for specific war crimes, and the crime of aggression is not investigated. But crimes against humanity - yes, can be investigated. I see the lack of political decision and clarity today in Ukraine, as I saw in the Darfur situation. In fact, I believe the Prosecutor has a very clear green light from states. In my reading, states, including the UK, supported the investigations and showed political support. But there are no demands to the Prosecutor "Please issue a warrant today." Governments cannot tell the Prosecutor what the charges are but they have to give the green light to the Prosecutor to ensure an arrest warrant. **I believe that sending President Bashir to the ICC would be a clear warning to President Putin that he will follow.**<sup>24</sup>

This testimony was taken by the Inquiry team a few days before Vladimir Putin and Maria Lvova-Belova were indicted by the ICC for crimes against humanity.

The Inquiry has been told that over the subsequent years, the region has seen continuing atrocities with burning villages, sexual violence, and killings, like those seen in 2003.<sup>25</sup> A witness, whose identity has been anonymised, told the Inquiry that

'There have been various trends since 2003. 2003 to 2005 is generally regarded as the peak of the atrocities when it comes to the number of people who were killed or the extent of the attacks. The nature of the violence changed over time, with tribes starting to attack each other over land-related issues. Over time, the level of violence has declined. But certainly, from 2014 to 2016, Bashir's Government mounted a major counterinsurgency campaign against the armed movements. As a result, they were massively weakened militarily. However, it seems that since the revolution, with the withdrawal of UNAMID and the Juba Peace Agreement in sight, the trend of violent attacks has picked up again. Not to the same level we saw in 2003-2005, but [picked up] compared to what it was in some of the preceding years, although it never went away. In the years before UNAMID withdrew, it was still ongoing.'<sup>26</sup>

## 2. VIOLENCE IN DARFUR SINCE THE 2020S

Gregory Stanton, former Research Professor in Genocide Studies and Prevention at George Mason University, and founder of Genocide Watch, submitted evidence to the Inquiry that after UNAMID pulled out of Darfur in December 2020, at the demand of the Sudanese

<sup>24</sup> Oral hearing, Mr Ocampo, 13 March 2023.

<sup>25</sup> Oral hearing, anonymous.

<sup>26</sup> Oral hearing, anonymous.

Government, **‘there has been a resurgence of attacks on non-Arabs.** Armed Arab militias have attacked civilians in IDP camps and have targeted villages that are predominantly non-Arab. In April 2022, the [Rapid Support Forces] RSF<sup>27</sup> and Arab militias attacked Masalit villages in West Darfur, killing, raping, and displacing many civilians. RSF missiles have hit a hospital and a UN compound.<sup>28</sup> Similarly, as submitted in evidence from Haringey Welcome, a campaign group of local volunteers working for migrants and refugees in the London borough of Haringey, ‘the uptick in the conflict in January 2021 had been widely anticipated after the UNAMID mandate ended and operations ceased on 31 December 2020.’<sup>29</sup>

In February 2021, US Senator Bob Menendez, chairman of the Senate Foreign Relations Committee, criticised the decision to withdraw UNAMID indicating that

‘Recent clashes, as well as earlier rounds of violence that have plagued Darfur since Sudan’s transition began in 2019, demonstrate that **the region remains fragile. Communal tensions over land, water, and political power persist, and Darfur is awash in weapons. The Government’s program to provide security to the region, including through its National Plan for Civilian Protection, has yet to be adequately fleshed out let alone implemented. Most worryingly, those likely to be charged with protecting civilians in Darfur, including components of the Sudanese military and the RSF of Mohamed Hamdan Dagalo, are the same actors that for years worked to implement Bashir’s campaign of terror and genocide in the region.**’<sup>30</sup>

Senator Menendez called for US President Joe Biden to appeal to the UN Security Council to reconsider UNAMID’s withdrawal stating that

‘The United Nations Security Council’s ill-timed and poorly conceived decision to end UNAMID’s mandate – facilitated by the Trump administration’s lack of a well thought out diplomatic strategy and approach – and rapidly draw down the mission **exposes the Darfuri people to significant harm.** It could derail Sudan’s civilian-led transition to democracy, resulting in another round of instability Sudan and the broader region can ill afford.’<sup>31</sup>

The wave of violence that followed the withdrawal of UNAMID was predicted by many experts. Among others, John Prendergast, co-founder of The Sentry, an organisation that tracks human rights violations in Africa, was quoted by AP News stating that ‘anyone could have predicted that as soon as the UN troops departed, some of these militias would begin attacking.’<sup>32</sup>

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<sup>27</sup> Led by Gen. Mohamed Hamdan Dagalo.

<sup>28</sup> Written submission, Gregory Stanton.

<sup>29</sup> Written submission, Haringey Welcome.

<sup>30</sup> US Foreign Affairs Committee, ‘Chairman Menendez Statement for Senate Record on Escalating Violence in Darfur Following UNAMID Dissolution’ (25 February 2021). Available at: <https://www.foreign.senate.gov/press/dem/release/chairman-menendez-statement-for-senate-record-on-escalating-violence-in-darfur-following-unamid-dissolution>.

<sup>31</sup> Ibid.

<sup>32</sup> Samy Magdy, ‘Ethnic clashes in Darfur could reignite Sudan’s old conflict’ AP (10 February 2021). Available at: <https://apnews.com/article/sudan-united-nations-f2dcb89e0ef281c90505fdf87f956c36>.



Ahmed Elzobier, Amnesty International researcher for the East Africa region, indicated that ‘the failure of Sudan’s government to protect civilians, alongside the weakness or in some cases lack of justice mechanisms, and the premature withdrawal of the [UNAMID] have emboldened some tribal militia fighters in Darfur to indulge in gruesome acts of violence.’<sup>33</sup> He further added that UNAMID’s **‘premature withdrawal has created a security vacuum in Darfur and exposed civilians to violence.’** Niemat Ahmadi, Darfur Women Action Group, also expressed her concerns stating that **‘it’s too early to abandon the people of Darfur without sustainable solutions on the ground.’**<sup>34</sup> All these concerns materialised over the subsequent weeks and months.

The withdrawal of UNAMID was followed by several acts of violence in Darfur.

In March 2022, the US State Department raised the issue of increased violence in Darfur and two other areas.<sup>35</sup> A few months later, in its human rights report, the US State Department reported that 2021 has seen a litany of abuses including

**‘paramilitary forces and rebel groups continued sporadically to commit killings, rape, and torture of civilians. Local militias maintained substantial influence due to widespread impunity. There were reports militias looted, raped, and killed civilians. Intercommunal violence originating from land-tenure disputes and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur. (...) Weak rule of law persisted in Darfur, and banditry, criminality, and inter-communal violence were the main causes of insecurity.’**<sup>36</sup>

The situation is expected to deteriorate further. In his submission to our Inquiry, Gerrit Kurtz, Associate in the Research Group Africa and Middle East at the German Institute for International and Security Affairs, says that **‘insecurity in Darfur could escalate and contribute to further destabilisation of the country.’**<sup>37</sup> He adds that ‘the Sudanese government is trying to depoliticise the violence in Darfur, portraying it as purely “tribal conflicts.” In reality, however, the conflicts occurring there have complex causes. The volatile political situation in Khartoum is exacerbating local tensions in the periphery, while the peace process for the conflicts in Darfur and other peripheral regions of Sudan is shifting the balance of power in Khartoum in favour of conflict entrepreneurs who are not known to be friends of democracy.’<sup>38</sup>

### 3. DRIVERS AND CAUSES OF VIOLENCE

<sup>33</sup> Amnesty International, ‘Sudan: Horrific attacks on displacement camps show UN peacekeepers still needed in Darfur’ (1 March 2021). Available at: <https://www.amnesty.org/en/latest/campaigns/2021/03/sudan-horrific-attacks-on-displacement-camps-show-in-darfur/>.

<sup>34</sup> See for example: <https://www.sudaninthenews.com/darfur-report>.

<sup>35</sup> See: <https://www.state.gov/recent-increase-in-violence-in-darfur-and-the-two-areas/>

<sup>36</sup> US State Department, 2021 Country Reports on Human Rights Practices: Sudan. Available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/sudan/>.

<sup>37</sup> Written submission, Gerrit Kurtz. (*Publication from 2022*)

<sup>38</sup> Ibid.

While the withdrawal of UNAMID has exacerbated violence and atrocity crimes in Darfur, there are many drivers and causes of this violence that need to be discussed here. John Ashworth indicated that ‘recent conflicts have not occurred in a vacuum: They have flared amid the withdrawal of a Darfur peacekeeping mission, the signing of a controversial national peace deal, and the turbulent post-Bashir transition that has had a polarising impact on the region.’<sup>39</sup>

### 3.1. IMPUNITY FOR PAST ATROCITIES

Impunity for past atrocities is a recognised risk factor of future atrocity crimes.<sup>40</sup> Thus, the impunity for the Darfur genocide from the 2000s was expected to beget further atrocities.

Despite numerous promises, whether made by government and local authorities, including in the Juba Peace Agreement,<sup>41</sup> perpetrators of the atrocities have not been brought to justice. As Yassin Osman, programme lawyer at the IBAHRI, indicated in his submission,

**‘victims [of past atrocities] are losing hope that the crimes committed in Darfur in 2004-2005 will be condemned. Despite signing a memorandum of understanding, the prosecutor of the ICC criticised the state’s lack of cooperation. The government is still refusing to turn over any of the suspects subject to arrest warrants, including former President Omar Al-Bashir. Individual and mass killings, rape, looting, burning, and forced displacement persist on a daily and continuous basis as a result of such impunity.’<sup>42</sup>**

Similarly, UN experts indicated that ‘impunity for grave human rights violations by security and military forces against peaceful protesters, including sexual and gender-based violence and enforced disappearance, is a disturbing pattern that must end. Impunity perpetuates human rights violations and violent crackdowns against non-violent protesters threaten prospects for a peaceful transition in Sudan.’<sup>43</sup> Gerrit Kurtz, commenting on the drivers of violence indicated that ‘the current conflict dynamics in Darfur can be **traced back to both the long impact of past violence and the influences of the power struggle in Khartoum.**’<sup>44</sup> Human Rights Watch told the Inquiry that the ‘recent wave of violence in West Darfur is rooted both in existing,

<sup>39</sup> Written submission, John Ashworth.

<sup>40</sup> UN Framework of Analysis for Atrocity Crimes. See: [https://www.un.org/en/genocideprevention/documents/about-us/Doc.3\\_Framework%20of%20Analysis%20for%20Atrocity%20Crimes\\_EN.pdf](https://www.un.org/en/genocideprevention/documents/about-us/Doc.3_Framework%20of%20Analysis%20for%20Atrocity%20Crimes_EN.pdf).

**Risk factor 2: Record of serious violations of international human rights and humanitarian law**

Indicator 2.3 ‘Policy or practice of impunity for or tolerance of serious violations of international human rights and humanitarian law, of atrocity crimes, or of their incitement.’

Indicator 2.8 ‘Widespread mistrust in State institutions or among different groups as a result of impunity.’

**Risk factor 4: Motives or incentives**

Indicator 4.8 ‘Politicisation of past grievances, tensions or impunity.’

**Risk factor 9: Intergroup tensions or patterns of discrimination against protected groups**

Indicator 9.3 ‘History of atrocity crimes committed with impunity against protected groups.’

<sup>41</sup> See Chapter 3: Justice, Accountability and Reconciliation of the Juba Peace Agreement.

<sup>42</sup> Written submission, IBAHRI.

<sup>43</sup> UN, ‘Sudan: UN experts urge authorities to ensure immediate accountability for past and ongoing human rights violations and stop excessive use of force against protesters’ (3 June 2022). Available at: <https://www.ohchr.org/en/press-releases/2022/06/sudan-un-experts-urge-authorities-ensure-immediate-accountability-past-and>.

<sup>44</sup> Written submission, Gerrit Kurtz. (*Publication from 2022*)

unaddressed historical grievances, and a context of impunity for grave violations, but some of the dynamics of the violence are new.<sup>45</sup>

### 3.2. INTER-COMMUNAL CONFLICTS

In a letter dated 13 January 2021, the Panel of Experts on Sudan indicated that in 2020

**‘inter-communal clashes and related attacks on civilians increased sharply, in both frequency and scale, in particular in South Darfur and West Darfur.** The capacity of the Government of Sudan to prevent or stop these incidents has proven limited, in particular in rural areas, where police forces are frequently outnumbered and overpowered by local, tribal armed groups. Attacks by armed elements from nomad communities on internally displaced persons and farmers trying to return to their land also continued.<sup>46</sup>

According to the analysis of the Panel of Experts on Sudan,

‘conflict over land remained the main issue fuelling inter-communal violence. This was illustrated by the numerous attacks throughout Darfur targeting internally displaced persons and voluntary returnees engaged in seasonal farming and other livelihood activities. In many cases, farmers were attacked because of their refusal to allow pastoralists to release their animals to graze on their crops. These incidents resulted in deaths and injuries, secondary displacement and loss of homes, livelihood and other properties. An aggravating factor for inter-communal violence was the perceived bias of the authorities, including the security forces, in several of these incidents.’<sup>47</sup>

Between July and December 2020, the UN recorded 28 incidents of inter-communal violence in Darfur.<sup>48</sup> During the same period of 2019, 15 incidents were recorded - an 87% increase. In 2022, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reported on several cases of inter-communal violence.<sup>49</sup>

In its 2022 Human Rights Report, the US State Department indicated that ‘intercommunal violence originating from land-tenure disputes and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur, as well as Blue Nile State.’<sup>50</sup>

The IBAHRI, in their submission to the Inquiry, indicated several elements of the situation including,

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<sup>45</sup> Written submission, HRW.

<sup>46</sup> See: [https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2021\\_40.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2021_40.pdf).

<sup>47</sup> Ibid.

<sup>48</sup> UN, ‘Inter-communal violence increased in Darfur during the second half of 2020’ (17 January 2021). Available at: <https://reports.unocha.org/en/country/sudan/card/1R5yoxqxpR/>.

<sup>49</sup> See: <https://reports.unocha.org/en/country/sudan/>.

<sup>50</sup> US State Department, Human Rights Sudan. Available at: <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/sudan/>.

‘the growth of inter-communal conflicts which are exacerbated by the grievances held by Arab tribes accused of being affiliated to the ousted al-Bashir regime; the complete absence of accountability for perpetrators of serious human rights violations in Darfur; the ineffectiveness of traditional conflict resolution methods; the lack of capacity of government security forces to protect Darfuri civilians, as evidenced in their inability to collect weapons, particularly after the withdrawal of UNAMID.’<sup>51</sup>

Gerrit Kurtz told the Inquiry that ‘competition between groups pursuing different types of livelihoods is intensifying due to desertification and erratic rainfall. Farmers may come into conflict with nomads with livestock, as conflicts often erupt over the use of arable or pasture land and water.’<sup>52</sup>

The Global Coalition for the Responsibility to Protect reports that ‘the root causes of inter-communal violence and tensions stem from competition over shrinking resources and pastoral land, decades of political manipulation and a culture of impunity for atrocity crimes. The consequent risk of attacks, killings and sexual violence has been exacerbated by the proliferation of weapons throughout the country. Local authorities lack the capacity and resources to ensure the protection of civilians, and state institutions have been weakened by the protracted conflict.’<sup>53</sup>

### 3.3. INTERNATIONAL ACTORS, INCLUDING PUTIN’S RUSSIA AND WAGNER

Gerrit Kurtz identified that ‘the violence in Darfur is exacerbated by rivalries between armed movements seeking to gain greater influence in Khartoum.’<sup>54</sup> Furthermore, as the Inquiry was told, ‘The conflict in Darfur is intimately linked to Sudan’s relations with neighbouring Libya, Chad and the Central African Republic. Local internal conflict in Sudan’s neighbours continues to have a significant impact on the security situation in Darfur and vice versa. Darfur is also affected by cross-border criminal activity, including smuggling of arms, gold and drugs and human trafficking.’<sup>55</sup>

In 2022, it was reported that Russia has been plundering gold in Sudan to boost Putin’s war effort in Ukraine.<sup>56</sup> Declan Walsh, the Chief Africa correspondent for New York Times, reported that ‘**the murkiest part of Wagner’s Sudan drive is in Darfur, a region riven by conflict and rich in uranium.** There, Russian fighters can slip into bases controlled by General Hamdan’s Rapid Support Forces, Western and United Nations officials say — and sometimes use the bases to cross into the Central African Republic, Libya and parts of Chad.’<sup>57</sup>

<sup>51</sup> Written submission, IBAHRI.

<sup>52</sup> Written submission, Gerrit Kurtz. (*Publication from 2022*)

<sup>53</sup> Global Coalition for the Responsibility to Protect, Sudan (March 2023). Available at: <https://www.globalr2p.org/countries/sudan/>.

<sup>54</sup> Written submission, Gerrit Kurtz. (*Publication from 2022*)

<sup>55</sup> Written submission, anonymous D.

<sup>56</sup> CNN, ‘Russia is plundering gold in Sudan to boost Putin’s war effort in Ukraine’ (29 July 2022). Available at: <https://edition.cnn.com/2022/07/29/africa/sudan-russia-gold-investigation-cmd-intl/index.html>.

<sup>57</sup> Declan Walsh, ‘From Russia With Love’: A Putin Ally Mines Gold and Plays Favourites in Sudan’ (5 June 2022). Available at: <https://www.nytimes.com/2022/06/05/world/africa/wagner-russia-sudan-gold-putin.html>.

According to the investigation by CNN, led by Nima Elbagir,

‘multiple interviews with high-level Sudanese and US officials and troves of documents reviewed by CNN paint a picture of an elaborate **Russian scheme to plunder Sudan’s riches in a bid to fortify Russia against increasingly robust Western sanctions and to buttress Moscow’s war effort in Ukraine.** The evidence also suggests that **Russia has colluded with Sudan’s beleaguered military leadership, enabling billions of dollars in gold to bypass the Sudanese state and deprive the poverty-stricken country of hundreds of millions in state revenue.** In exchange, Russia has lent powerful political and military backing to Sudan’s increasingly unpopular military leadership as it violently quashes the country’s pro-democracy movement.’<sup>58</sup>

Russia is also said to have actively supported Sudan’s 2021 military coup which overthrew a transitional civilian government, dealing a devastating blow to the Sudanese pro-democracy movement. Russia’s involvement in Sudan reportedly began in 2014 after its invasion of Crimea and as Russia was facing international sanctions. Gold shipments from Sudan were to bolster Russia’s finances and avoid international financial monitoring systems. Gen. Mohamed Hamdan Dagalo, leader of the RSF, and Abdel Fattah al-Burhan, the country’s military ruler, are reportedly among the beneficiaries of the Russian support. Both stand accused of having committed war crimes and crimes against humanity in the early 2000s. The CNN investigation indicated that Kuznetsov, a commander with the Wagner Private Military Company (Wagner), has been the key Wagner enforcer across key locations in Sudan.<sup>59</sup>

In 2022, the Darfur Bar Association confirmed the presence of Wagner mercenaries in South Darfur and documented testimonies indicating that the mercenaries have been attacking gold miners in Um Dafuq locality, close to the border with the Central African Republic.<sup>60</sup>

In February 2023, Bloomberg reported that ‘dozens of Russians working for a mining company in Sudan are being probed by authorities on suspicion of gold-smuggling.’<sup>61</sup>

In February 2023, Sudan’s military leadership agreed to host a Russian Naval Base on Sudan’s Red Sea coast.

In March 2023, Russia’s Wagner mercenary group was accused of using migrants and refugees as a means of ‘hybrid warfare.’<sup>62</sup>

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<sup>58</sup> CNN, ‘Russia is plundering gold in Sudan to boost Putin’s war effort in Ukraine’ (29 July 2022). Available at: <https://edition.cnn.com/2022/07/29/africa/sudan-russia-gold-investigation-cmd-intl/index.html>.

<sup>59</sup> Ibid.

<sup>60</sup> See: <https://www.dabangasudan.org/en/all-news/article/the-darfur-bar-association-russian-wagner-mercenaries-in-south-darfur-after-attacks-on-gold-miners/>

<sup>61</sup> Bloomberg, ‘Russians Probed Over Gold in Sudan as West Vies for Influence’ (27 February 2023). Available at: <https://www.bloomberg.com/news/articles/2023-02-27/russians-probed-over-gold-in-sudan-as-west-vies-for-influence?leadSource=uverify%20wall>.

<sup>62</sup> Nick Squires, ‘Italy claims Wagner mercenaries behind latest migrant wave’ (13 March 2023). Available at: <https://www.telegraph.co.uk/world-news/2023/03/13/wagner-group-italy-migrants-hybrid-war-ukraine-invasion/>.

Despite more and more reporting on the involvement of the Wagner group in Darfur, and Sudan more broadly, the issue has not received the attention it requires.

During the Inquiry, the APPG was told by an authoritative source that **Russia has three main objectives in Sudan and they are fundamentally malign: de-democratisation, gold, naval port or naval logistic facility.** Wagner has historically been involved in a number of ways in Sudan, in line with Russian foreign policy, training of troops prior to the revolution. They were also active prior to the 2021 coup in promoting misinformation and disinformation within Sudan in line with the de-democratisation agenda. We do from time to time hear various reports from, for example, civil society contacts, about actual aggressive security operations on the ground by Russian mercenaries or paramilitaries intended to secure gold mining areas or some other purposes.

### 3.4. THE POLICY OF VIOLENCE

Gill Lusk, the former Deputy Editor of African Confidential, who spent many years in Sudan as a journalist, referred in her evidence to the APPG that the situation in Darfur is **'over 30 years of genocide'** and continuity of violence that explains the current wave.<sup>63</sup> According to Lusk, 'competition between settled farmers and pastoralists is as old as the hills where it happens yet it is often used to "explain" any violence. In fact, **violence has been a deliberate policy of the Khartoum regime, from the beginning of the war.**'<sup>64</sup> As Gill Lusk explained to the Inquiry,

'the violence in Darfur, past and present, is the result of deliberate government policy. **It is primarily due to an ethnocidal destabilisation policy by the Khartoum regime: as such, it is an exercise of power by those in power. For those responsible, it has been and still is one instrument for holding on to power in the face of widespread public opposition nationally, which also lasted for 30 years.**'<sup>65</sup>

In her oral evidence, Lusk emphasised the importance and power in the determination of the atrocities from the early 2000s as genocide: 'the categorisation as the deliberate policy was implicit in their labelling of the conflict as "genocide", which by definition refers to deliberate acts. The first international use of the word was by the then United States Secretary of State, General (Retired) Colin Powell, in September 2004. Since then, the Khartoum regime has done everything possible to discredit this idea and present to the world its own rewriting of history.'<sup>66</sup> Gill Lusk noted that

'Today's violence is mainly carried out by the same (or the sons of the same) Janjaweed as in the 1990s-2000s. It can also be simply the predictable effect of the earlier destabilisation, an effect which the Khartoum regime is at best "doing nothing" within its considerable armed force to prevent and at worst, implementing itself. Certainly, people from Darfur still refer to the attacks being made by "Janjaweed", with the

<sup>63</sup> Written submission, Gillian Lusk.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Oral evidence, Gillian Lusk; Written submission, Gillian Lusk.

connotations that these are the same genocidal forces as 30 years ago. Often, they are now members of the Rapid Support Forces (RSF), into which many Janjaweed were integrated and which are led by Himedti and his brother, Abdel Rahim Hamdan Dagalo.<sup>67</sup>

Lusk further added that ‘the Islamist military regime that was headed by Omer el Beshir still holds most of the power of government. This is thanks to the strength of the old regime’s military, security and financial structures, and later, to the October 2021 coup launched by El Burhan and Himedti. The transition to democracy that the coup terminated was backed overwhelmingly by the public and also by Western governments, the UK prominent among them, as well as the African Union and UN.’<sup>68</sup> She explained that

‘The continuing violence in Darfur is not just a question of dictatorial individuals, though. Behind them stands a highly organised structure of security, military and civilian networks built up since the Islamist coup by the National Islamic Front of 30 June 1989 and bolstered by the 2021 coup. The strength of the Islamist-military axis is such that this presents a Herculean challenge, despite undoubted public support for democracy and opposition to Islamism. SAF’s officer corps was thoroughly “Islamised” during three decades of Islamist rule. Many officers (all Muslims) suspected of dissent were taken out and simply shot.’<sup>69</sup>

She concluded by stating that ‘the same challenges facing the country as a whole confront the task of ending the violence in Darfur: **the people with money and guns want the instability to continue: to put it bluntly and briefly, it helps to keep them in power.**’<sup>70</sup>

Evidence submitted by churches stated that ‘the violence in Darfur had political beginning with the looting of the property of those tribes that originally owned the land and politicians wanting to drive those tribes off the land and replace them with tribes they want to own the land. This has caused hatred between those who call themselves Arabs and those who call themselves Africans, although they had previously lived in peace with each other for a long time. The tribal problem continued even with the UNAMID. The presence of UNITAMS (United Nations Integrated Transition Mission in Sudan, from 3 June 2020) is good but it needs to be given extra power to defend the people.’<sup>71</sup>

### 3.5. SOCIOECONOMIC INEQUALITIES

Gerrit Kurtz explained the role of socioeconomic inequalities as a cause and driver of violence in Darfur, which together with youth unemployment contribute to conflict:

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<sup>67</sup> Written submission, Gillian Lusk.

<sup>68</sup> Ibid.

<sup>69</sup> Written submission, Gillian Lusk.

<sup>70</sup> Ibid.

<sup>71</sup> Written submission, anonymous R.

‘Darfur’s nomadic communities have the least access to health and education, with only 9% of 9 to 13-year-old girls and 17% of boys of the same age attending school; compare this to the 50% of internally displaced children who attend school.’<sup>72</sup>

The Inquiry was also told that Darfur continues to experience marginalisation and weak basic services provision:

‘perceptions of Darfur’s marginalisation, which contributed to the emergence of the armed rebellion 20 years ago, still lie at the root of conflict over political representation until today, with the Darfur movements demanding more equitable power and wealth-sharing between Darfur and Khartoum. Darfur was one of the poorest regions of Sudan at independence in 1956 and, **after decades of conflict, still has some of the lowest human development indicators, with lack of investment, limited infrastructure and access to basic services.**’<sup>73</sup>

Ambassador Beth van Schaack told the APPG that ‘property issues and property ownership and returning property to individuals who have been displaced often for quite some time is very much an under-theorised and underresourced area. We need to find ways to be able to do this, such that we don’t create new grievances on the part of individuals who have been able to have access to certain territories now for many years. I’ve spoken with the International Organisation for Migration (IOM) about this. Others are engaged on this question but really figuring out how to make sure that people are able to return, they have something to return to, they have access to their ancestral or previously held properties.’<sup>74</sup>

### 3.6. FAILURE TO PROTECT COMMUNITIES/SYSTEMIC INEQUITIES

The failure to protect communities in Darfur cannot be ignored. In 2018, the Holocaust Memorial Day Trust indicated that the Darfur genocide is ongoing and ‘sponsored by the government, the Janjaweed have continued to target black Africans in Darfur for the last 12 years.’<sup>75</sup> The Holocaust Memorial Day Trust added that:

**‘In some of the [IDP] camps, the police are no longer allowed access and no one is taking charge of security and justice. It is often unsafe for anyone to leave the camps – for example, women would normally go in search of firewood, however, if they do, they may end up being attacked and raped by the Janjaweed militias.’**<sup>76</sup>

Human Rights Watch submitted to the Inquiry that

‘Sudanese authorities have clearly failed to uphold their commitments to protect civilians in Darfur. Repeated statements from international actors, notably the UN, continued to remind authorities of their duty to protect civilians and investigate

<sup>72</sup> Written submission, Gerrit Kurtz. (*Publication from 2022*)

<sup>73</sup> Written submission, Dame Rosalind Marsden.

<sup>74</sup> Oral hearing, Ambassador Beth van Schaack.

<sup>75</sup> See: <https://www.hmd.org.uk/wp-content/uploads/2018/06/Darfur-Genocide-today-information-and-education-guide.pdf>.

<sup>76</sup> Ibid.



abuses. However, these same international actors have failed to take concrete measures to ensure that the authorities follow through on these commitments. During the upended transition and following the 2019 coup, Darfur continued to fall off the radar of many international actors. One consequence of this is that the UNITAMS and other international mechanisms have reduced capacity to monitor and report on the abuses across Darfur.<sup>77</sup>

Human Rights Watch further explained that ‘following the formation of the transitional government in 2019, Sudanese leaders vowed to protect civilians in Darfur and developed a plan for protecting civilians that primarily provides for the deployment of joint forces from government forces and peace signatory groups and strengthening access to justice. However, the multiple episodes of violence in the region have laid bare the failure of Sudanese leaders and authorities to protect those at risk or deter attackers, resulting in significant harm to local communities and dire humanitarian consequences.’<sup>78</sup> Gerrit Kurtz indicated that

‘The outbreaks of violence in Darfur follow a pattern. They are often triggered by individual disputes and criminal incidents with members of one ethnic group sometimes holding entire other groups accountable for the misconduct of just one or a few antagonists. The attacked group is often armed and fights back. State security forces hold back, intervening belatedly or even retreating because they are no match for the attackers. Such violent clashes can sometimes involve up to 3,000 fighters with vehicles on one side alone, as has been observed with the Rizeigat. Some members of the Rizeigat militia reportedly wear official RSF insignia during their attacks.’<sup>79</sup>

The Inquiry was also told that ‘although UNAMID was not very effective in terms of providing protection of civilians, the mere fact of its presence meant that the international community had, to some extent, eyes and ears on what was going on. Also, the IDPs in the camps said that the fact that UNAMID did some patrolling, gave them some sense of security and that they felt much more vulnerable now.’<sup>80</sup> A witness who wished to remain anonymous added that ‘what we are seeing is that the government is often very, very slow to intervene. Sometimes three days can pass before they turn up, by which time the violence has escalated to a very large scale, or sometimes what happens is that some members of the Security Forces join in on the side of their own tribesmen.’<sup>81</sup>

### III. THE ANATOMY OF RECENT ATROCITIES

The flare-up of violence in Darfur, as seen over recent years, has hallmarks of atrocity crimes. Violence in Darfur is said to have sharply increased since December 2020, with ‘the areas of Darfur worst affected by large-scale inter-communal violence since 2021 have been West

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<sup>77</sup> Written submission, HRW.

<sup>78</sup> Ibid.

<sup>79</sup> Written submission, Gerrit Kurtz. (Publication from 2022).

<sup>80</sup> Oral submission, Dame Rosalind Marsden.

<sup>81</sup> Written submission, HRW.

Darfur, South Darfur and North Darfur. Central Darfur has also experienced some violence, as has East Darfur to a much lesser extent.<sup>82</sup> The question is whether this is a new and unrelated wave of violence or rather a continuation of the atrocities.

Over the preceding years, Amnesty International has documented several atrocities in Darfur. For example, 'the Sudanese government security force carried out crimes against humanity in North and South Darfur in 2014, in Jebel Marra in 2015 and 2016, continues to carry out war crimes and other serious human rights violations in Jebel Marra, and was chiefly responsible for killing scores of protesters in the Sudanese capital of Khartoum since 3 June 2019.'<sup>83</sup> In 2019, Amnesty reported that 'satellite evidence and testimonies confirm that government forces and associated militias damaged or destroyed at least 45 villages in Jebel Marra between July 2018 and February 2019.'<sup>84</sup>

In 2022, Joachim J. Savelsberg, Professor of Sociology and Law, stated that: 'violence in the Darfur region of Sudan is flaring up again, as the United Nations and news media report. **The Janjaweed militia is targeting the same groups they had sought to destroy during the genocidal violence of the early 2000s, in collaboration with the government of Sudan and its forces.** (...). In the recent mass killings in Fata Bornu on July 13, the local governor, Major General Malik Al-Tayeb Khojaly, a target of such protests, had withdrawn protection forces exactly the night before the Janjaweed attack.'<sup>85</sup>

In February 2023, the US Holocaust Memorial Museum, marking the 20th anniversary of the Darfur genocide, commented that '**targeted attacks against civilians in Darfur by armed Arab groups persist.** The government of Sudan is failing to protect civilians and sometimes has been implicated in the violence. Sudan ranks ninth in the world in the Museum's Early Warning Project's assessment of the risk of a new mass killing. Continued abuses necessitate greater international efforts to protect the people of Darfur, prevent future mass atrocities, and support justice and accountability.'<sup>86</sup>

In February 2023, Niemat Ahmadi, the founder of Darfur Women Action Group, indicated that 'in spite of al-Bashir's ousting, **his totalitarian regime remains very present and continues to carry out their genocidal policies against the indigenous tribes who have been targeted and singled out for extermination for twenty years.**'<sup>87</sup>

In March 2023, the Global Centre for the Responsibility to Protect published a report stating that '**populations in Sudan are at risk of atrocity crimes due to escalating inter-communal**

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<sup>82</sup> Written submission, Dame Rosalind Marsden.

<sup>83</sup> See: <https://www.amnesty.org/en/latest/press-release/2019/06/sudan-fresh-evidence-of-government-sponsored-crimes-in-darfur-shows-drawdown-of-peacekeepers-premature-and-reckless/>.

<sup>84</sup> Ibid.

<sup>85</sup> See: <https://www.ucpress.edu/blog/51682/new-atrocities-in-darfur-and-the-representation-of-mass-violence/>.

<sup>86</sup> See: <https://www.ushmm.org/genocide-prevention/blog/20-year-anniversary-of-the-start-of-the-genocide-in-darfur>.

<sup>87</sup> See: <https://www.ushmm.org/genocide-prevention/blog/reflections-on-the-20th-anniversary-of-the-start-of-genocide-in-darfur>.

**and localised violence. Ongoing political instability and the use of lethal force against civilians by security forces and affiliated militias also pose a threat to populations.’<sup>88</sup>**

Many of those providing evidence agreed that there are many similarities between the atrocities seen in recent years and the 2003 Darfur genocide. Jana Ramsey, action officer at the US State Department covering Sudan, told the Inquiry that ‘the underlying grievances remain the economic marginalisation, issues over land, and the lack of justice and accountability for the crimes that have been committed. So some of those issues have not gone away.’<sup>89</sup>

The Inquiry was told that ‘the actors, in terms of the tribes on the ground, between 2003 to 2004, were being organised by the Bashir regime deliberately being told to counterinsurgency. (...) They were being given a sort of political direction, from the centre, which was the basis of the genocide, because there was some intention to eliminate the sort of African tribes of Darfur. (...) There is suspicion that there could be some incitement by some from the regime [now], but they are not in a position to act in the sort of systematic way that they could when they were in power. If it is happening, it’s been done clandestinely here and there. Perhaps at the moment more to undermine the democratic transition, to get back into power, rather than for reasons of deliberate ethnic cleansing.’<sup>90</sup>

Ambassador Beth van Schaack, Ambassador at Large for International Criminal Justice, told the Inquiry that there is genuinely less involvement by Khartoum in the recent violence, contrary to the early 2000s, in terms of the coordinated attacks, between Janjaweed and other militia actors, the forces providing cover for each other, working together. She added:

‘A lot of attention has turned to what’s happening in Khartoum on the political level, and in a way that may have taken the attention away from Darfur. [The APPG report] is valuable in that respect, so that we don’t lose sight of the fact that things are still very insecure and unstable there and high levels of inter-communal violence that we’re seeing. **There is some of that violence that is along similar lines that we saw in the early 2000s, in terms of which groups in which tribal affiliations are engaged in violent clashes with others. Also concerns about some of the same underlying grievances around property and land access.** And of course, we are seeing the impacts of climate change and reduced water.’<sup>91</sup>

Ambassador Beth van Schaack told the Inquiry that her team is monitoring the situation closely and collecting as much data as possible to have an accurate assessment of the dynamics of violence on the ground, however, at present, they are not engaged in formally determining whether genocide is occurring:

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<sup>88</sup> See: <https://www.globalr2p.org/countries/sudan/>.

<sup>89</sup> Oral hearing, Jana Ramsey.

<sup>90</sup> Oral submission, anonymous.

<sup>91</sup> Oral hearing, Ambassador Beth van Schaack.

**'We were definitely concerned about some of the risk factors that we're seeing, including those that are being exacerbated by changes in the climate and the viability of particular land and the ability to use it for purposes that it has been used in the past. We are also concerned about seeing communal-level violence that's not necessarily being fomented by Khartoum, or by other leaders. (...) There is a sense of vulnerability that we are seeing that can turn into some degree of violence on the ground. And so, again, trying to track this in this situation carefully. Certainly, a high number of cases of sectarian violence is always an issue to be worried about. (...) the minute you start seeing this sort of sectarian violence where there seem to be attacks based on identity or membership in particular groups, you're always worrying about whether or not something is pre-genocidal or maybe going to evolve into that sort of situation.'**<sup>92</sup>

Ambassador Beth van Schaack told the Inquiry that **'what we do see are worrying signs and risk factors of mass atrocities.'**<sup>93</sup>

As such, it may be reasonable to consider the current situation as a **continuation of atrocity crimes and a serious risk of further atrocity crimes, which could lead to genocide. The UK and other countries have a legal duty to prevent genocide and therefore these risks must be assessed and analysed. The UK and other countries have also given a political commitment to the Responsibility to Protect.**<sup>94</sup>

## 1. TARGETED KILLINGS

Evidence submitted by churches confirmed that 'the killing is continuing in spite of the Darfur Agreement and is causing much suffering.'<sup>95</sup> Government forces and militias stand accused of targeted killings of civilians, including human rights defenders and activists. According to the 2021 and the 2022 Human Rights Report of the State Department, 'Military personnel, paramilitary forces, and tribal groups committed killings in Darfur and the Two Areas. Most reports were difficult to verify due to continued prohibited access to conflict areas, particularly Jebel Marra in Central Darfur and SPLM-N-controlled areas in South Kordofan and Blue Nile States. Humanitarian access to Jebel Marra was restricted due to fighting among rival rebel groups.'<sup>96</sup>

HRW told the Inquiry that 'attackers committed a wide range of abuses, killing and injuring hundreds of local residents while they were fleeing or seeking refuge, burning and looting houses and other properties, targeting health care facilities and IDP camps. **Most of those killed in these attacks were adult men, but children, women and elders were not spared.**

<sup>92</sup> Ibid.

<sup>93</sup> Ibid.

<sup>94</sup> See: <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.

<sup>95</sup> Written submission, anonymous R.

<sup>96</sup> US State Department, 2021 Human Rights Report. Available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/sudan/>. See also: US State Department, Human Rights Sudan. Available at: <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/sudan/>.

**These attacks have left a massive trail of destruction and displacement.**<sup>97</sup> In their evidence, HRW submitted findings of their research into the events between 2021 and 2023, in particular, the large-scale attacks by armed men from Arab groups and the RSF in West Darfur, including in El Geneina, attacks in Kereneik town and surrounding areas in December 2021 and again in April 2022. The attacks resulted in many people being killed and injured.<sup>98</sup>

Haringey Welcome told the Inquiry that one of their members, Majed Hassan (aka Sharif Barko), having survived the 2003 Darfur genocide by fleeing for his life, 'was murdered by armed militia on 16 January 2021 in El Geneina, West Darfur, while attempting to help civilian women and children escape from Krinding IDP camp which had come under armed attack from RSF forces and Janjaweed militia.'<sup>99</sup>

## 2. SEXUAL AND GENDER-BASED VIOLENCE

In addition, there are widespread reports of horrific sexual and gender-based violence (SGBV) committed against women and girls in Darfur, including rape, sexual assault, forced marriage, and sexual slavery. Both government forces and armed groups are implicated in these crimes, which are used as a weapon of war. In 2022, the US State Department indicated that 'there were continued reports that government security forces, pro-government and antigovernment militias, and other armed persons raped women and children.'<sup>100</sup> In 2022, the US State Department confirmed the ongoing use of rape and sexual violence 'although most abuses were committed by militias.'<sup>101</sup> Survivors struggle to access assistance and face obstructions in attempts to report the atrocities.<sup>102</sup>

Dr Eric Reeves, Fellow at Rift Valley Institute, submitted to the Inquiry extensive research into the issue of rape and sexual violence in Darfur covering recent years but also the last two decades.<sup>103</sup> His March 2023 update, including up-to-date information from the coordinating counsellor working with survivors, indicated that:

**'The phenomena of sexual violence and rape of girls and women by the Janjaweed militias in North Darfur state occur on a daily basis and are increasing. The rape of women and young girls by the Janjaweed in the vicinity of Zamzam camp has become a common and systematic practice. Most of the heinous crimes occur while the girls and women leave the camp to collect firewood or fetch other necessities from agricultural areas. Other girls have been raped as a result of militia attacks on**

<sup>97</sup> Written submission, HRW.

<sup>98</sup> Ibid.

<sup>99</sup> Written submission, Haringey Welcome.

<sup>100</sup> Ibid.

<sup>101</sup> Ibid.

<sup>102</sup> US State Department, 2021 Human Rights Report. Available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/sudan/>.

<sup>103</sup> See among others: <https://sudanreeves.org/2017/10/15/continuing-mass-rape-of-girls-in-darfur-the-most-heinous-crime-generates-no-international-outrage-january-2016/>.

**their villages.** The perpetrators of these heinous crimes always benefit from almost total impunity, which only leads to an increase in these terrible crimes. The authorities have consistently failed to take effective measures to investigate complaints of rape. Indeed, to make matters worse, some of the girls who were raped have been arrested for adultery.

In February 2023, a group of young girls with two women were raped near Zamzam camp. Afterwards, the Sheikh and elders of the camp immediately reported this crime to the police. The police arrested three of the criminals, but they were all released the next day.<sup>104</sup>

Among the examples of the horrific crime, Dr Reeves mentioned the case of a young woman Nadia from February 2023, when she went west of Zamzam camp to gather straw for their livestock:

‘When the girls reached their destination, four armed Janjaweed men on camels appeared and began to ask the girls questions such as, “Where do you come from? Why are you here? Which tribes do you belong to?” The girls became frightened, and Nadia replied that they were from Zamzam camp. After this, one of the militiamen pulled out his weapon and demanded that the girls lie down. One of the assault victims said that the attackers demanded they throw their phones on the ground; but when they refused, they were beaten until they lost consciousness.

“Why did you leave your dirty camp that is full of harmful black beasts? You are worth nothing to us Arabs except as pleasurable objects!” These words terrified the girls even more as they endured the following humiliation. Nadia said: “I screamed and begged them to stop, but they continued to beat us very violently. They put a weapon to my head and told me ‘to shut up or we will finish you.’ The Janjaweed then said that no one should move from her place, and then asked all of us to take off our clothes.” Another of the victims said: “After that, each one of them seized one of us and then carried out their heinous crimes while one of them stood guard with a weapon on top of a camel.”

During all this, however, Nadia resisted and managed to escape her ordeal. But the attackers chased her, and when they realised they couldn’t catch her, they fired at her, wounding her in the arm and stomach.<sup>105</sup>

The evidence collected by Dr Eric Reeves contains several such examples.

### 3. ABDUCTIONS AND ENFORCED DISAPPEARANCE

Abductions and enforced disappearances continue to be perpetrated throughout Darfur.

According to the 2021 and 2022 Human Rights Reports of the State Department, ‘there were numerous reports of abductions by the armed opposition and tribal groups in Darfur.

<sup>104</sup> Written submission, Dr Eric Reeves. See also: <https://sudanreeves.org/2023/03/28/project-update-march-28-2023-responding-to-sexual-violence-in-darfur/>.

<sup>105</sup> Ibid.

International organisations were largely unable to verify reports of disappearances.<sup>106</sup> There were also numerous criminal incidents involving kidnapping for ransom.<sup>107</sup>

In its 2021 Human Rights Report, the State Department indicated that ‘in areas of Jebel Marra under government control, bordering Sudan Liberation Army/Abdul Wahid (SLA-AW) areas, some civilians, in particular traders, were still harassed and sometimes unlawfully detained by the security forces, on the assumption that they supported the SLA-AW. Armed opposition groups in Darfur and the Two Areas reportedly detained persons in isolated locations in prison-like detention centres.’<sup>108</sup>

## 4. CHILD SOLDIERS

Both government forces and militias stand accused by human rights agencies of using child soldiers in Darfur. Children are often abducted and forced to fight. Some are pressured due to poverty and lack of other options.

In its 2022 Human Rights Report, the State Department indicated that ‘Allegations persisted that armed opposition movements conscripted and retained child soldiers within their ranks. Many children continued to lack documents verifying their age. Children’s rights organisations believed armed groups exploited this lack of documentation to recruit or retain children. Due to access problems, reports of the use of child soldiers by armed groups were few and often difficult to verify.’<sup>109</sup>

## 5. ATTACKS ON REFUGEE AND IDP CAMPS

Armed groups have launched attacks on the camps housing refugees and IDPs, resulting in the secondary displacement of thousands of people and the destruction of property. These attacks often involve looting and burning of homes, as well as the abduction of civilians. In addition, IDPs and refugees in Darfur face significant barriers to accessing basic services such as healthcare, education, and clean water. The government and armed groups have impeded humanitarian access to these populations, exacerbating their already dire living conditions.

## 6. THE TARGETING OF RELIGIOUS OR OTHER MINORITIES

The evidence submitted to the APPG and evidence shown to the APPG by the FCDO suggests that religious minorities are targeted. Evidence was also presented by Jim Shannon MP during a debate at the House of Commons on 23 February 2023 who explained that ‘the situation for religious minorities in Sudan is part of a broader human rights crisis in the country. The

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<sup>106</sup> US State Department, 2021 Human Rights Report. Available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/sudan/>.

<sup>107</sup> US State Department, 2021 Human Rights Report. Available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/sudan/>. See also: US State Department, Human Rights Sudan. Available at: <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/sudan/>.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

conditions in parts of Sudan are worryingly similar to those that preceded the genocide in Darfur.<sup>110</sup> Mr Shannon MP raised that:

**'Shi'a Muslims currently experience widespread discrimination.** There have been several high-profile attacks on Shia mosques, which has led to many Shias self-censoring and avoiding voicing their beliefs or religious practices that differ from the Sunni practice. Under the transitional Government, Sudan invited its Jewish diaspora to return, as many had fled persecution under al-Bashir's regime. **That attitude has changed, and the country's tiny Jewish community now faces violent attacks and hate speech.** The state TV channel, under the control of the military junta, has broadcast antisemitic conspiracies, with one programme stating that "Jews epitomise all trickery". **The Baha'i community is not recognised by the country and can operate only in secret. (...) The coup led to a near-instant escalation of violence and intimidation directed at Sudan's Christians.** Overnight, the community faced severe restrictions on its religious practices and freedom of worship. Two broad issues have had a significant effect on the lives of Christians in Sudan: the change in the role of the police—directed by the military junta and the imposed Government—and increased pressure from society and extremist groups.<sup>111</sup>

Responding to these concerns, Rt. Hon. Anne-Marie Trevelyan MP, the Minister of State, Foreign, Commonwealth and Development Office, agreed that 'under the 30 years of al-Bashir's regime, human rights in Sudan were atrocious. The state restricted freedom of religion and belief and political space for any alternative voices. The state committed and failed to act against sexual and gender-based violence and committed grave human rights violations. Citizens were subjected to arbitrary detention, torture and state-sponsored violence. After al-Bashir was toppled in the 2019 revolution, the civilian-led transitional Government made significant progress on human rights.'<sup>112</sup> The Minister added that 'the situation has backtracked since the coup in October 2021, an event that threatened to derail the progress that Sudan had made from oppressive autocratic rule towards freedom and democracy.'

## IV. HUMANITARIAN CRISIS

The continuing violence in Darfur adds to and exacerbates the humanitarian crisis in Sudan and the region. The World Food Programme plays a critical humanitarian role and the APPG salutes their extraordinary courage. This was graphically underlined in April 2023 when three members of their staff were killed in Darfur.

Over three million people (83% of the total 3.7 million IDPs across Sudan), around one-third of the region's population, are still displaced in IDP camps across Darfur and a further 350,000 in

<sup>110</sup> See: <https://hansard.parliament.uk/Commons/2023-02-23/debates/B902B35B-8000-43AD-A940-6839F87B4BBE/HumanRightsAndReligiousMinoritiesSudan?highlight=sudan#contribution-B18C646D-849F-4036-BE92-1F01A7D47F1E>.

<sup>111</sup> Ibid.

<sup>112</sup> Ibid.



refugee camps in Eastern Chad.<sup>113</sup> Many of them have been living in dire conditions in camps for nearly 20 years, since the peak of the violence in 2003-2005, unable to return to their original lands because they were taken during the war.

Over 418,000 people were newly displaced in Sudan in 2022. Most of the displacement was registered in Blue Nile (30.6%), followed by West Darfur (22.8%) and South Darfur (11.2%).<sup>114</sup> Most of the new displacement—about 314,000 people—was caused by conflict (in West Darfur, North Darfur, South Darfur, East Darfur, South Kordofan, West Kordofan and Blue Nile states).<sup>115</sup> In December 2022, 9,800 people were displaced in South Darfur.<sup>116</sup>

The World Food Programme confirmed in their submission to the Inquiry that **‘humanitarian needs across Sudan are at an all-time high**, with food insecurity levels continuing to increase, driven by the worsening macroeconomic situation, a reduced harvest in 2022, and continuing conflict, hampering households' access to food. At least 15 million people, or one-third of the population, were facing food insecurity at the start of the lean season in 2022. Assessments are currently ongoing to determine the severity of food insecurity ahead of the 2023 lean season (June – September).<sup>117</sup>

According to their data, ‘over 4 million young children and pregnant and breastfeeding women are acutely malnourished, of which 611,000 are facing severe acute malnutrition. With global acute malnutrition (GAM) prevalence of 13.6%, Sudan is among the countries with the highest GAM levels in the world. In addition, one in three children are out of school and the cost of the local food basket in Sudan is 87% higher than the same time last year.’<sup>118</sup>

In their submission to the Inquiry, the World Food Programme identified four main drivers for this humanitarian crisis. These include conflict-induced displacement, the conflict in Ukraine, economic decline, inflation and poor harvest.<sup>119</sup> For example, as they submitted, ‘Domestic production of wheat only provides 15% of Sudan’s wheat demand. In 2020, 60% of the total wheat imported to Sudan came from Russia (55%) and Ukraine (5%).’<sup>120</sup>

The states with the projected highest proportion of people in need of urgent action are West Darfur, North Darfur, and Central Darfur.

The World Food Programme indicated that in Darfur, ‘incidents of localised conflict between communities, mainly over access to and control of resources, continue to displace and affect

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<sup>113</sup> In July 2022, the Darfur region hosted nearly 3.1 million IDPs, the majority of them in South Darfur (1,065,597) and North Darfur (870,715), followed by Central Darfur (550,334), West Darfur (490,849) and East Darfur (117,715).

<sup>114</sup> See: <https://reports.unocha.org/en/country/sudan/>.

<sup>115</sup> Ibid.

<sup>116</sup> Ibid.

<sup>117</sup> Written submission, World Food Programme.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

<sup>120</sup> Ibid.

civilians. In November 2022 alone, 32,777 people were displaced in parts of Central Darfur and West Kordofan states. The majority of those displaced in 2022 were in Blue Nile, West Darfur, and West Kordofan. Access to farmland in Darfur states has also been disrupted by the ongoing conflict. During recent WFP visits to IDP camps in Darfur, many families raised concerns over safety, security, and their ability to access their land to cultivate.<sup>121</sup>

In addition, ‘communities in the Darfur region continue to experience setbacks due to natural disasters such as floods and prolonged dry spells, in addition to violent conflict. These shocks have worsened the food security of families and limited access to basic services. Competition over resources and services shared by host communities, returnees and IDPs exacerbates these challenges.’<sup>122</sup>

**Funding for humanitarian assistance for those in the camps has been declining. This has forced many people to make hard choices, desperate to escape the dire situation in Darfur.**

## V. DARFUR DISPLACEMENT, MIGRATION AND THE IMPACT ON THE UK

This issue is very topical in the UK at the moment as the Government works on ways to address the issue of small boats crossing the English Channel. According to the Home Office’s official data, small boat arrivals accounted for 45% of asylum applications in 2022.<sup>123</sup> **Between 2018 and 2022, 3,763 Sudanese people came on small boats to the UK.**<sup>124</sup>

**According to the date from the Refugee Council from March 2023, ‘nearly half of those who crossed the channel came from just five countries – Afghanistan, Iran, Syria, Eritrea and Sudan.’<sup>125</sup> According to their analysis based on recorded data, in 2022, 1,704 Sudanese came to the UK on small boats.**<sup>126</sup>

**According to the Home Office’s official data, in 2022, Sudan was the third most common country of origin of those resettled that year with 4% of resettlements (after Afghanistan (80%) and Syria (10%)).<sup>127</sup> In 2022, the grant rate of Sudanese applicants was 84%.**<sup>128</sup>

<sup>121</sup> Written submission, World Food Programme.

<sup>122</sup> Ibid.

<sup>123</sup> See: <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-december-2022/how-many-people-do-we-grant-protection-to>.

<sup>124</sup> See: <https://www.gov.uk/government/statistics/irregular-migration-to-the-uk-year-ending-december-2022/irregular-migration-to-the-uk-year-ending-december-2022>.

<sup>125</sup> See: <https://www.refugeecouncil.org.uk/wp-content/uploads/2023/01/Refugee-Council-Channel-Crossings-briefing-March-2023.pdf>.

<sup>126</sup> Ibid.

<sup>127</sup> See: <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-december-2022/how-many-people-do-we-grant-protection-to>.

<sup>128</sup> Ibid.

**Members of the APPG are very concerned that the April 2023 violence in Sudan will lead to further displacement, both internally and externally.**

Commenting on the experiences of Sudanese asylum seekers in the UK, Maddie Crowther from Waging Peace said that the ‘process is far from perfect, and charities and refugee sector colleagues complain about the difficulty of completing this form given language barriers and insufficient access to legal advice. There is also serious concern about the new “Illegal Migration Bill,” and the way it will criminalise as a rule those who arrive in the UK via small boat.’<sup>129</sup>

## VI. DOMESTIC AND INTERNATIONAL RESPONSES TO DATE

Human Rights Watch told the Inquiry that **‘the international response to the killings of hundreds and displacement and destruction has been muted.** Sudanese authorities have clearly failed to uphold their commitments to protect civilians in Darfur. Repeated statements from international actors, notably the UN, continued to remind authorities of their duty to protect civilians and investigate abuses. However, **these same international actors have failed to take concrete measures to ensure that the authorities follow through on these commitments.**’<sup>130</sup>

### 1. JUSTICE AND ACCOUNTABILITY

Despite repeated promises, in reality, very little is being done to ensure justice and accountability, whether for past or current atrocities.

In relation to past atrocities, the IBAHRI raised the issue of impunity, stating that ‘former Janjaweed militia leader Musa Hilal, accused of serious crimes in the Darfur conflict between 2002-2005 was released from prison, in what analysts state reflects a “new reality” in Sudanese politics whereby militant leaders from marginalised peripheries, such as Darfur, are seizing an opportunity for national leadership.’<sup>131</sup> Hilal ‘gained notoriety playing a well-documented role leading the Janjaweed militia as serious crimes were committed in Sudan’s Darfur conflict between 2002 and 2005.’<sup>132</sup>

Past atrocities are being investigated by the ICC. Until now, the ICC has opened six cases and issued seven arrest warrants. But only one person is in Court’s custody and four are at large:

**Ali Muhammad Ali Abd-Al-Rahman** was transferred to the ICC's custody on 9 June 2020, after his voluntary surrender in the Central African Republic. His initial

<sup>129</sup> Oral submission, Maddy Crowther.

<sup>130</sup> Written submission, HRW.

<sup>131</sup> Written submission, IBAHRI.

<sup>132</sup> Mohamed Osman, ‘Sudan’s Pardon of Militia Leader Sends Wrong Message’ (15 March 2021). Available at: <https://www.hrw.org/news/2021/03/15/sudans-pardon-militia-leader-sends-wrong-message#:~:text=Hilal%20gained%20notoriety%20playing%20a,former%20ruling%20party%20in%202014.>

appearance before the ICC took place on 15 June 2020. Mr Abd-Al-Rahman is suspected of 31 counts of war crimes and crimes against humanity allegedly committed between August 2003 and at least April 2004 in Darfur, Sudan. On 9 July 2021, Pre-Trial Chamber II confirmed all the charges and committed him to trial. On 5 April 2022, the trial, in this case, opened before Trial Chamber I. The Prosecution called 56 witnesses to appear and has finished presenting its evidence. The common legal representatives of the victims are scheduled to make their opening statements and call their witnesses during the week of 22 to 26 May 2023.<sup>133</sup>

The authorities in Khartoum are failing to cooperate with the ICC. Notwithstanding some discussions with ICC prosecutors about Bashir being moved to the Court's custody, this has been without further progress.

In relation to the new wave of atrocities, as detailed by HRW and others, 'despite commitments taken under the transitional government to secure accountability for serious crimes perpetrated in Darfur, **impunity remains the norm.**'<sup>134</sup> HRW added that 'authorities in Khartoum have formed investigative committees in the aftermath of the three attacks (...), but **none has so far led to any meaningful prosecutions or trials.**'<sup>135</sup> HRW reported on reprisals against complaints and witnesses in relation to an attack on a displacement camp in El Geneina in 2019. According to them, this may have had a chilling effect on those wishing to seek justice. This adds to the many other issues preventing justice and accountability, including 'the weak presence and capacities of prosecutorial and judicial authorities in West Darfur.'<sup>136</sup>

The UK Ambassador to Sudan, Mr Giles Lever, told the APPG during a Parliamentary briefing in March 2023:

'There are two tracks to this. There is a broad question of transitional justice, meaning accountability, and particularly in the minds of the street here for, you know, bad things that have happened particularly since the Bashir regime, that is the 3rd of June massacre of protesters in 2019. That is around 140 demonstrators who have been killed by security forces since the coup. So many people in Khartoum streets talk about transitional justice, that those two things are their primary focus. (...) We need to progress Sudanese cooperation with the ICC. (...) Despite securing various promises on that visit of increased cooperation with the Sudanese authorities, these promises have not really materialised. (...) A very high priority in our engagement, any new civilian government that emerges from the political process should be the restoration of the levels of cooperation with the ICC, that was promised in the memorandum of understanding signed with the ICC under the transitional government.'

The Inquiry has been told by a witness wishing to remain anonymous that:

<sup>133</sup> See: <https://www.icc-cpi.int/darfur>.

<sup>134</sup> Written submission, HRW.

<sup>135</sup> Ibid.

<sup>136</sup> Ibid.

'The [Juba Peace Agreement] Darfur Track includes a detailed Protocol on Justice, Accountability and Reconciliation, in which, among other things, the signatories pledged "full and unlimited cooperation with the ICC concerning persons for whom arrest warrants have been issued", including "facilitating the appearance of those wanted before the ICC" and "committing to UN [Security Council] Resolution 1593 of 2005, which referred the Darfur situation to the ICC". The signatories also agreed to "provide the ICC with easy access to victims, witnesses, and investigation sites", to "allow ICC personnel to freely travel throughout Sudan at all times" and to "ensure the protection and safety of all prosecutors, victims and witnesses." **Despite pledges of cooperation, the reluctance of the military component to send Bashir to the Hague is reflected in the use of the ambiguous phrase "appearance before the court" instead of "handing over to the court".'**<sup>137</sup>

The witness added that while

'the [Juba Peace Agreement] also provided for the establishment of a Special Court for Darfur Crimes and a Truth and Reconciliation Committee and for traditional justice mechanisms to deal with crimes that fell outside the jurisdiction of these bodies, the national courts, and the ICC, (...) **nothing was done to establish either the Darfur Special Court or the Truth and Reconciliation Commission.** Pursuant to the 2019 Constitutional Declaration, a law was adopted in April 2021 to establish a Commission on Transitional Justice mandated to lead consultations to define transitional justice approaches for Sudan but the Board of Commissioners was also not appointed before the coup.'<sup>138</sup>

Ambassador Beth van Schaack raised the urgent need for justice and accountability which should be a priority for the transition government and also the international community.

## 2. ADDRESSING INSTABILITY IN DARFUR

Over the last three years, there have been several developments that require a reference in this report.

### 2.1. THE JUBA PEACE AGREEMENT

On 3 October 2020, the Government of Sudan and Sudanese Opposition Groups signed an agreement, known as the Juba Peace Agreement, that at the time was seen as a crucial step to end the conflict in Darfur, South Kordofan, Blue Nile, as well as other historically marginalised parts of Sudan. It was also to lay a foundation for democratic transition and economic reform throughout the country.

Following the Agreement, the UN Security Council adopted a resolution on Sudan establishing the United Nations Integrated Transition Assistance Mission in Sudan (UNTAMS),<sup>139</sup> whose

<sup>137</sup> Written submission, Dame Rosalind Marsden.

<sup>138</sup> Ibid.

<sup>139</sup> See: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/138/97/PDF/N2013897.pdf?OpenElement>.

mandate is to support the Sudanese democratic transition in building and implementing peace agreements and protecting civilians in Darfur, South Kordofan and Blue Nile.<sup>140</sup>

As John Ashworth, an expert on Sudan, explained to us, ‘The accords have been rejected by many Darfuris because they were brokered by the feared leader of one of the main groups implicated in the violence – the paramilitary Rapid Support Forces (RSF).’<sup>141</sup> ‘The RSF evolved out of some of the Darfuri Arab militias – known as Janjaweed – created by former president Omar al-Bashir to crush the region’s non-Arab rebel groups. They revolted in the early 2000s, accusing the government of neglecting Darfur. Despite accusations that Janjaweed militias committed genocide against non-Arabs, the RSF is now part of the security services, with members across Sudan. Its leader – a former Janjaweed commander called Mohamed Hamdan Dagalo ‘Hemedti’ – is a major political figure.’<sup>142</sup>

John Ashworth indicated that ‘Darfuris told The New Humanitarian the deals helped perpetrators avoid justice, enabled the RSF to consolidate power, and did nothing to address the root causes of conflict. Individuals who protested the deals were also arrested en masse by the RSF.’<sup>143</sup> The US State Department commented that ‘implementation remained slow and uneven throughout the year. Violence increased around the country with sudden flareups of inter-communal fighting throughout the year, especially in Darfur, Blue Nile, Kassala, and Kordofan States.’<sup>144</sup>

Similarly, the Inquiry was told that ‘had the [Agreement] been implemented in good faith, it could have been an important first step towards addressing some of the root causes of conflict in Darfur. However, **implementation has been extremely limited during the last two and a half years, particularly in those areas that could have brought tangible benefits to the displaced and refugees.**’<sup>145</sup>

## 2.2. THE 2021 MILITARY COUP

Inter-communal violence in Darfur is said to have intensified after the military coup in October 2021, when the Sudanese military seized power from the transitional government. The transitional government has been running the country following a popular uprising in 2019 which has seen the removal of Bashir from power. The Sudanese government is said to have been slow in implementing the Juba Peace Agreement, especially in relation to disarmament, integration of non-government armed forces into government forces and the formation of joint forces for Darfur.

<sup>140</sup> See also: <https://dppa.un.org/en/mission/unitams>.

<sup>141</sup> Written submission, John Ashworth.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> US State Department, Human Rights Sudan. Available at: <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/sudan/>.

<sup>145</sup> Written submission, anonymous D.

As indicated by the IBAHRI in their submission to the Inquiry, ‘the Sudanese transition and the 2021 military coup brought a new dynamic to the geopolitics of the Darfur region. Both Arab nomadic tribes and non-Arab displaced groups in Darfur felt empowered by the new arrangement in Khartoum. The former counted on support from the rise of Hemedti, who himself belongs to a Rizeigat tribe; and IDPs’ hopes grew that they would benefit from a peace process that would, among other things, allow them to permanently return to their fields. However, returning IDPs now often come into conflict with the current, new, users of the land.’<sup>146</sup>

This was seen as a particular concern and as a risk factor for further and large-scale violence.

### 2.3. POLITICAL FRAMEWORK AGREEMENT

On 5 December 2022, Sudan’s military institution and civilian political forces signed a Political Framework Agreement that was to address the growing crisis since the military takeover in October 2021.

The agreement indicated a ‘two-year transition period and the appointment of a civilian prime minister by the political parties. Following the signing of the Political Framework Agreement, on 8 January 2023, military and civilian leaders began discussions in Khartoum aimed at forming a civilian government. The signing of a Political Framework Agreement brings hope for a political settlement though it is not yet clear how it will impact the humanitarian situation throughout the country.’<sup>147</sup>

### 2.4. INTERNATIONAL RESPONSES

In the US, the 2002 Elie Wiesel Act Report indicated that

‘The United States continues to support the Sudanese people’s desire to achieve a democratic transition under full civilian leadership and justice for past and ongoing human rights violations and abuses, including related to violence against protestors, rape and other forms of gender-based violence, unjust detentions, restrictions on freedom of expression, and recent violence in West Darfur. This includes **the imposition of sanctions in connection with serious human rights abuse against protestors and the provision of foreign assistance to Sudanese civil society actors supporting the democratic transition** (U.S. assistance to the government was suspended in response to the military takeover on October 25). The United States also works with civil society to buttress local peacebuilding efforts and advance transitional justice efforts; and supports local actors across the country to advance human rights monitoring, documentation, and advocacy for accountability when violations occur.’<sup>148</sup>

The UK Ambassador to Sudan, Mr Giles Lever, told the APPG during a Parliamentary briefing in March 2023 that ‘along with ongoing efforts to address the humanitarian need in Sudan, our

<sup>146</sup> Written submission, IBAHRI.

<sup>147</sup> Written submission, World Food Programme.

<sup>148</sup> See: <https://www.state.gov/2022-report-to-congress-pursuant-to-section-5-of-the-elie-wiesel-genocide-and-atrocities-prevention-act-of-2018/>.

overall arching policy objective since the coup has been to support the restoration of constitutional order, and the formation of a new, civil government, which can lead the country through a second transitional period, a new transitional period towards free and fair elections by completing the post-Bashir transformation of Sudan, which began with the revolution in 2018-2019.' He told us that 'the military should return to focusing on the things that the military should be focusing on - that is national defence and security duties.'

He warned the APPG of three challenges, 1) participation, 2) democratising the process properly and 3) security sector reform which 'will involve discussions between the Sudanese armed forces and the Rapid Reaction Force about how they plot a long-term pathway.' The events of April 2023 show how right the Ambassador was to warn of this risk.

He reflected that it is important that 'authentic voices of Sudanese from the regions, women, youth, and other underrepresented and often marginalised groups in the Sudanese political world are really engaged in this process, and feel like they can really, or at least, get behind the final outcome.'

## VII. RECOMMENDATIONS

***'The problems of Darfur cannot be resolved unless there is a change at the centre. Because addressing the root causes of the conflict, and bringing peace dividends to the people of Darfur, really require essentially a restoration of the democratic transition, and political leadership with a reform-minded, credible civilian government.'*<sup>149</sup>**

### **Addressing the situation**

The UK, its partners, and international actors should continue to call for an immediate ceasefire.

The UK, and its partners, should pay more attention to Darfur and Sudan's other conflict-affected areas and work with partners to promote solutions that address the different types of violence, including to:

- host a high-level strategic discussion to develop a coordinated and comprehensive action plan for Darfur, with the International Special Envoys on Darfur, Ministers, Darfur experts, and survivors;
- call on the Special Representative of the Secretary-General for Sudan and Head of the United Nations Integrated Transition Assistance Mission in Sudan, Volker Perthes, to provide more frequent briefings for the UN Security Council on Darfur and other conflict-affected areas;
- issue a joint statement with its international partners to mark the 20th anniversary of the Darfur conflict in April to highlight the continuing plight of Darfur's victims and the

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<sup>149</sup> Oral submission, anonymous.



urgent need to fulfil their demands for peace and justice, including Bashir's transfer to the Hague.

The FCDO should ensure frequent communications on the situation in Darfur, with clear indications in relation to the perpetrators, who they are and whether there was any suggestion of incitement to violence.

While achieving an immediate ceasefire and addressing the humanitarian situation must clearly be the most urgent priority, the UK and its partners should also continue to press for a political agreement to establish a credible civilian government and fulfil the aspirations of the Sudanese people for democracy.

The UK, and its partners, should engage and put pressure on the military to accept the need to transfer power to a civilian-led government, in line with the February 2023 statement of the International Special Envoys (UK, US, EU, France, Germany, Norway) on their visit to Khartoum.

The UK, and its partners, should promote the mandate of the UN Panel of Experts on Sudan and ensure that its mandate is strengthened and resist attempts to weaken it.

The UK should ensure that the Joint Assessment on Conflict and Stability (JACS) guidance notes on Sudan, including a forthcoming one, be made public where possible, or at least provided to Parliament for assessment. The inclusion of atrocity crimes and dynamics in Darfur must be a topic of key consideration in this process. It may be suitable to commission a new JACS specifically on Darfur and other conflict areas where the forthcoming report does not adequately cover such issues.<sup>150</sup> This should be shared with Parliamentarians and the relevant Select Committees of both Houses.

The UK should ensure the introduction of a named lead on atrocity prevention in the British Embassy in Khartoum, with clear routes for information-sharing, particularly of early warnings, with FCDO and other Whitehall departments. All embassy and FCDO staff should receive training in atrocity prevention. The recommendations of the report of the International Development Committee on atrocity prevention should be followed and in particular the call from civil society for a cross-departmental national atrocity prevention strategy.<sup>151</sup>

The UK should investigate the impact of the Wagner Group and Russian influence in Darfur, Sudan and across the Sahel. It should proscribe the Wagner Group as a terrorist organisation, and impose targeted sanctions.

The UK, and its partners, should investigate the export of gold from Sudan and what the proceeds of gold sales are being used to finance and consider what measures could be taken to prevent the illicit use of gold.

The UK should call upon the UN Security Council to visit Sudan and Darfur, as it did in 2007.

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<sup>150</sup> Recommendation, *Waging Peace*.

<sup>151</sup> *Ibid.*

## Justice and accountability

The UK and its partners should work with Sudanese authorities to ensure that Omar Al-Bashir is handed over to the ICC in the Hague to be tried for genocide,<sup>152</sup> or alternatively, to be tried in an African location where witnesses can be provided with adequate assistance and protection. As it stands, such a trial could not take place in Sudan due to witness safeguarding issues and concerns in relation to due process and the Rule of Law.

The UK, and its partners, should offer assistance to the Sudanese authorities to investigate and prosecute all cases of atrocities, perpetrated by all actors, and so combat impunity in Darfur and other parts of Sudan. Justice and accountability must be ensured for all victims and survivors, not only in Khartoum but should also include violence against IDPs and other civilians in Darfur and other conflict zones.

The UK, and its partners, should prioritise the need for transitional justice in Sudan, particularly in relation to atrocity crimes in Darfur and ensure that support for the ICC is not confined to rhetorical support in the UN Security Council.

The UK, and its partners, should consider the ICC Special Prosecutor's request for the UN Security Council to visit Sudan and go to Darfur to hear directly from survivors in the IDP camps.

The UK, and its partners, should ensure compliance with UN Security Council resolution 1593 and the commitments it made in the Juba Peace Agreement on transitional justice, including full cooperation with the ICC, setting a date for handing over Bashir and the other suspects to the ICC and establishing a field presence in Sudan as soon as a new civilian government is formed.

The UK, and its partners, should raise human rights violations in Darfur in the Human Rights Council, highlighting the 20th anniversary of the Darfur conflict and the government's failure to fulfil its responsibility for the protection of civilians.

The UK, and its partners, should support the mapping and enhanced monitoring of hate speech and other forms of incitement to violence.

The UK, and its partners, should provide assistance with capacity building and training where needed.

The UK should ensure that, as a member of the Quad countries facilitating the ongoing political process in Sudan, it works towards accountability for abuses including those committed in Darfur is central to any new agreement.<sup>153</sup>

The UK should offer any support and encouragement possible to the Sudanese Government to take concrete steps towards establishing and operationalising accountability mechanisms laid out in the Darfur peace agreement that includes cooperation with the ICC and the setting up

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<sup>152</sup> Recommendation, Gregory Stanton.

<sup>153</sup> Recommendation, HRW.

of a special court for Darfur.<sup>154</sup> The special court should be in addition to the trials of those indicted by the ICC.

The UK should impose targeted sanctions on those responsible for continuing human rights violations, including establishing a Transnational Rights Protection Office within the Equality and Human Rights Commission, to apply Magnitsky-style penalties for proven instances of transnational coercion.<sup>155</sup>

The UK should also review its Sudan (Sanctions) (EU Exit) Regulations 2020 with a view to applying them to the situation of human rights abuses in Darfur.

### **Assisting survivors and protecting communities**

The UK, and its partners, should support Darfuri victims and survivors of violence and provide the assistance they need, including working on durable solutions which would make it possible for Darfurians to return to their land, including ensuring security and protection.

The UK, and its partners, should support credible local peacebuilding initiatives to promote social peace and reconciliation; the implementation of “bottom-up” local reconciliation agreements; programmes to counter hate speech and disseminate peace messages; dialogue platforms between different communities; income-generating projects and access to micro-finance; vocational training for youth, including nomadic youth; and building the capacity of youth and women peacebuilders.

The UK, and its partners, should support UNITAMS in ensuring (a) a Sudan-wide conflict analysis and peacebuilding strategy to promote social peace, coordinated with the UN, and relevant INGOs/NGOs (as well as with a civilian government, once one is established), which can be used as a basis for mobilising donor support for peacebuilding in Darfur and other conflict-affected areas; and (b) for the very small UNITAMS peacebuilding unit to be adequately staffed and resourced to deliver on this important aspect of the Mission’s mandate.

The UK, as a penholder on Sudan at the UN Human Rights Council and UN Security Council, should actively seek to strengthen the existing capacities of both UNITAMS and OHCHR to protect civilians, monitor and report.<sup>156</sup>

The UK should support the mandate of the UN Independent Expert on the situation of Human Rights in Sudan, with the aim of providing more regular, public reporting on the abuses in Darfur.<sup>157</sup>

The UK should make regular representations on the situation in Sudan to the UN Human Rights Council, with specific reference to Darfur and other areas specifically affected by violence.

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<sup>154</sup> Recommendation, IBAHRI.

<sup>155</sup> Recommendation, Waging Peace.

<sup>156</sup> Recommendation, HRW.

<sup>157</sup> Ibid.

The APPG pays tribute to the invaluable work of Robert Fairweather, the UK Special Representative for Sudan and South Sudan, and recognises the importance of having such a mandate. The UK should appoint his successor as soon as possible to ensure continuity of the work. The UK also should work with its US counterparts to ensure that the US appoints a Special Envoy for Sudan without any further delays.

The UK, and its partners, should support the creation of a conducive environment for holding free and fair elections in the future, including the promotion of civic education, strengthening civil society, the role of women in society and a respect for minorities and their beliefs.

### **Awareness raising**

The APPG greatly welcomes the visit in March 2023 of His Majesty King Charles to the Darfuri communities in the UK. The FCDO should mark the 20th anniversary of the internationally recognised start of the Darfur genocide in written and verbal statements and by hosting events to give the space for Sudanese communities to meet and heal together.<sup>158</sup> This should be linked to a celebration of the 75th anniversary of the UN Convention on the Prevention and Punishment of the Crime of Genocide and the Universal Declaration of Human Rights.

The Department For Education should begin discussions with educational publishers and organisations to encourage the creation of ready-made educational materials for schools covering a wide range of ages to facilitate the teaching of genocides beyond the Holocaust, particularly in Darfur.

The FCDO should make representations to the Sudanese Government to prioritise media freedoms and access to Darfur and other conflict areas.<sup>159</sup>

The UK must raise the issue of ICC proceedings in all relevant fora, and beyond times when the Special Prosecutor briefs the UN Security Council.

The UK should prioritise tackling sexual and gender-based violence in Darfur, and other conflict areas of Sudan, in the UK's Preventing Sexual Violence in Conflict Initiative.<sup>160</sup>

The UK should consider methods of extending and amplifying the UK's 'soft power' and knowledge economy with Darfur, and Sudan more widely, and particularly ensure Darfuri applicants are supported to succeed in mechanisms already established like the Chevening scholarship scheme and by using the Westminster Foundation for Democracy and the Inter-Parliamentary Union (IPU) as facilitators.<sup>161</sup> This should include individuals from the peripheral areas, not just those based in Khartoum.

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<sup>158</sup> Recommendation, Waging Peace.

<sup>159</sup> Recommendation, Waging Peace.

<sup>160</sup> Ibid.

<sup>161</sup> Ibid.

