

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: SDN33567
Country: Sudan
Date: 18 July 2008

Keywords: Sudan – Dissidents – Darfur – Conscription – Armed forces

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Questions

- 1. Is there information to indicate that suspected dissidents are drafted into Sudan's armed forces? If so, is there information on the situation of such persons: how they are treated; whether they are forced to serve in combat units; whether they are sent to the Darfur region?**
- 2. Please provide an update on the state of the conflict in the Darfur region.**
- 3. Please provide any information that might be available on the conditions affecting conscripted soldiers in Sudan's armed forces fighting in the Darfur region.**

RESPONSE

- 1. Is there information to indicate that suspected dissidents are drafted into Sudan's armed forces? If so, is there information on the situation of such persons: how they are treated; whether they are forced to serve in combat units; whether they are sent to the Darfur region?**

No specific information could be located regarding the conscription of suspected dissidents into Sudan's armed forces. General information regarding conscription in Sudan, and the treatment of conscripts, follows below.

The US Department of State's 2007 *Country Report on Human Rights Practices* for Sudan provides the following summary of the current Sudanese regime, including references to "cruel, inhumane treatment or punishment by security forces" and "forced military conscription":

The government's human rights record remained poor, and there were numerous serious abuses, including: abridgement of citizens' rights to change their government; extrajudicial

and other unlawful killings by government forces and other government-aligned groups throughout the country; torture, beatings, rape, and other **cruel, inhumane treatment or punishment by security forces**; harsh prison conditions; arbitrary arrest and detention, including incommunicado detention of suspected government opponents, and prolonged pretrial detention; executive interference with the judiciary and denial of due process; **forced military conscription of underage men**; obstruction of the delivery of humanitarian assistance; restrictions on privacy and freedoms of speech, press, assembly, association, religion, and movement; harassment of internally displaced persons (IDPs) and of local and international human rights and humanitarian organisations; violence and discrimination against women, including the practice of female genital mutilation (FGM); child abuse, including sexual violence and recruitment of child soldiers, particularly in Darfur; trafficking in persons; discrimination and violence against ethnic minorities; denial of workers' rights; and forced labor, including child labor, by security forces and both aligned and non-aligned militias in Southern Sudan and Darfur.

... **Both the government and rebel factions continued to conscript men and boys into the fighting forces** (US Department of State 2008, *Country Report on Human Rights Practices – Sudan*, 11 March – Attachment 13).

The UK Home Office's April 2008 'Country of origin information report: Sudan' provides the following information on conscription:

9.03 The Immigration and Refugee Board of Canada (IRB), on 28 February 2007 provided the following information regarding military service in Sudan. [65k]

“Information on the age of conscription for military service varied among the sources consulted by the Research Directorate. According to the Europa World Year Book 2006 and the United States (US) Central Intelligence Agency (CIA) World Factbook, persons between the ages of 18 to 30 years are liable for national military service (Europa World Year Book 2006, 4095; US 8 Feb. 2007). However, the Child Soldiers Global Report 2004 indicates that under Sudan's National Service Act of 1992, persons between the ages of 18 to 33 years must submit to national military service (Coalition to Stop the Use of Child Soldiers 17 Nov. 2004; Denmark 2001, 68). The report also indicates that the compulsory recruitment age is 17 years for the regular armed forces and 16 years for the paramilitary Popular Defence Force (PDF), while there is no minimum age for the reserve forces and for persons volunteering in the regular armed forces (Coalition to Stop the Use of Child Soldiers 17 Nov. 2004). Country Reports on Human Rights Practices for 2005 indicates that persons aged 17 to 19 were required to undergo military service (8 Mar. 2006, Sec. 5).” [65k]

9.04 IRB added that:

“Desertion from Sudan's national service is punishable by a jail term of up to three years (SHRO June 2003; Denmark 2001, 73). Deserters could also reportedly be fined (ibid.). According to Sudan's 1992 National Service Act, provided in the 2001 Danish fact-finding mission report, those who fail to present themselves for recruitment, or try to avoid military service “through deceit, or by inflicting any harm to [themselves]” could face a two- to three-year jail term (ibid.; see also The Des Moines Register 24 Dec. 2005).” [65k]

9.05 The Danish Fact Finding Mission (FFM) of 2000 reports that “Military service is compulsory for all males aged 18 and over, the recruitment age being adjusted from time to time.” [23a] (p36)

...9.10 The Danish Fact Finding Mission of 2001 reported that: “Besides the regular Sudanese army the National Congress (NC) party has its own military branch called the

Popular Defence Forces (PDF).” [23b] (p35) The PDF was created by the Government in 1990 and has its legal basis in the Popular Defence Forces Act 1989. (War Resisters International, 1998) [21a] The Danish 2001 Fact Finding Mission reported that: “Under the 1989 Popular Defence Forces Act (attached as Annex 5 [of the Report]), PDF recruits must be at least 16 years old and Sudanese citizens. In 1992 service in the PDF became obligatory for all students, both male and female. Completion of service was a precondition for entering further education.” [23b] (p37)

9.11 The January 2005 Report of the International Commission of Inquiry (UN ICI) to the United Nations Secretary-General (UN SG) states that:

“For operational purposes, the Sudanese armed forces can be supplemented by the mobilization of civilians or reservists into the Popular Defence Forces (PDF) ... According to information gathered by the Commission, local government officials are asked by army Headquarters to mobilize and recruit PDF forces through tribal leaders and sheikhs. The Wali is responsible for mobilization in each State because he is expected to be familiar with the local tribal leaders.” [6e] (p28)

...9.13 The UN ICI recorded that “One senior commander explained the recruitment and training of PDF soldiers as follows:

“Training is done through central barracks and local barracks in each state. A person comes forward to volunteer. We first determine whether training is needed or not. We then do a security check and a medical check. We compose a list and give it to the military. This is done at both levels – Khartoum and state or local level. We give basic training (for example, on the use of weapons, discipline ...) [sic] which can take two weeks or so, depending on the individual.”

...9.16 “The 1992 National Service Law was introduced in an attempt to meet [the] increasing personnel needs of the armed forces.” (War Resisters’ International’s 1998 Survey). [21a] The USSD report for 2006 stated that: “The government continued to forcibly conscript citizens for mandatory military service as part of mandatory military service for male citizens.” [3a] (Section 1f) The FCO, when commenting on the Government’s current recruitment/conscription practices in its letter of February 2005, stated that: “The relevant authority puts an advertisement in the local media calling for young people to sign up.” [4b]

9.17 The Danish FFM report of 2001 stated that during round-ups military personnel in civilian clothing stopped vehicles and “The authorities forced those passengers who were believed to be the right age for conscription and who could not prove that they had in fact already performed their military service to go with them to military training camps. Many of those who were recruited did not even have an opportunity to contact their parents or relatives to inform them of what had happened.” [23b] (p35)

9.18 A December 2002 Canadian Immigration and Refugee Board (IRB) Research Directorate enquiry response described “The process for reporting for military service; how recruitment calls are made; [and] exemptions from service.” [65h] (p1) In addition to the above methods of call-up the chairman of the Sudan Human Rights Group (SHRG), who was consulted by the IRB, stated that local radio and television announcements occurred asserting that all men eligible for military service should gather together at a specific place, at a certain hour and date. [65h] (p1)

9.19 The same report reported the Chairman of the SHRG’s comments that “...in case of emergency, that is to say, urgent need for fighters, the Military Police usually close main highways and roads and check the passengers and arrest those persons who are eligible for service”. [65h] (p1) However, in comments submitted to the Advisory Panel on Country

Information (APCI) on 8 March 2006, UNHCR stated that: “Some three years ago the government stopped rounding up young men in the cities to conscript them into National Service. Students are now required to undergo 45 days to 2 months military training prior to entering University and then serve one year National service upon graduation. National service can be in the army or in governmental institutions depending on profession and state of health.” [20a] (p4)

...9.22 The US State Dept Trafficking in Persons Report, June 2006 reported that:

“...Forcible recruitment of adults and particularly children by virtually all armed groups involved in Sudan’s recently ended North-South civil war was commonplace; thousands of children now require demobilisation and reintegration into their communities of origin.” [3k] (U.S. State Dept Trafficking in Persons Report, June, 2006) (UK Home Office 2008, ‘Country of Origin Information report: Sudan’, UK Home Office website, 30 April <http://www.homeoffice.gov.uk/rds/pdfs08/sudan-190508.doc> – Accessed 21 May 2008 – Attachment 14).

A May 2000 report from the Sudan Human Rights Organisation claims that many Sudanese citizens have left the country illegally in order to avoid the “hardships” they would suffer as military conscripts, and that conscripts are “shipped to fight in the war zones”:

Sudan Government continued to pursue compulsory national service by the forcible conscription security forces have been unrelentingly imposing on students and other youth groups to join Peoples’ Defense Forces (PDF) irrespective of the right to conscientious objection that is fully recognized by international law.

As SHRO-Cairo (1998) comprehensive study on the conditions of conscription in the PDF’s training camps documented, many youngsters, especially at the Ailafoun Camp, were brutally killed, tortured, or simply shipped to fight in the war zones. Under these hardships, thousands of Sudanese, men and women, young and elderly, made their way outside their homeland “to enjoy the right to life and security of the person,” the very fundamental rights Sudan Government consistently violated against their will (Sudan Human Rights Organisation 2000, ‘Memorandum on the Situation of Human Rights in Sudan and Sudanese Seeking Political Asylum in European States’, Sudan Human Rights Organization website, May 30 <http://www.shro-cairo.org/reports/03/european.htm> – Accessed 18 July 2008 – Attachment 21).

The 1998 Sudan Human Rights Organisation report on compulsory National Service in Sudan provides a history of conscription campaigns and their effects, and includes a lengthy description of conditions in training camps. The report claims that conscripts are poorly treated, subject to abuse, and sent to fight in war zones without adequate training:

The camps to which students have been transferred for training never adequately prepared. Many reports indicate that food consisted of dry bread and some badly cooked meals that were served in a very unhealthy way. This led to many cases of sickness. The drinking water, in turn, was stored in rusty and dirty pots.

Up to this very moment, most camps are located in remote areas where scorpions and snakes are largely available. Despite the fact that some physicians were present in the camps, primary health care was scarcely applied. These hazardous situations led to the death of several students in the camps.

... The daily activities also included implementation of an educational program emphasizing the ideological concerns of the NIF to change the whole world. The lecturers included Abdel

Sadiq al-Assad, a businessman, Hussein Ma-rouf, defence state minister, Ibrahim Sulieman, armed forces chief-of-staff, professor al-Hibir Nour al-Dayim in addition to the NIF students at the university of Khartoum Christian students were not allowed to attend lectures inside the mosque, but they were forced to attend outside the mosque where the lectures were offered.

... In reaction to the unhealthy conditions of the camps, the lack of proper training, and the fear for lives, the students called these camps "the death camps". But the authorities did not take any measures to improve these conditions. Instead of improving these horrible conditions, the authorities issued a directive to dismiss any student who would be absent from the camp for three days. This virtually meant a complete deprivation of students from both education and employment.

... The increasing incidence of death and frequent cases of escape and rebellion against the authorities of the camps raised grievous concerns on the part of families and parents who discovered that the camps -announced by the regime as educational institutions to train their children- were -in fact- establishments to undertake full military preparations to kill their children in the escalated civil war all over the country. The parents and families were by then aware of the military plans of the regime,; to transfer northerner children to fight in the south whose children would be transferred to fight in the east.

... On the other side, the Sudanese authorities have not trained the conscripts adequately before they were actually sent to fight in the war zones. Hence, it is quite acceptable that the conscripts would make every good effort to salvage their lives by abandoning the war the regime has been crazily pursuing against their own fellow citizens (Fathelrahman, H. 1998, 'The SHRO-Cairo Report on the Compulsory National Service in Sudan', Sudan Human Rights Organisation website, January <http://www.shro-cairo.org/reports/03/cns.htm> – Accessed 18 July 2008 – Attachment 22).

Question 2 of *RRT Research Response SDN32167* provides some information on the mistreatment of conscripts during national service training in Sudan, including student protests at a training camp, attempted escapes by conscripts, and deaths of conscripts (RRT Research & Information 2007, *Research Response SDN32167*, 17 August – Attachment 15).

2. Please provide an update on the state of the conflict in the Darfur region.

Overviews

The US Department of State's 2007 *Country Report on Human Rights Practices* for Sudan states that:

The country experienced several violent ethnic conflicts during the year. Despite the signing of the Darfur Peace Agreement (DPA) by the government and Minni Minawi's faction of the Sudan Liberation Movement/Army (SLM/A) in May 2006, the ethnic conflict in Darfur continued. Government forces, government-aligned militia (janjaweed), Darfur rebel groups, and tribal factions continued to commit serious abuses during the year...Conflict on the country's western border with Chad was, in part, a spillover of the conflict in Darfur and, in part, attributable to Chadian rebel forces based in Darfur who were opposed to the rule of Chadian President Idriss Deby.

...In Darfur government forces, janjaweed, Darfur rebel groups, and tribal factions committed serious abuses during the year, including the reported killing of approximately 1,600 persons. Government, janjaweed militias, and tribal factions razed numerous villages, committed acts of torture, and perpetrated violence against women. Darfur rebel groups were also responsible for rape and attacks on humanitarian convoys and compounds to steal equipment and

supplies, resulting in injury to humanitarian workers. Civilians continued to suffer from the effects of genocide. In 2004 then-U.S. Secretary of State Colin Powell testified before the U.S. Senate Foreign Relations Committee that “genocide has been committed in Darfur and that the Government of Sudan and the Jingaweit (janjaweed) bear responsibility.” Many times during the year President Bush referred to actions in Darfur as genocide. According to the UN, more than 200,000 persons have died, 2.2 million civilians have been internally displaced, and an estimated 231,000 refugees have fled to neighboring Chad since the conflict began in 2003. Despite the presence in Darfur of the African Union-led international monitoring force (African Union Mission in Sudan or AMIS), security remained a major problem throughout the year (US Department of State 2008, *Country Report on Human Rights Practices – Sudan*, 11 March – Attachment 13).

A June 2008 update from *Reuters Alertnet* provides the following assessment of the current state of the conflict in Darfur:

Exact figures for the number of people killed in the conflict are hard to determine. In April 2008, the United Nations said that as many as 300,000 may have died since 2003 – a figure disputed by Khartoum, which puts the figure at closer to 10,000. The violence has also driven around 2.5 million people into squalid camps in Darfur and neighbouring Chad. According to International Crisis Group, the removal of so many people from their homes appears to be part of a government policy of ethnic cleansing in a bid to cripple support for the rebel movements.

... The United Nations and African Union said in May 2007 that their new focus was to unite the disparate rebel groups in readiness for fresh peace talks with Khartoum. In July five rebel groups formed a new coalition, the United Front for Liberation and Development (UFLD). Three of the groups came from the NRF. The rebel groups now number more than a dozen, and as new alliances form, it becomes ever harder for them to present a united front that could serve as a basis for negotiation.

Reports suggest Arab tribes in Darfur may also be losing patience with Khartoum. Some Arab communities are said to feel they have been used by the government to fight its battles, scapegoated for atrocities and then excluded from the political process. One of the biggest Janjaweed groups defected from the government in October 2007, throwing its lot in with rebels it had previously been fighting. It later allied itself again with the government after securing concessions.

Peace negotiations between the government and Darfur rebels were left in ruins in May 2008 when JEM launched a shock attack on Khartoum. Government officials vowed they would never negotiate with JEM after the attack.

...In early 2008, a hybrid U.N.-African Union (AU) force took over peacekeeping in Darfur from a purely AU force. The 7,000-strong AU force had been massively overstretched and unable to quell the violence or protect civilians. The U.N. Security Council has authorised up to 26,000 troops and police for the new hybrid force but only a fraction are on the ground so far. Khartoum has been accused of impeding deployment and the international community has been blamed for not providing necessary equipment and funds.

...The urgent need for a robust deployment was made abundantly clear in September, when a rebel attack on an AU peacekeepers' base left 20 soldiers dead or wounded.

... Some 12,100 aid workers in Darfur provide relief to around 4 million people. But they face attacks and harassment by militia, rebels, bandits and even police, as well as bureaucratic obstacles. As of May 2007, 34 aid workers had been killed in Darfur since 2004, according to

the Center on International Cooperation in New York. More than 120 others had been injured in serious attacks and 30 had been kidnapped. Hundreds of aid workers have left Darfur because of safety fears and restrictions on access.

Security incidents affecting relief workers rose to 1,800 in 2006 – almost 70 percent up on the previous year, according to the U.N. Office for the Coordination of Humanitarian Affairs (OCHA). Aid agency compounds have been attacked, assets looted and staff threatened. Some groups have had to suspend operations in certain areas. Hijackings in parts of western and northern Darfur have also forced the United Nations to use helicopters. U.N. agencies say armed groups have stolen humanitarian trucks and kidnapped drivers. The U.N.'s World Food Programme said 30 of its trucks and 18 local drivers had gone missing in Darfur in the first few weeks of 2008 alone. Hundreds of tonnes of food had been stolen, it said.

The United Nations has previously blamed attacks on various rebel groups, as well as militias and Chadian rebels, who want vehicles for use in combat. Humanitarian compounds have also been raided by armed groups and clinics set on fire.

The fragmentation of rebel groups has made it harder for aid groups to know who is in command and to obtain guarantees of safe passage. Relief workers also complain that Khartoum keeps them under surveillance and hampers their work with a host of administrative obstacles.

Two senior members of Medecins Sans Frontieres Holland were arrested and charged with espionage and publishing false information after the organisation issued a report detailing hundreds of rape victims it had treated in Darfur. Khartoum also hindered visits by the former U.N. aid chief Jan Egeland, and in October 2006, the U.N.'s Sudan mission head Jan Pronk was expelled after he wrote in his blog that the army had suffered two major defeats at the hands of the rebels. Shortly afterwards, the Norwegian Refugee Council said Sudanese government obstruction had forced it to close its Darfur operation.

Conditions have also worsened for Sudan's estimated 2.2 million internally displaced. Some have been forced to flee two or three times. More than 500,000 were uprooted in 2006 alone, according to the United Nations. Increased fighting between rebel factions and government air attacks on rebels have exacerbated the risks to civilians. Villages continue to be burned, looted and bombed, and crops and livestock destroyed. Aid agencies warn that women face rising levels of sexual abuse – especially those who venture out of camps to collect firewood. And camps for the displaced have been raided by militia.

Malnutrition rates hover near emergency levels and hygiene in camps has deteriorated. The United Nations has warned that insecurity is affecting healthcare as aid agencies are forced to scale back their work. U.N. and non-governmental agencies say the humanitarian response risks breaking down entirely unless more is done to improve security for aid workers and civilians ('Peace Elusive as Security Worsens' 2008, *Reuters Alertnet*, 4 June http://www.alertnet.org/db/crisisprofiles/SD_DAR.htm?v=in_detail – Accessed 16 July 2008 – Attachment 1).

A February 2008 assessment from *BBC News* claimed that there is "little hope of any end in sight for the people of Darfur", and that the situation has gotten worse:

Peace talks have failed to get off the ground, the United Nations-African Union peacekeeping mission will not be fully deployed for months to come, and two-thirds of the region's population is dependent on the world's largest aid operation.

“The situation is not better than it was five years ago,” says Auriol Miller, head of Oxfam in Sudan. “We would still say the situation is getting worse. Humanitarian workers are being targeted and attacked in a way that has got increasingly worse over the last few years.”

... There has been an upsurge of violence in the last few weeks in West Darfur as government forces carried out aerial bombings in an attempt to clear the area of rebel fighters.

Despite efforts by the international community, Darfur’s war has not been easy to resolve. The conflict is now far more complex than it was when rebels attacked a garrison town in North Darfur state on 26 February 2003 – a date many experts pinpoint as the start of the conflict. At that time there were only two rebel groups, but the number has multiplied as the factions have fallen out.

... Many analysts say that the conflict across the border in Chad is also intertwined with the fate of Darfur. Last month Chad’s government accused Sudan of masterminding an attempt to overthrow the country’s President Idriss Deby using rebels it said were based in Darfur. In return, Sudan accuses Chad of arming the Darfur rebel Justice and Equality Movement (Jem), whose leadership is from the same Zaghawa group as President Deby.

... These latest clashes on the remote Chad-Sudan border have made life difficult for the new UN-AU peacekeeping mission, which took over from the AU on 31 December. The force, which is supposed to be 26,000-strong, only has around 9,000 peacekeepers and soldiers on the ground. They are desperately short of personnel as well as essential equipment like helicopters which would make access to remote parts of the region far easier (Henshaw, A. 2008, ‘Darfur: Little hope five years on’, *BBC News*, 26 February <http://news.bbc.co.uk/2/hi/africa/7263663.stm> – Accessed 16 July 2008 – Attachment 3)

The 2008 Amnesty International Report for Sudan states that:

All major parties to the conflict committed violations of international human rights and humanitarian law including unlawful killings, arbitrary detention, attacks on humanitarian personnel and equipment, torture and ill-treatment, and hostage-taking.

Armed groups continued to proliferate, mostly breakaway factions of the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM). There were said to be more than 30 armed groups by the end of 2007, including armed groups representing Arabs. Armed groups were increasingly divided along ethnic lines (Amnesty International 2008, ‘Amnesty International Report 2008’, Amnesty International website, 28 May <http://thereport.amnesty.org/eng/regions/africa/sudan> – Accessed Thu, 29 May 2008 – Attachment 5).

A November 2007 report from the International Crisis Group, titled ‘Darfur’s New Security Reality’, states that:

The Darfur conflict has changed radically in the past year and not for the better. While there are many fewer deaths than during the high period of fighting in 2003-2004, it has mutated, the parties have splintered, and the confrontations have multiplied. Violence is again increasing, access for humanitarian agencies is decreasing, international peacekeeping is not yet effective and a political settlement remains far off.

... The May 2006 Darfur Peace Agreement (DPA) is a failure, too limited in scope and signatories. Those who signed – the government and a few rebel factions – have hurt the peace process. The ruling party in Khartoum, the National Congress Party (NCP), is pursuing destructive policies in Darfur, while at the same time resisting key provisions in the 2005

Comprehensive Peace Agreement (CPA) that ended the North-South war, thus triggering a crisis in that process. They are meant to ensure its survival in 2009 elections, not end the conflict, and they are jeopardising Sudan's peacemaking architecture. The NCP wants Darfur in chaos to limit the room for an opposition to emerge, while resettling key allies on cleared land and defying Security Council resolutions by integrating its Janjaweed irregulars into official security structures instead of disarming them.

Rebel DPA signatories, particularly the Sudan Liberation Army faction of Minni Minawi (SLA/MM), have been responsible for attacks on civilians, humanitarians, the AU mission (AMIS) and some of the violence in the internally displaced person (IDP) camps. Their leaders have been given government jobs and land and, as ardent supporters of the status quo and without a clearly defined role in the new negotiations, are potential spoilers. Rebel movements that did not sign have further splintered and only just begun tentative steps toward reunifying their ranks. Many have boycotted the talks and increased military action. As they divide along tribal lines, their messages become more fragmented and less representative of constituencies they claim to speak for.

The IDP camps are increasingly violent, with residents manipulated by all sides while Khartoum also tries to force them to return to unsafe areas. Inter-Arab dissension has added new volatility to the situation on the ground. Some tribes are trying to solidify land claims before the UN/AU hybrid peacekeeping operation in Darfur (UNAMID) arrives. This has led to fighting with other Arab tribes, which have realised the NCP is not a reliable guarantor of their long-term interests and have started to take protection into their own hands. There is now a high risk of an Arab insurgency, as well as potential for alliances with the predominantly non-Arab rebel groups.

...In the midst of this, the human suffering in Darfur is unabated. Since the beginning of 2007, over 240,000 people have been newly displaced or re-displaced. Kidnapping and sexual assault of women by government forces and associated militias as well as rebel groups have continued. Humanitarian agencies, which have helped ensure the survival of over four million war-affected Darfurians, find themselves the direct target of violence. With attacks against them having risen by 150 per cent over the previous year, they have been forced to pull out of many areas and reduced to providing assistance via "in and out" operations in some areas, often by helicopter. Violence against them comes from all sides: government militias, non-signatory rebels, SLA/MM forces and IDPs themselves. With the proliferation of rebel movements, it is difficult for humanitarian agencies to coordinate aid delivery; because of the insecurity, nearly half a million people are inaccessible to them.

...Previously, the main conflict axis was between the government (and its related militia) and the non-Arab tribes of Darfur but new disputes over land and power have resulted in Arab-on-Arab clashes and the seeds for potential Arab insurgencies. Arab tribes have started to create new ties with non-Arabs; some have even joined or created Arab-led rebel groups. The IDP camps, housing over two million Darfurians, are becoming increasingly violent, and IDPs are being manipulated by all parties.

...For the NCP, as well as for all the aspirants to power, Darfur has become a critical staging ground for the 2009 national elections. After years of trying to produce Arab control in Darfur, the NCP's current strategy is to keep it divided, stimulating the conflict in an attempt either to delay elections it fears it cannot win or to make it impossible for anyone else to win. It has not abandoned its military strategy but rather has regrouped the Janjaweed into its security structures and recently ordered reopening of the Popular Defence Forces (PDF) military training camps throughout the country. At the same time, it is using the chaos in Darfur as cover for creating new localities whose political representation it can manipulate (International Crisis Group 2007, 'Darfur's New Security Reality', Africa Report N°134, International Crisis Group website, 26 November

http://www.crisisgroup.org/library/documents/africa/horn_of_africa/134_darfur_s_new_security_reality.pdf – Accessed 16 July 2008 – Attachment 6).

Media reports and articles

Three recent reports on Darfur were sourced from the *BBC News* website:

- A 14 July report states that the chief prosecutor of the International Criminal Court is seeking the arrest of Sudan's president Omar al-Bashir because Bashir has "committed the crimes of genocide, crimes against humanity and war crimes in Darfur". The report quotes the prosecutor stating that "al-Bashir masterminded and implemented a plan to destroy in substantial part the Fur, Masalit and Zaghawa groups.... His alibi was a 'counterinsurgency'. His intent was genocide". The article also states that two other prominent Sudanese political figures had previously been accused of war crimes by the ICC, and quotes the former US Special Envoy for Sudan, Andrew Natsios, claiming that "[t]his indictment may well shut off the last remaining hope for a peaceful settlement for the country" (Reynolds, P. 2008, 'Bashir move bold but problematic', *BBC News*, 14 July <http://news.bbc.co.uk/2/hi/africa/7500437.stm> – Accessed 16 July 2008 – Attachment 9).
- Another 14 July article reports that the UN is "pulling back some non-essential staff deployed in Sudan's restive Darfur region" in the wake of the ICC charges against Bashir. A UN official is quoted stating that the pullout comes after the killing of seven UNAMID peacekeepers on 8 July, and as a "prudent measure in anticipation of possible Sudanese reaction to the prosecutor's announcement". The report also states that the "White House said President George W Bush was "gravely concerned" by increased insecurity in Darfur" ('UN pulls back staff from Darfur' 2008, *BBC News*, 14 July <http://news.bbc.co.uk/2/hi/africa/7506242.stm> – Accessed 16 July 2008 – Attachment 7).
- A 13 July article reports claims by the BBC's *Panorama* TV programme that China is "helping Sudan's government militarily in Darfur" by providing transport vehicles and training fighter pilots, in defiance of a UN arms embargo. The *BBC News* report also claims that "[r]ecently the conflict has deteriorated into more confused fighting, with rebel and militia groups also fighting each other", and that "[t]wo hundred thousand people have been displaced already this year" by the violence (Andersson, H. 2008, 'China 'is fuelling war in Darfur'', *BBC News*, 13 July <http://news.bbc.co.uk/2/hi/africa/7503428.stm> – Accessed 16 July 2008 – Attachment 8).

A June 2008 article from the International Crisis Group claims that "Sudan is edging ever closer to disintegration", partly due to the "abortive attack by Darfur rebels on Khartoum – likely to prompt brutal government retribution". The article notes Sudan's refusal to hand over two people charged with war crimes to the ICC, and the lack of international pressure on Sudan to comply with the court's ruling, and responds to fears that the ICC charges will upset the peace process by claiming that "there is no peace process to derail":

Sudan's contempt toward the ICC intensified with the first arrest warrants in April, 2007, for Ahmed Haroun, currently minister for humanitarian affairs, and militia leader Ali Kushayb.

They are charged with supporting and directing crimes against civilians – including mass torture, rape and murder – at the height of Khartoum’s ethnic cleansing campaign in 2003-2004.

Not only has the regime failed to arrest these two, it has promoted Mr. Haroun to a position where he is responsible for the communities he is accused of terrorising. It has freed Mr. Kushayb from prison, claiming there was no evidence against him. In both cases, the international community has been silent.

The regime is playing to fears the ICC’s work in Darfur will derail peace efforts. Such fears are misguided; there is no peace process to derail. The UN/African Union-led negotiations are going nowhere, in large part because the international community has failed to devise a comprehensive, co-ordinated strategy toward Sudan. Instead, it has pursued multiple agendas – for example, oil for some, purported co-operation on counterterrorism for others – that have allowed Khartoum to play actors against each other.

Peace and international prosecution is not an either/or proposition in Sudan. They can, and should, proceed in parallel, at least until there is a credible comprehensive deal on the table, with the political will to implement it (Flintoft, C. 2008, ‘Our Silence on Sudan Shames Us’, International Crisis Group website, 16 June <http://www.crisisgroup.org/home/index.cfm?id=5489&l=1> – Accessed 16 July 2008 – Attachment 11)

A May 2008 report from Amnesty International provides information regarding events in Khartoum in the wake of the 10 May attack on the city by the Darfur-based militant group the Justice and Equality Movement (JEM). The Amnesty International report states that “attack marked the beginning of a new phase of the conflict in Darfur, with an armed opposition group reaching the edges of the capital for the first time since the conflict’s inception in 2003”. The report claims that “[t]he government’s response to this military attack has since included hundreds of arbitrary arrests and some cases of extra-judicial executions”:

“Civilians, mainly youths, have been brutally arrested in the streets, in their homes, and taken to yet unknown places of detention. The arrests in public places have been mostly based on their appearance, age, accent, and the colour of their skin.” With these words, a prominent Sudanese lawyer expressed his concerns to Amnesty International over the arbitrary nature of arrests – with individuals arrested on the basis of their ethnicity and age -, the associated ill-treatment and the lack of information about the places of detention. He told Amnesty International that young men, including minors, were more at risk because the JEM is known by the government to partially rely on young recruits. Eyewitnesses reported that those under threat of arrest were asked to pronounce certain words, to judge whether they were Darfuris or not.

The arrests include Darfuri men and women as well as entire families. Amnesty International further received reports of lawyers, journalists and at least one human rights activist having been arrested over the past week. As of 21 May 2008, five members of the Popular Congress Party (PCP), a political opposition party, remain in detention after its leader Hassan Al Turabi and other members of the PCP were released.

...The numbers and circumstances in which people are being arrested, the uncertainty surrounding their whereabouts and the ill-treatment associated with the arrests all lead to serious concerns over the fate of those detained. Amnesty International is gravely concerned over those held in incommunicado detention, possibly in non-recognised detention centres, with no access to lawyers or relatives, putting them at increased risk of torture and extra-judicial killings (‘Darfur crisis reaches Sudanese capital’ 2008, Amnesty International

website, 23 May <http://www.amnesty.org/en/news-and-updates/darfur-crisis-reaches-sudanese-capital-20080523> – Accessed 18 July 2008 – Attachment 16).

A 20 February 2008 report on *Reuters Alertnet* quotes U.N. Secretary-General Ban Ki-moon stating that he remains “extremely concerned by the security situation on the ground” and that “[o]ver the past two months the security situation in Western Darfur deteriorated significantly” (Charbonneau, L. 2008, ‘Situation in Darfur is deteriorating – UN’s Ban’, *Reuters Alertnet*, 20 February <http://www.alertnet.org/thenews/newsdesk/N20458803.htm> – Accessed 18 July 2008 – Attachment 19).

3. Please provide any information that might be available on the conditions affecting conscripted soldiers in Sudan’s armed forces fighting in the Darfur region.

No specific information could be located in the time available regarding the conditions affecting conscripted soldiers in Darfur. Please see Question 1 above for information on the treatment of conscripts in the Sudanese armed forces, and Question 2 above for the current situation in Darfur.

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