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## CORI Research Analysis

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**Country:** Sudan

**Issues:** **Involvement of the Sudanese Popular Police Force in human rights violations and / or violations of IHL in Darfur**

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This CORI research analysis was commissioned by the United Nations High Commissioner for Refugees Status Determination and Protection Information Section, Division of International Protection Services.

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1. **Description of the Sudanese Popular Police Force (PPF), including the recruitment methods and and the possible consequences of refusal to join.**
2. **Research on the PPF possible involvement in human rights violations and / or violations of IHL in Darfur.**

The UNDP describes the Sudanese Popular Police as an auxiliary force, known as Shurta Shabia.<sup>1</sup> The OHCHR states that the Popular Police Force (PPF) are a paramilitary reserve force made up of local citizens, raised by the Sudanese government to provide assistance to regular police.<sup>2</sup> No information was found concerning recruitment methods or consequences of refusing to join.

The UN Security Council reports that the PPF are formally part of the Government's security

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<sup>1</sup> United Nations Development Programme, Strengthening rule of law within an early recovery framework: The UNDP rule of law programme in Darfur, March 2007, p6 available from [http://www.undp.org/cpr/iasc/content/docs/Jan08\\_Links/Doc\\_7.pdf](http://www.undp.org/cpr/iasc/content/docs/Jan08_Links/Doc_7.pdf), retrieved 9 April 2009.

<sup>2</sup> OHCHR, Seventh periodic report of the United Nations High Commissioner for Human Rights on the human rights situation in the Sudan: Involvement of Sudanese security personnel in attacks on the Bulbul area of South Darfur from January to March 2007, 18 May 2007, available from [www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc](http://www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc), retrieved 9 April 2009.

organs.<sup>3</sup> Several sources state that the PPF is associated with ruling Islamist politicians.<sup>4</sup> Professor Liam Gearon cites Human Rights Watch as stating that the Popular Police Force was given authority by the Popular Police Force Act 1992<sup>5</sup> however the UN refers to the Popular Police Act of 1989.<sup>6</sup> No further information to verify the status of these acts was found within the time frame of this research. According to Professor Gearon the 1992 Act<sup>7</sup>

“gives wide ranging powers to those appointed to serve as the guardians of morality, including the Public Order Police, Popular Police Forces, Popular Committees, and members of the officially sanctioned Guardians of Morality civic group.”<sup>8</sup>

According to Professor Gearon, determinations about what constitutes an offence to public morality warranting arrest are “almost always made by men untrained in law”.<sup>9</sup>

A report by the International Police Executive Symposium (IPES) describes the popular police as a ubiquitous militia tasked with public order, territorial control and policing morality. The IPES report also states that members are paid “informally” through the system of *Zhat*, the Islamic tax system.<sup>10</sup> The IPES report describes auxiliary police as being ‘cheap’ to operate, however the USSD reports that the PPF receive higher pay than regular police forces.<sup>11</sup> IPES states that in some remote areas auxiliary police are the sole representatives of the state. According to IPES the PPF parallel the Constitution of the Popular Defence Forces (PDF) and seek to “control both the territory and society with an agenda of Islamizing society.”<sup>12</sup>

The majority of sources reviewed by CORI suggest that the PDF and PPF are separate entities<sup>13</sup>, however a UNICEF report refers to them as the same organization.<sup>14</sup>

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<sup>3</sup> UN Security Council, Security Council extends mandate of panel of experts on Sudan until 29 September, unanimously adopting resolution 1665 (2006), 29 March 2006, available from <http://www.un.org/News/Press/docs/2006/sc8678.doc.htm>, retrieved 9 April 2009.

<sup>4</sup> Scottish Churches Sudan Group, Newsletter Issue No. 30, July 1996, available from <http://reliefweb.int/rw/rwb.nsf/db900SID/SKAR-65AAVQ?OpenDocument>, retrieved 9 April 2009; Liam Gearon, Ed., Human Rights and Religion, Sussex Academic Press, 2002; International Police Executive Symposium, Community Policing: a comparative view, May 2007, available from <http://www.ipes.info/WPS/WPS%20No%206.pdf>, retrieved 14 April 2009.

<sup>5</sup> Liam Gearon, Ed., Human Rights and Religion, Sussex Academic Press, 2002, p. 255.

<sup>6</sup> OHCHR, Seventh periodic report of the United Nations High Commissioner for Human Rights on the human rights situation in the Sudan: Involvement of Sudanese security personnel in attacks on the Bulbul area of South Darfur from January to March 2007, 18 May 2007, available from [www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc](http://www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc), retrieved 9 April 2009.

<sup>7</sup> Liam Gearon, Ed., Human Rights and Religion, Sussex Academic Press, 2002, p. 255.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> International Police Executive Symposium, Community Policing: a comparative view, May 2007, available from <http://www.ipes.info/WPS/WPS%20No%206.pdf>, retrieved 14 April 2009.

<sup>11</sup> US State Department, Country Reports on Human Rights Practices, 2007; Sudan, 11 March 2008, available at <http://www.state.gov/g/drl/rls/hrrpt/2007/100506.htm>, retrieved 9 April 2009.

<sup>12</sup> International Police Executive Symposium, Community Policing: a comparative view, May 2007, available from <http://www.ipes.info/WPS/WPS%20No%206.pdf>, retrieved 14 April 2009.

<sup>13</sup> United Nations Development Programme, Strengthening rule of law within an early recovery framework: The UNDP rule of law programme in Darfur, March 2007, p6 available from [http://www.undp.org/cpr/iasc/content/docs/Jan08\\_Links/Doc\\_7.pdf](http://www.undp.org/cpr/iasc/content/docs/Jan08_Links/Doc_7.pdf), retrieved 9 April 2009; OHCHR, Seventh periodic report of the United Nations High Commissioner for Human Rights on the human rights situation in the Sudan: Involvement of Sudanese security personnel in attacks on the Bulbul area of South Darfur from January to March 2007, 18 May 2007, available from [www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc](http://www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc), retrieved 9 April 2009.

University of Cape Town, Audit of police oversight in the East African Region, June 2005, available from [http://www.policeaccountability.co.za/File\\_Uploads/docs/File\\_Download.asp?ThisFile=EastAfricapolicing.p](http://www.policeaccountability.co.za/File_Uploads/docs/File_Download.asp?ThisFile=EastAfricapolicing.p)

According to journalist Robert Fisk, the PPF wear bright green uniforms, which distinguish them from city police.<sup>15</sup>

According to the UNDP the PPF have a presence in Darfur.<sup>16</sup> The Popular Police Force includes members of the Rizeigat Abbala tribe.<sup>17</sup> According to the UNHCR, members of the Rizeigat Abbala have been implicated in human rights abuses against civilians.<sup>18</sup>

In 1995 it was reported that 9000 volunteers had been recruited to the force.<sup>19</sup> In 2007 PPF membership was estimated to be 30,000.<sup>20</sup> Several sources state that many Janjawid militiamen have been incorporated in the PPF.<sup>21</sup> The 2006 Darfur Peace Agreement made provisions for the incorporation of combatants into the police and security forces, according to INGO Conciliation Resources, this did not prevent the former combatants from attacking and plundering the civilian population.<sup>22</sup> Human Rights Watch states that "Insufficient action has been taken to vet militia and security forces such as the Popular Defence Forces, Border Intelligence Guard, Central Reserve Police, Popular Police or Nomadic Police to exclude members who have committed serious human rights violations."<sup>23</sup>

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[df](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/aireportsudan/aireportsudan_en.pdf), retrieved 9 April 2009; Amnesty International, Sudan: arms continuing to fuel serious human rights violations in Darfur, 8 May 2007, available from [http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/dv/aireportsudan/aireportsudan\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/aireportsudan/aireportsudan_en.pdf), retrieved 9 April 2009; UN, Report of the International Commission of Inquiry on Darfur.

to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, , available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

<sup>14</sup> UNICEF, Children Associated with Fighting Forces (CAFF) in Sudan: Rapid Situation Analysis for Demobilization and Reintegration of CAFF in Government-controlled areas, May 2004, p11, available from [http://www.unicef.org/evaldatabase/files/2002\\_Sudan\\_CAFF\\_RapidSitAn.pdf](http://www.unicef.org/evaldatabase/files/2002_Sudan_CAFF_RapidSitAn.pdf), retrieved 9 April 2009.

<sup>15</sup> The Independent, Sudanese rulers accused of atrocities in civil war: Eyewitness testimonies handed to the UN speak of rape, murder and the abduction of children, writes Robert Fisk in Khartoum, 8 December 1993, available from <http://www.independent.co.uk/news/world/sudanese-rulers-accused-of-atrocities-in-civil-war-eyewitness-testimonies-handed-to-the-un-speak-of-rape-murder-and-the-abduction-of-children-writes-robert-fisk-in-khartoum-1466083.html>, retrieved 9 April 2009.

<sup>16</sup> United Nations Development Programme, Strengthening rule of law within an early recovery framework: The UNDP rule of law programme in Darfur, March 2007, p6 available from [http://www.undp.org/cpr/iasc/content/docs/Jan08\\_Links/Doc\\_7.pdf](http://www.undp.org/cpr/iasc/content/docs/Jan08_Links/Doc_7.pdf), retrieved 9 April 2009.

<sup>17</sup> OHCHR, Seventh periodic report of the United Nations High Commissioner for Human Rights on the human rights situation in the Sudan: Involvement of Sudanese security personnel in attacks on the Bulbul area of South Darfur from January to March 2007, 18 May 2007, available from [www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc](http://www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc), retrieved 9 April 2009.

<sup>18</sup> Ibid.

<sup>19</sup> University of Pennsylvania, African studies Centre, Sudan News and Views, No.7, 6 April 1995, available at <http://www.africa.upenn.edu/Newsletters/SNV7.html>, retrieved 9 April 2009.

<sup>20</sup> Small Arms Survey, The militarization of Sudan, April 2007, available at [http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan\\_pdf/SIB%20%20militarization.pdf](http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SIB%20%20militarization.pdf), retrieved 9 April 2009.

<sup>21</sup> Amnesty International, Sudan: arms continuing to fuel serious human rights violations in Darfur, 8 May 2007, available from [http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/dv/aireportsudan/aireportsudan\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/aireportsudan/aireportsudan_en.pdf), retrieved 9 April 2009; International Crisis Group, Darfur: The failure to protect, 8 March 2005, available from [http://www.crisisgroup.org/library/documents/africa/horn\\_of\\_africa/089\\_darfur\\_the\\_failure\\_to\\_protect.pdf](http://www.crisisgroup.org/library/documents/africa/horn_of_africa/089_darfur_the_failure_to_protect.pdf), retrieved 13 April 2009.

<sup>22</sup> Conciliation Resources, The Darfur Peace Agreement: expectations unfulfilled, 2006, available from <http://www.c-r.org/our-work/accord/sudan/dpa-unfulfilled.php>, retrieved 14 April 2009.

<sup>23</sup> Human Rights watch, 10 steps for Darfur – implementation report, 5 December 2007, available from <http://www.hrw.org/en/news/2007/12/05/ten-steps-darfur-implementation-report>, retrieved 13 April 2009.

## **Research on the Popular Police Force possible involvement in human rights violations and / or violations of International Humanitarian Law in Darfur.**

Many reports attribute abuses to non specified armed forces, armed militia or police, it is therefore difficult to ascertain whether the PPF are being referred to.<sup>24</sup> For example Amnesty International states that civilians have been,

“Attacked by militias funded and armed by the government and by government armed forces and airplanes, the displaced live in insecurity and fear. They have a profound distrust in their own government, which has failed to protect them and has even attacked them. They report that camps are surrounded by members of the same militias who killed people from their villages and drove them out; going outside the camps, men risk to be killed and women to be raped.”<sup>25</sup>

The UN state that the distinction between security groups is not always clear<sup>26</sup>

“in the particular case of the internal conflict in Darfur, the distinction between the police and the armed forces is often blurred. There are strong elements indicating occurrences of the police fighting alongside Government forces during attacks or abstaining from preventing or investigating attacks on the civilian population committed by the Janjaweed. There are also widespread and confirmed allegations that some members of the Janjaweed have been incorporated into the police. President El-Bashir confirmed in an interview with international media that in order to rein in the Janjaweed, they were incorporated in “other areas”, such as the armed forces and the police.”<sup>27</sup>

The UN also reports that victims are often unable to distinguish between the janajwid, army and police.

“in practice, the term ‘Janjaweed’ is being used interchangeably with other terms used to describe militia forces working with the Government. Where victims describe their attackers as Janjaweed, these persons might be from a tribal Arab militia, from the PDF or from some other entity.”<sup>28</sup>

This research analysis considers events and activities attributed to the PPF, where mentioned in sources as a separate entity, keeping references to generalized ‘militias’ or ‘police’ to a minimum. However if the research question was opened up to include coverage of the PDF or other forces many more cited instances of human rights violations would be reported.

In 2008 the Special Rapporteur stated that “reports indicate that the militia, the PDF, Border Intelligence Guard, Central Reserve Police, Popular Police or Nomadic Police continue to commit violations and no efforts have been taken to control or disarm them.”<sup>29</sup>

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<sup>24</sup> Sudan Organisation Against Torture, Darfur, Gang Rape of Fourteen year old Girl, 1 June 2005, available from <http://www.sudantribune.com/spip.php?article9877>, retrieved 13 April 2009.

<sup>25</sup> Amnesty International, Sudan: Oral statement by Amnesty International: Protection of Refugees and Internally Displaced Persons, 29 November 2004, available from <http://www.amnesty.org/en/library/asset/AFR54/160/2004/en/7db0c3cd-d54c-11dd-8a23-d58a49c0d652/afr541602004en.html>, retrieved 9 April 2009.

<sup>26</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

<sup>27</sup> Ibid, Para 422.

<sup>28</sup> Ibid, Para’s 104-105.

The UN Commission states that the civilian status of the police in the context of the Darfur conflict is questionable.<sup>30</sup>

The UN has documented numerous accounts of abduction, torture, pillaging, forced displacement, summary execution, mass killings and rapes by the Janjawid and government forces throughout Darfur.<sup>31</sup> The UN states that “these acts were conducted on a widespread and systematic basis, and therefore may amount to crimes against humanity.”<sup>32</sup>

Members of the Zaghawa, Fur and Masaalit tribes are particularly targeted for attack by militia. The Jebel, Aranga and other ‘African’ tribes are also targeted.<sup>33</sup>

### ***Immunity***

Article 33 of the National Security Force Act 1999 grants immunity “from prosecution to any “member” or “collaborator” “for any act connected with the official work” of such persons”. The UN stated in 2005 that immunity was also being accrued by members of the police.<sup>34</sup>

In 2007 the Sudanese government issued new decrees stripping police accused of crimes of Immunity from prosecution.<sup>35</sup> No information was found relating to whether this decree was being applied in practice.

### ***Government attitudes towards the Popular Police Force***

General Ismat, the Head of Army operations in Darfur told the International Criminal Court (ICC) that the PPF have been directly involved in attacking villages, “the Armed Forces and the reserve forces Popular Defence Force (“PDF”), Popular Police Force (“PPF”), and Border Intelligence Unit (“BIU”), a Militia/Janjaweed unit typically attacked in formation spanning almost a kilometre. As the forces moved towards their target, “numerous small villages would be overrun.”<sup>36</sup>

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<sup>29</sup> United Nations general Assembly, Report prepared by the Special Rapporteur on the situation of human rights in the Sudan on the status of implementation of the recommendations compiled by the Group of Experts mandated by the Human Rights Council in resolution 4/8 to the Government of the Sudan for the implementation of Human Rights Council resolution 4/8 pursuant to Human Rights Council resolution 6/34\*, 2 September 2008, available from <http://daccessdds.un.org/doc/UNDOC/GEN/G08/154/14/PDF/G0815414.pdf?OpenElement>, retrieved 13 April 2009.

<sup>30</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, Para 422, 25 January 2005, available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

<sup>31</sup> Ibid; UN News Centre, *UN accuses Sudanese military, allied militias of possible war crimes, 21 August 2007*, available from <http://www.un.org/apps/news/story.asp?NewsID=23564&Cr=sudan&Cr1=>, retrieved 9 April 2009.

<sup>32</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, Para 271, 25 January 2005, available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid, Para 627.

<sup>35</sup> Reuters, Sudan to lift immunity for police accused of crimes, 21 August 2007, available from <http://www.alertnet.org/thenews/newsdesk/MCD155713.htm>, retrieved 13 April 2009.

<sup>36</sup> International Criminal Court, Situation in Darfur, the Sudan, 14 July 2008, available from <http://www.icc-cpi.int/iccdocs/doc/doc529671.pdf>, retrieved 13 April 2009.

In his 2008 address marking the anniversary of Independence day President Bashir hailed the PPF as activators of the Sunnah of Jihad.<sup>37</sup>

“Further we hail popular defense forces and popular police which reactivate Sunnah<sup>38</sup> of Jihad and affirmed conjunction between people and its armed forces and other forces.”<sup>39</sup>

In 2007 Ahmad Muhammed Harun, former Coordinator of the Popular Police, State Minister for Humanitarian Affairs; and State Minister for the Interior was been added to the US Treasury Office of Foreign Assets Control list, accused of contributing to the conflict in Darfur.<sup>40</sup>

### **Human rights abuses**

In 2007 there were attacks on settlements in Bulbul by the Rizeigat Abbala and Border Police. After the attacks UNMIS found military ID cards bearing the marks of the Popular Police<sup>41</sup>

The Sudan Tribune reports that members of the Popular Defence Forces and PPF shot and seriously injured students at Deling University in southern Kordofan who were expressing support for the ICC arrest warrant issued against President Al Bashir.<sup>42</sup>

The Sudan Organisation Against Torture reports that journalists who attempted to interview hospitalized victims of the 2008 Omdurman attacks were threatened by police.<sup>43</sup> Christian organizations in Sudan have protested harassment of non Muslim citizens by the Popular Police Force.<sup>44</sup>

In 2005 the Sudan Organisation Against Torture (SOAT) reported that three members of the PPF allegedly raped a 14 year old girl in Nyala. The men were subsequently arrested and the case referred to court. However SOAT notes that this is a rare instance and condemned the Sudanese government’s inaction against attacks and perpetrators.<sup>45</sup>

“the continual attack and sexual violence against children perpetrated by and under the control of government agents which the government is either unwilling or unable to control. SOAT has documented and reported to the authorities numerous cases of rape

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<sup>37</sup> The address of HE the President of the republic to the Sudanese nation on the Occasion of 44th anniversary of Independence., 24 July 2008, available from [http://www.sudan.gov.sd/en/index.php?option=com\\_content&view=article&id=116:2008-07-24-22-13-38&catid=44:2008-06-06-15-25-58&Itemid=72](http://www.sudan.gov.sd/en/index.php?option=com_content&view=article&id=116:2008-07-24-22-13-38&catid=44:2008-06-06-15-25-58&Itemid=72), retrieved 9 April 2009.

<sup>38</sup> Sunnah means ‘path’ or ‘way’.

<sup>39</sup> The address of HE the President of the republic to the Sudanese nation on the Occasion of 44th anniversary of Independence, 24 July 2008, available from [http://www.sudan.gov.sd/en/index.php?option=com\\_content&view=article&id=116:2008-07-24-22-13-38&catid=44:2008-06-06-15-25-58&Itemid=72](http://www.sudan.gov.sd/en/index.php?option=com_content&view=article&id=116:2008-07-24-22-13-38&catid=44:2008-06-06-15-25-58&Itemid=72), retrieved 9 April 2009.

<sup>40</sup> US Treasury, Recent OFAC Actions, 29 May 2007, available at <http://www.treas.gov/offices/enforcement/ofac/actions/20070529.shtml>, retrieved 9 April 2009

<sup>41</sup> OHCHR, Seventh periodic report of the United Nations High Commissioner for Human Rights on the human rights situation in the Sudan: Involvement of Sudanese security personnel in attacks on the Bulbul area of South Darfur from January to March 2007, 18 May 2007, available from [www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc](http://www2.ohchr.org/SPdocs/Countries/7thOHCHR18may07.doc), retrieved 9 April 2009.

<sup>42</sup> Sudan Tribune, Sudanese students wounded in clashes with government militia over ICC, 16 March 2009, available from <http://www.sudantribune.com/spip.php?article30524>, retrieved 9 April 2009.

<sup>43</sup> Sudan Organisation Against Torture, Human Rights Alert: Mass arrests and reports of torture in Khartoum following JEM attacks, 15 May 2008, available from [http://www.darfurconsortium.org/member\\_publications/2008/May/SOAT.051508.pdf](http://www.darfurconsortium.org/member_publications/2008/May/SOAT.051508.pdf), retrieved 13 April 2009.

<sup>44</sup> Liam Gearon, Ed., Human Rights and Religion, Sussex Academic Press, 2002, p. 257.

<sup>45</sup> Sudan Organisation Against Torture, Darfur, Gang Rape of Fourteen year old Girl, 1 June 2005, available from <http://www.sudantribune.com/spip.php?article9877>, retrieved 13 April 2009.

and sexual violence against women and girls in Darfur. In many of the cases, notwithstanding that SOAT has documented and reported the names of alleged perpetrators, very little has thus far been done by government authorities to properly investigate allegations or undertake serious measures to end the culture of impunity which allows these heinous acts to continue. Thus the government of Sudan bears full responsibility for the persistence of widespread rape and sexual abuse in Darfur.”<sup>46</sup>

The UN concurs that the arrest of perpetrators is not usual and that violence occurs with impunity<sup>47</sup>

“In Government-controlled areas, displaced civilians have remained largely at the mercy of the Janjaweed. Observers have reported that displaced civilians living under Government control in these areas remain virtual prisoners—confined to camps and settlements with inadequate food, shelter and humanitarian assistance, at constant risk of further attacks, rape and looting of their remaining possessions. Even if incidents are reported to the police or other Government officials, little or no action is taken to arrest perpetrators.”<sup>48</sup>

### ***Security in IDP camps***

Amnesty further states that civilians inside camps are intimidated by police whose weapons are trained on the Internally Displaced Persons (IDPs) rather than the militia’s outside the camps.<sup>49</sup> The UN asserts that the police presence at camps is “more for political reasons than any form of protection”<sup>50</sup>. According to Amnesty International displaced people do not trust the government police to defend them as the Janjawid have been recruited into the army, the Popular Defence Force, the police, the popular police and the border police.<sup>51</sup> IDPs report being forcibly dispersed to other camps or returned to villages where they do not feel safe.<sup>52</sup>

The UN reports that “killings have continued during displacement in camps at the hand of the militias surrounding the camps, and that some IDPs have also been the victims of indiscriminate police shooting inside camps, in response to alleged rebel presence.”<sup>53</sup> FIDH and SOAT also

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<sup>46</sup> Ibid.

<sup>47</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, Para’s 196-197, available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

<sup>48</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, Para’s 196-197, available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009

<sup>49</sup> Amnesty International, Sudan: Oral statement by Amnesty International: Protection of Refugees and Internally Displaced Persons, 29 November 2004, available from <http://www.amnesty.org/en/library/asset/AFR54/160/2004/en/7db0c3cd-d54c-11dd-8a23-d58a49c0d652/afr541602004en.html>, retrieved 9 April 2009.

<sup>50</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, ,Para 426, available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009

<sup>51</sup> Amnesty International, Sudan: Oral statement by Amnesty International: Protection of Refugees and Internally Displaced Persons, 29 November 2004, available from <http://www.amnesty.org/en/library/asset/AFR54/160/2004/en/7db0c3cd-d54c-11dd-8a23-d58a49c0d652/afr541602004en.html>, retrieved 9 April 2009.

<sup>52</sup> Ibid.

<sup>53</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, para 269 available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

report that IDPs have accused police and government backed militias of mounting several raids on camps and that widespread arbitrary arrests of Darfuri's by police have taken place.<sup>54</sup>

The UN states that Darfurians have little faith in the institution of the police and would not submit complaints about official forces or Janjawid due to a lack of faith in their effectiveness and fear of reprisals.<sup>55</sup>

“A number of victims informed the Commission that they would not go to the police to submit complaints against actions by the official forces or the Janjaweed. They did not think that the police would pursue the complaint and they feared reprisals. In fact, when officials in the three states of Darfur were requested to submit information on the number of registered complaints, they mainly provided lists of complaints registered as a result of attacks by the rebels.”<sup>56</sup>

### ***Treatment of Women***

Women were provided little protection on leaving camps for example, to collect firewood, many women have been subjected to rape and sexual violence by members of the Janjawid. According to the UN “Even if the incidents had been reported to the police, the perpetrators appeared to enjoy impunity and the attacks against women continued.”<sup>57</sup>

In 2005 Reuters reported that women generally didn't report cases of rape to police due to a culture of impunity.<sup>58</sup> Refugees International and Reuters report that Sudanese police officers sent to restore security in Darfur are sexually exploiting women.<sup>59</sup> Refugees International states that “since the Government of Sudan has increased the police forces in North Darfur to “protect” the people against the Janjaweed militia, the incidence of sexual violence against women perpetrated by the police and the army has risen. Rather than protecting them, there are reports that police are in league with the Janjaweed and have recruited many Janjaweed into their ranks.”<sup>60</sup>

According to Refugees International 90% of women in Darfur have been circumcised, with the total removal of external genitalia, rape thus results in extreme trauma.<sup>61</sup> Women have difficulty accessing medical services due to the requirement of a police referral, despite government instance that it had circulated a repeal of this legal provision.<sup>62</sup>

Human Rights Watch state that police attitudes towards women and legislation granting

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<sup>54</sup> Sudan Organisation Against Torture, Human Rights Alert: Many killed in government attack on Kalma refugee camp, August 2008, available at [http://www.darfurconsortium.org/member\\_publications/2008/August/SOAT.082708.pdf](http://www.darfurconsortium.org/member_publications/2008/August/SOAT.082708.pdf), retrieved 13 April 2009.

<sup>55</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid, Para 348.

<sup>58</sup> Reuters, Women decry impunity for rape in Darfur, 17 November 2005, available from <http://www.peacewomen.org/news/Sudan/Nov05/DecryImpunity.html>, retrieved 13 April 2009.

<sup>59</sup> Refugees International, Sudan: Security forces attacking women seeking firewood, 13 October 2004, available from <http://www.peacewomen.org/news/Sudan/Oct04/Attack.html>, retrieved 13 April 2009; Reuters, UN: Sudan police sexually exploiting Darfur women, 14 August 2004, available from <http://www.peacewomen.org/news/Sudan/Aug04/police.html>, retrieved 13 April 2009.

<sup>60</sup> Refugees International, Sudan: Security forces attacking women seeking firewood, 13 October 2004, available from <http://www.peacewomen.org/news/Sudan/Oct04/Attack.html>, retrieved 13 April 2009.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.



immunity to perpetrators impedes prosecutions.<sup>63</sup>

“Survivors of sexual violence in Darfur have no meaningful access to redress. They fear the consequences of reporting their cases to the authorities and lack the resources needed to prosecute their attackers. Police are physically present only in principal towns and government outposts, and they lack the basic tools and political will for responding to sexual violence crimes and conducting investigations. Police frequently fail to register complaints or conduct proper investigations. While some police seem genuinely committed to service, many exhibit an antagonistic and dismissive attitude toward women and girls. These difficulties are exacerbated by the reluctance—and limited ability—of police to investigate crimes committed by soldiers or militia, who often gain effective immunity under laws that protect them from civilian prosecution.”<sup>64</sup>

The UN reports that there are several procedural obstacles preventing the police from taking action against the Janjawid, for example in Darfur victims crimes such as rape are required to get a Form 8 form from the police before they can access a medical examination or treatment. The “The Minister of Justice Criminal decree 1/2004” abolished the need for the form from 21 August 2004 however the UN found in its 2005 report that police were still following the form 8 rule and that neither the police or judiciary were aware of the existence of the decree.<sup>65</sup>

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<sup>63</sup> Human Rights Watch, Five years on: No justice for sexual violence in Darfur, April 2008, available from [http://www.hrw.org/sites/default/files/reports/darfur0408\\_1.pdf](http://www.hrw.org/sites/default/files/reports/darfur0408_1.pdf), retrieved 13 April 2009.

<sup>64</sup> Human Rights Watch, Five years on: No justice for sexual violence in Darfur, April 2008, available from [http://www.hrw.org/sites/default/files/reports/darfur0408\\_1.pdf](http://www.hrw.org/sites/default/files/reports/darfur0408_1.pdf), retrieved 13 April 2009.

<sup>65</sup> UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General: Pursuant to Security Council Resolution 1564 of 18 September 2004, 25 January 2005, Para 427 available from [http://www.un.org/News/dh/sudan/com\\_inq\\_darfur.pdf](http://www.un.org/News/dh/sudan/com_inq_darfur.pdf), retrieved 13 April 2009.

## **Sources consulted (including internet sites)**

Aegis Trust  
African Union Mission in Sudan  
Amnesty International  
Cairo Institute for Human Rights  
Canadian National Forces – National Defence and the Canadian Forces  
Conciliation Resources  
Darfur Centre for Human Rights and Development  
Freedom House  
Human Rights Watch  
International Commission of Jurists  
International Criminal Court  
International Crisis Group  
International Police Executive Symposium  
IRIN News  
New York Times  
Nuba Survival  
OHCHR  
PBS  
Relief Web  
Republic of Sudan – Ministry of Cabinet Affairs Secretariat General  
Republic of Sudan – Ministry of Interior  
Small Arms Survey  
Sudan Human Rights Organisation  
Sudan Tribune  
The Independent  
UK Parliament  
UN Security Council  
UNDP Sudan  
UNHCR  
UNICEF  
United Nations Information Service  
University of Pennsylvania – African Studies Centre  
UNMIS  
US Department of Treasury  
US State Department  
Women Living Under Muslim Laws  
World Organisation Against Torture (OMCT)